

Presentation to Council – 25th July 2012

- The application lodged for the development of Fishermans Wharf following the collapse of Lusted Constructions was originally for three floors. Following extensive complaints from Members of the Community, the WATCH Committee, The Entrance Precinct Committee and a petition containing over 3,000 signatures, this plan was amended to two floors with a Roof-top Observation Deck which was originally to be available to the Public at all times but was then modified to be available during the operating hours of Fishermans Wharf .
- The provision of the Roof-top Observation Deck was to be partial compensation for the loss of the Public Land which Fishermans Wharf was to occupy.
- In a Letter from Mr David Jack, Director, CORPORATE SERVICES, dated 6th October, 2011, it was confirmed that the condition of consent regarding the Roof-top Observation Deck was still in force following the signing of the new lease.
- The argument that the Rooftop Observation Deck is a security risk as it is not easily seen is false as the deck can be easily seen by both Pedestrians and vehicles crossing the Entrance Bridge
- A locked Security Door has already been placed on the stairs leading to the Roof-top Observation Deck a number of times in direct contravention of the terms of the Condition of Consent.
This has been the subject of numerous complaints to Council over the past twelve months. It is not beyond reasonable belief that due to these repeated breaches of the existing Conditions that the lessee would not strictly adhere to the new Conditions.
- It has also been noted that Advertisements have already been published for the use of the Roof-top Observation Deck for Wedding Receptions.
- New condition 64 of the amended Conditions of Consent specifically prohibits the use of the roof terrace observation deck for any purpose other than as an observation deck (no amplified music, no holding of events, functions, receptions, parties or the sale of food and alcohol).

- The only remaining use of the Rooftop Observation Deck by patrons during the restricted hours would be to observe the view so why should the Public be excluded from doing the same without having to spend money in any of the premises?
- The value of the lease is \$20,000 per annum (letter from Mr David Jack) or \$400 per week. This is hardly a suitable amount to justify exclusive use at any time of what is supposed to be a Public Area.
- It is essential that the original Conditions of Consent in regard to Public Access to the Roof-top Observation Deck be maintained so that the Public retains the right to free and un-restricted access.

Jim Price,
23rd July, 2012.