

6 December 2024

Claire Ryan
Principal Planner
Northern Beaches Council
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Architecture
Urban Design
Planning
Interior Architecture

DA-2024/1249
Response to Request for Information

Dear Claire,

This letter has been prepared on behalf of the applicant, HSW Nominees Pty Ltd, in response to matters raised by Northern Beaches Council (Council) via a Request for Information (RFI) letter dated 26 November 2024 in relation to the abovementioned Development Application (DA).

This letter also provides a response to submissions raised during exhibition of the DA during the period 4 October to 1 November 2024.

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1. Response to Council RFI

A response to matters raised in Council's RFI is provided at **Table 1** below.

Table 1. Response to Council RFI to DA-204/1249

Item	Response
1. Land Uses	
<p><i>The submitted Statement of Environmental Effects notes the proposed development is not artisan food and drink industry. Council is of the opinion that the proposed development is in accordance with the definition of artisan food and drink industry per the Dictionary of the Manly Development Control Plan 2013, as follows:</i></p> <p><i>artisan food and drink industry means a building or place the principal purpose of which is the making or manufacture of boutique, artisan or craft food or drink products only. It must also include at least one of the following—</i></p> <p><i>(a) a retail area for the sale of the products,</i></p> <p><i>(b) the preparation and serving, on a retail basis, of food and drink to people for consumption on the premises, whether or not liquor, take away meals and drinks or entertainment are also provided,</i></p> <p><i>(c) facilities for holding tastings, tours or workshops.</i></p> <p><i>The above definition only requires satisfaction of at least one of the above criteria at (a) through (c).</i></p> <p><i>The portion of the proposed development noted for</i></p>	<p>Architectus accept Council's characterisation of the development as a combination of a 'pub' (Felons Barrel Hall, as detailed in the submitted Statement of Environmental Effects) and an artisan food and drink industry (microbrewery).</p> <p>Maintaining this mix and characterisation of uses is important for liquor licencing arrangements currently being progressed.</p>

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a 'microbrewery' includes the preparation and serving, on a retail basis, of food and drink to people for consumption on the premises, thereby satisfying (b) above.

Demonstration of how the proposed microbrewery is not an artisan food and drink industry is required.

2. Public Toilets

The proposed development includes relocation of the public toilets from the basement to the ground floor. No objection is raised in principle with this element. However, a minimum like-for-like provision is required, and it is noted the proposed plans include a loss of female facilities as follows:

Facility	Existing	Proposed	Difference
Accessible	1	1	Nil
Male	6	6	Nil
	1 trough / 3 urinals	6 urinals	+3
Female	11	10	-1

Amended architectural plans are provided at **Attachment A**, which provide like for like provisions as follows:

Facility	Existing	Amended Proposal	Difference
Accessible	1	1	No change
Male	6	6	No change
	1 trough / 3 urinals	6 urinals	No change
Female	11	11	No change

3. Urban Design Referral

Council's Urban Designer has commented on the proposal as follows:

1. The proposed new ramp and stairs including handrails outside the proposed entry will make the existing wharf boardwalk promenade width narrower creating pedestrian traffic congestion around that area. The boardwalk is currently heavily used by ferry commuters and pedestrian so it should not be reduced in width in any way.

... With respect to the first point above, reconfiguration of the southern entry/exit point is required.

Additional reference drawings are provided at **Attachment B**, which show the existing conditions provide a minimum boardwalk clearance of 4.095m at this location (adjacent to the proposed ramp and stairs).

To meet BCA and accessibility requirements, the proposed revised stair and ramp arrangement provides for a minimum clearance of 3.360m, a reduction of only 735mm.

This change is minor, attributed to stair and ramp handrail elements, will not obstruct any sight lines for pedestrians nor unreasonably obstruct or affect pedestrian movements along the boardwalk. The width of the boardwalk at this location remains larger than other areas nearby (noting existing widths at the south deck of 3.080m) and the slight reduction in width in this location is therefore inconsequential in terms of pedestrian movements. This route does not comprise the major thoroughfare for pedestrians in terms of accessing public transport from Manly city centre, with the majority of pedestrians utilising this part of the wharf for the purposes of accessing one of the tenancies.

	<p>The proposed boardwalk is also substantially greater than other nearby public footpaths in Manly, such as along East Esplanade, which are less than 2.5m in width and which adequately cater for a much greater number of pedestrian movements.</p> <p>It is noted that the current reverse stair arrangement is substantially greater in bulk and more visually intrusive than the proposal, which is considered to result in an improved visual outcome and better sight lines along this extent of the boardwalk.</p>
<p>2. Provide more information on how the blank wall (previously Aldi supermarket shopfront) proposed on the north-west corner of the tenancy next to the new public toilets will be treated.</p> <p>... With respect to the second point above, further detail on the elevation is required to demonstrate the frontage includes sufficient visual interest and activation.</p>	<p>Amended plans are provided at Attachment A, which provide additional information relating to the treatment of this wall.</p> <p>This wall is proposed to be clad with white painted, horizontal chamfer board, to match existing cladding of Manly Wharf.</p> <p>It is also proposed to include a feature artwork to this façade. The particulars of this artwork are to be confirmed following approval of the DA, and are anticipated to be in collaboration with local and/or indigenous artists.</p> <p>To provide comfort to Council, it is recommended that a condition be included in any consent requiring the final artwork to be submitted to the satisfaction of Council's Director of Planning, prior to installation.</p>
4. Coast and Catchments Referral	
<p><i>Council's Senior Environment Officer – Coast has advised that the submitted coastal engineering report has not included assessment of the wave forcings and coastal processes, given the use of the structure is proposed to change. It is recommended that the submitted coastal engineering report be amended accordingly. Alternatively, the following condition will be included, if consent is granted:</i></p> <p><i>Structural Engineering for Estuarine/Coastal Risk</i></p> <p><i>Structural engineering design for the development shall be prepared, with input as necessary from a chartered professional engineer with coastal engineering as a core competency, to ensure that for its design life (taken to be 100years unless otherwise justified and accepted by Council) the development is able to withstand the wave impact forces and loadings identified in the approved Estuarine Risk Management Report prepared by Horton Coastal Engineering dated 1 August 2024.</i></p>	<p>Architectus accept Council's recommended condition of consent for preparation of the structural design, prior to works commencing.</p>

<p><i>The potential for component fatigue (wear and tear) should be recognised for the less severe, but more frequent, wave impact loadings.</i></p> <p><i>Reason: To ensure structural engineering is prepared by an appropriately qualified professional.</i></p>	
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2. Response to Public Submissions

Architectus have reviewed the public submissions, which raised issues including, but not limited to, use of the site as a licenced venue, amenity impacts (including noise and antisocial behaviour), venue branding and provision of adequate toilets/amenities.

It is considered these matters have been reasonably addressed in the submitted Statement of Environmental Effects (SEE) and supporting technical consultant reports.

Should Council require further information to any particular issues, Architectus can provide a further response as required.

3. Conclusion

I trust information within this letter is sufficient for Council to finalise assessment of the DA. Should you require anything further, please do not hesitate to contact me at jonathan.archibald@architectus.com.au.

Regards,



Jonathan Archibald
Associate, Planning