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**Sent:** 14/03/2020 3:05:31 PM  
**Subject:** Online Submission

14/03/2020

MR Jeremy Magee  
1 / 26 - 28 Fairlight St ST  
FAIRLIGHT NSW 2094  
bluemax666@tpg.com.au

**RE: DA2020/0103 - 30 Fairlight Street FAIRLIGHT NSW 2094**

Jeremy Magee  
Unit 1, 26-28 Fairlight St  
FAIRLIGHT NSW 2094  
14 Mar 2020 Mob 0418602104

Mr. Alex Keller  
Planner Northern Beaches Council  
Manly NSW 1655

Subject: Objection to DA2020/0103 for development of 30 Fairlight St FAIRLIGHT by Castel 240 Pty Ltd

Dear Mr. Keller,

I am the owner occupant of Unit 1 of 26-28 Fairlight St Fairlight and have lived here for 13 years. My unit is to the immediate East of the front of 30 Fairlight St at ground level. I am objecting to this DA as what is proposed will have a severe adverse impact on my property, my ability to enjoy my property and on the amenity of all the properties within eyesight of 30 Fairlight. This would appear to apply to virtually all my neighbors.

Fundamentally the proposed building is far too big for the block at 30 Fairlight St. Apart from breaching numerous legal development requirements, the building proposed is huge, overbearing and intrusive within the context of the neighborhood. Amongst a plethora of other serious issues, it has inadequate standoffs from its boundaries and intends no softening of its frontage with there being a straight vertical frontage, pierced by entrances with this followed by a what would appear like a 4 story tower virtually immediately behind. It has inadequate parking, unacceptable undersized and virtually subterranean accommodation. Our block, "Reef Court" shows this clearly, it is 7 units with adequate parking built on 2 house blocks of approx. 16m frontage. It provides very good accommodation and resident amenity whereas the DA proposes virtually the same accommodation 7 units and less parking on 1 house block with inherent cost to the development's amenity for residents and neighbors.

Probably the less said here about the content of the DA the better. It is a statement of fact that the DA application and its supporting documents are misleading, inaccurate and blatantly do not seek to comply with council's development requirements as is required for all such projects. The DA even acknowledges that it breaches these requirements e.g. 86% ie. 6 of the proposed 7 units are 25% smaller than the minimum required floor space, heights of walls exceed regulated limits, setbacks are so minimal to be effectively non-existent in breach of development standards, etc. etc. I would refer you to Mr. Bob Smale's DA Response Submission which covers the DA's failings in a truly forensic and detailed manner and believe it covers virtually all the elements mentioned by other objectors. Because of this I will not go

through all the issues here. It must be mentioned that the quality and accuracy of the DA application is very poor and probably indicates the priority given by the proposed development to the amenity of the neighborhood and the future residents of the proposed block.

I do however have several specific objections to the proposed construction which I need to mention.

#### Drainage/Stormwater.

By way of background it must be said that 30 Fairlight St site has serious ground and stormwater issues which it does not cope with now with considerably more "soft" surface than is proposed. This is shown any time there is a medium to heavy rain where a stream approx. 5cm deep pours down over the entrance steps onto the footpath on Fairlight St to flow over the footpath and nature strip to the street gutter. The block has large storm and groundwater flows that basically flow South East down to the harbor from the crest of the hill. To dig down some 7 m right across the rear of the 30 Fairlight St and put in a retaining wall of that height MUST act to divert the existing flow of surface groundwater "downhill" to the rear, side and front of 26-28 Fairlight St.

While I have not done the "levels" in detail, I find it incredible that in the Crosier Geotechnical report makes the claim at P18, 5.3.4 this approx. 7m deep and 16m wide excavation stating "Excavation likely to intersect Water Table - NO" and in the same table "Impact of development on local hydrogeology - Negligible". Such a statements fly in the face of reason - of course it will intersect the water table, of course it will have a more than "negligible" effect on the local hydrogeology. It is also worth note that any side-on drawings included with the DA are very short on level and height detail. Such freedom with the truth does not give confidence in the accuracy and voracity of the proposal. I would refer you to Mr. Bob Smale's comments re lack of detail as to how virtually any construction methodology issues are addressed. I believe many of these problems are effectively insurmountable in practice.

On this drainage issue it should be noted that it clearly appears that the garage floor level is below the lowest point that the water can be discharged to the street i.e. the street gutter level at the South West Corner of 30 Fairlight block. I don't pretend to be an expert but my knowledge of water tell me that this will mean the garages will either be a meter or so deep in water or some truly impressive pump out arrangement will be needed with I would suggest a high and ongoing power and maintenance requirements which will have significant cost and noise implications for the future residents at the very least.

At reef court we are very aware of the storm & groundwater implications of our location. At great inconvenience and expense we have finally sorted out most of the drainage /stormwater problems on our site. I would suggest that the effect of such major excavations and retaining wall barriers will be to generate significant new drainage problems for our site as it is immediately downhill/downstream from them.

#### Loss of Light.

Due to the very tall, long "rectangular" design with a vertical frontage and no setback from the street the proposed building it will cast a huge shadow on the western side of Reef Court. Due to me being on the bottom floor downhill from 30, will mean where the side yard now gets 3 to 4 hours direct and indirect sunlight in summer I would doubt if it would get 30 minutes under the proposal. My front yard is a real "sun trap" year-round, which is a wonderful feature of my unit and very important to my amenity living there. It will lose most of the sun and will be in shade from 30Fairlight for most of the afternoon. Currently the yard has sun well into the afternoon most of the year. Placing what is in effect a 11m plus high box with minimal setback from the street MUST severely impact the amount of sunlight my yard receives. A further adverse impact of the design is that my entire yard will, under the proposal, be on complete display from the verandahs of the South Eastern units and the penthouse. I believe privacy is a significant component of overall amenity of any residence, I will lose it virtually completely in my yard.

#### Parking

The provision of parking proposed is very inadequate. The applicant admits that the proposed parking fails to meet the minimum legal requirement as it stands and wants approval to reduce it to below that minimum. I can speak from experience that at our 7unit block with 13 on site spaces and a double block frontage is often found inadequate. The proposed parking for such a 7unit block with 9 parking spaces will prove extremely inadequate and greatly increase the existing on-street parking shortage. Given each unit resident is permitted to now buy up to 3 extra on street parking certificates such a development can only seriously increase the parking difficulties of this already problematic (parking wise) area.

#### Conclusion

In the preparation of this DA, it would appear that nearly every decision has been made to maximize the return to the developer with little to no regard for the amenity and appeal of the neighborhood, the neighbors and even of the future residents of the development.

Given this and the multiple breaches of development requirements, the inappropriate size overwhelming the area and adverse impacts on neighbors (in previous council compliant developments), the lack of appropriate planning and even a lack of safety consideration during construction and occupancy (see Mr Smale's response for detail of these failures) I cannot see how in good faith this DA could be approved.

Yours faithfully  
Jeremy Magee