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30/06/2020

MS Deborah Bailey  
12 Bolingbroke PDE  
Fairlight NSW 2094  
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**RE: DA2020/0514 - 1 B Bolingbroke Parade FAIRLIGHT NSW 2094**

As a long term resident and owner of 12 Bolingbroke Parade, I object to this DA in the strongest possible terms.

My first difficulty is that I was not notified of the DA, despite the fact I will be directly impacted by the noise, traffic and pedestrian congestion, and pressures on public parking which will inevitably arise from this development. All of the people in Bolingbroke Parade and Fairlight crescent should have been notified and I ask Council to ensure that this occurs without delay.

The development proposal is for a significant expansion of present uses on the site, and an expansion of hours of operation from 5am to 10pm each and every day of the year. The new uses are designed to bring many people to the site on a daily basis, and certainly more than have ever visited in association with the previous use of marine repair and maintenance. Hours of existing uses are also to expand. There will be visitors in connection with the watercraft storage and rental operation (some of which will be able to have access 24 hours/day), and from the food and beverage operation to operate from 5 am until 10pm, with indoor seating to close at 10pm, and extensive outdoor seating to close at 6pm. The plans attached to the DA provide for a 255% increase of building area on the site.

This intensification of use will have dire and unacceptable impacts on Esplanade Park and local residents. There will be noise of entry and exit, as early as 5am and as late as 10pm. There will be noise of food preparation and service, and noise of patrons, up to 50 of whom may be seated in the outdoor area from 5am to 6pm. Perhaps there will be more if some are standing. There will be at least 20 patrons seated in the 2 indoor seating areas, and perhaps many more if the 45 sqm of "circulation" space is used. There will be noise from the 24 hour/day access to watercraft storage. There will be noise from frequent deliveries and the servicing of the 'kiosk', as well as from plant and equipment. All in all, the noise generated will be constant and intrusive, and cause serious loss of amenity especially for nearby residents, but also for users of the Park. There will also be issues of light pollution, as the facility is to be open in some way 24 hours/day which will particularly effect the adjacent homes.

I take no comfort from the Acoustics Report. The noise will not be absorbed by the envelope of the building and will resound up the hill to my home, like all noise generated on the water. All residents know the manner in which sound travels in this locality.

The development will generate a great deal of vehicular traffic. Much will be in the very early hours and associated with early use of watercraft. Traffic will be generated all day in connection with the food and beverage operation and until 10pm at night. The immediate vicinity is a closed traffic loop, so that there is one way in, and one way out. Congestion will inevitably occur at peak hours. The suggestion that the new uses, including a 70-plus seat food

and beverage facility to be open from 5am to 10pm at night will generate only 2 extra vehicle trips a day (SEE p. 38), is audacious. Servicing and deliveries alone are likely to account for more vehicle trips.

The parking proposal is equally striking. It seeks to rely on 33 parking permits issued under the now superseded scheme and seeks 2 further permits, despite the Council having introduced a new scheme to come into effect in early 2021 next year under which all but 1 permit will be withdrawn.

Like all our neighbours, I was outraged to discover from the DA that the boatshed has had the use of 33 parking permits, and has used 20 for the convenience of swing mooring customers.

This allocation of parking permits cannot be allowed to continue, let alone be expanded. To do so would be completely unfair to local residents, including the rate paying owners of the nearby residences, many of whom do not have on-site parking. It would also be unfair to visitors, including less mobile older people and families with children, who wish to enjoy the many attractions of the local area. Parking in Bolingbroke Parade and Fairlight Crescent, which are the only access roads to the proposed development, is already extremely restricted and there is not enough parking for residents. There can be no justification for the Council issuing unrestricted permits to the boat shed for use by non-residents of these streets for non-residential purposes. I would be interested to know how much the owner of the boat shed is paying for these permits and on charging users for the right to use these permits.

I also ask the Council to think carefully about the manner in which the DA has been framed, as one for alterations and additions with no particular environmental impacts, so as to shoehorn it into a narrow exception designed to enable minor works. That pathway would enable the avoidance of planning instruments designed to control development of important environmental sites such as the present one, which is a marina close to wetlands. In my view it would be both wrong in law, and regrettable, to allow the DA to proceed on the present basis. The extent of demolition and rebuilding must be characterised as a new build rather than alterations and additions, and the intensification of uses of the site will produce profound new environmental impacts which will detract from the amenity of the Esplanade Park and local residents.

I contend that the DA must be dealt with as designated development.

I ask Council to refuse this DA.

Yours Faithfully

Deborah Bailey