
Sent: 8/03/2018 8:09:12 AM
Subject: Online Submission

08/03/2018

MR Greg Mullens
21 Peacock ST
Seaforth NSW 2092

RE: Mod2018/0065 - 38 Stuart Street MANLY NSW 2095

The matter may seem minor and the applicant has gone to a lot of trouble to make it appear so. Regrettably this is an all too common ploy; ignore a development condition, wait for time to pass, a change in Council makeup then ask for the condition to be withdrawn. I would urge those assessing this application to go over the history.

The approval of this DA was a very contested issue for the community. Dwellings 34-40 were on land designated for community use and there was an obligation on Council to buy back that land when the owners of the dwellings put them up for sale. When No 38 came up for sale, council already owned 34 and 36. Council resolved to buy 38 at auction but bungled it and it stayed in private hands.

When the DA for redevelopment was lodged it received close scrutiny by Council and eventually by the Land and Environment Court and the application was approved but with conditions. Those conditions were imposed for good reason; to in some way satisfy the community's desire to maximise the extension of the public space abutting Little Manly beach. Council now own No 40 so 38 stands as an interruption of the contiguous portion of much needed public space. In recognition of this problem Council under the Administrator put forward the boardwalk concept. It was a good idea which sadly has been shelved due to competing priority for Council's funds, but we in the community hope and look forward to it's eventual implementation.

So I strongly appeal to Council to stand their ground. Recognise that the condition for no stairs was imposed after a lot of thoughtful deliberation, and should not be removed now the heat of the community debate and concern has faded. The condition was imposed for good reason and those reasons have not changed so please reject this application.