
Sent: 20/01/2025 2:34:15 PM
Subject: DA2024/1562 (5 Lauderdale Avenue, Fairlight)

Dear Assessing Officer

I write to object to this Development Application in its current form – and to deplore the project in any event, from the planning and heritage points of view.

The site concerned – which encompasses Fairlight Baths, the adjacent beach, and the scenic foreshore – is itself a valuable and beautiful remnant of the old Manly and Fairlight: unique suburban landscapes which are vanishing before our own eyes.

I grew up in Manly, and now live in another suburb, but spend a lot of time in Manly, Fairlight and their environs, and am unsurprised that many people who live in other suburbs have taken it upon themselves to lodge written objections to the proposed development.

In no way can it be said that the development will not detrimentally affect the public amenity.

The scale of the proposal vastly exceeds height, bulk and density planning restrictions.

To my surprise, I read in the Statement of Environmental Effects (page 6) that the “high-quality and contextually appropriate build form outcome...responds to adjacent and nearby development and the built form characteristics established by waterfront development within the street block between Fairlight Crescent/Arlington Drive to the west and Margaret [sic] Street to the east.”

On the same page of the report appears the bold statement that “strict compliance has been found to be unreasonable and unnecessary in this instance given the ability to achieve the objectives of the height and FSR standard and the virtual abandonment of the building height and FSR standards by the consent authority and its approval of waterfront development within this particular street block.”

“Strict compliance has been found to be unreasonable and unnecessary...”. By whom has it been found to be unreasonable and unnecessary? “The virtual abandonment of the building height and FSR standards by the consent authority...”.

To give but two examples, these are opinions which are (and should be) inadmissible in any court of law. That they are permitted to be expressed in a Statement of Environmental Effects is concerning.

Underlying all these statements is the notion that comparison with surrounding unit blocks constructed over 50 years ago — before there was the presently-recognised imperative for development and planning restrictions to preserve and protect the character and amenity of the location — is a valid consideration, and one that somehow gives absolution to the identified infringements of the planning restrictions. The circularity of an appeal to a lack of foresight will be apparent.

Nowadays, the regrettable, hulking built forms at 1 and 7 Lauderdale Avenue would not be countenanced, yet alone permitted. That they were permitted to be built over 50 years ago is an unfortunate reflection on the lack of foresight and proportion that began to be exhibited then – and which has resulted in the erosion of much of Manly and Fairlight’s built heritage: a built heritage which will never be recovered.

That the house at 5 Lauderdale Avenue is not heritage-listed is a matter for regret. It seems inevitable that it will be demolished, which is deplorable. The panel should be astute to ensure that it is not replaced by a generic structure of little aesthetic merit, and which will have a deleterious effect on the amenity of the foreshore – including its attractive treescape.

The reasoning for the justifications in the Statement of Environmental Effects should be rejected by reason of infringements concerning height, overshadowing and their consequences. Valuable and beautiful public

recreational areas by the harbourside are intrinsically rare; they are becoming rarer and therefore should be regarded as something very precious – and to be safeguarded, not squandered.

Your faithfully,

Adrian Maroya.