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**Sent:** 12/12/2020 9:04:50 AM  
**Subject:** Final Paper Submission REF DA2020/0514  
**Attachments:** Final Submission DA20200514.docx;

Dear Ms Sawyer

I attach my final submission to the Panel in advance of the meeting next Wednesday.

Kindly acknowledge the submission has been received.

Regards

Dale Andrijin  
9A Bolingbroke Pde  
FAIRLIGHT NSW 2094

**Written Submission**

**NBLPP**

**11 December 2020**

**RE: Manly Boatshed 1B Bolingbroke Parade Fairlight NSW 2094**

**DA 2020/0514**

I do not support the DA Assessment Report, and ask NBLPP to Refuse this DA or impose much stricter Conditions of Consent.

I ask NBLPP to refuse the DA:

**PARKING & TRAFFIC IMPACT**

McLaren Traffic Engineering was appointed by my neighbour to provide advice on the Applicant's late submission on Parking. McLaren's Report was produced expeditiously but was not available until after the Assessment Report was completed. The McLaren report has been provided separately today. The conclusion of this report states that the DA should be refused on Parking & Traffic Impact grounds:

*The development proposal includes an expanded number of dry craft storage and introduces a new kiosk component. There is no additional parking proposed and the development will overspill parking to the surrounding streets.*

*This firm's independent parking surveyor has confirmed that at peak site operation there is little to no parking available on street to accommodate the demand. The applicant's parking survey was highly flawed and does not consider legally available parking locations which would reduce the compliant parking capacity of the streets. The patron travel mode survey confirms the previous MTE estimates for kiosk parking demand and the significant undersupply of kerbside parking available should that demand level be permitted....the parking demands from this facility will double as a result of this redevelopment and the additional demand .... will exacerbate the problems faced by local residents in an area where parking demand is already exceeding capacity... The additional scale of the development alone adversely impacts the local community amenity for parking and is contrary to the controls with the SREP DCP. On that basis NBC should refuse the development on grounds of parking and traffic impact.*

The DA should be refused on this basis.

**MISLEADING AND INCORRECT DA DESCRIPTION**

I contend that the DA is a New Build and not an Alteration & Addition.

The proposed development removes the roof structure, the piles, removes the ground floor structure, removes most or all of the wall structure, removes all of the existing decks and supporting structure of the marina.

The reality is that the existing marina will be completely demolished.

No adequate consideration has been made considering Coorey v Municipality of Hunters Hill [2013] NSWLEC 1187, and particularly the matters raised in the careful opinion of Mr Turvey To of Counsel, which was filed with the Cowan Submission of 30 October, 2020.

The DA should be assessed by NBLPP as a New Build and a Designated Development.

The DA should be refused on this basis.

**INCREASE IN SCALE AND INTENSIFICATION OF USE**

No proper consideration has been given to the increase in scale or intensification of use which will occur. At p26 of the Assessment Report the increase in scale is dismissed on the grounds the applicant will find the extra footprint useful. This is an irrelevant consideration to the question of scale and undermines the conclusions reached in the Assessment Report. The extensive increase in scale is described well at pp2-4 of the Yabsley Submission of 8/7/2020.

Significant intensification of use will also arise from the proposed food and drink facility which will accommodate many new patrons each day over the excessive hours proposed.

#### **MODIFICATION TO CONDITIONS OF CONSENT**

I refer NBLPP to the assessment of DA2020/0778 at Clontarf Marina and ask for a similar outcome:

##### Permitted delivery and service times

Delivery of goods to the kiosk and services including garbage and recyclable collection, and grease trap pump-outs are not permitted between 6pm and 7.30am. Reason: To protect the amenity of neighbouring residents.

##### Hours of Operation

Kiosk. The hours of operation are to be restricted to: Monday to Friday – 7:30am - 3:30pm

Saturday, Sunday and Public Holidays – 7:30am - 4:00pm Upon expiration of the permitted hours, all service (and entertainment) shall immediately cease, no patrons shall be permitted entry and all customers on the premises shall be required to leave within the following 30 minutes. Reason: To ensure that amenity of the surrounding locality is maintained.

##### Patronage

The maximum number of patrons of the Kiosk shall not exceed twenty (20) at any time. Reason: To ensure that amenity of the surrounding locality is maintained.

##### Noise

There is to be no amplified entertainment noise (music) associated with the operation of this use. Reason: To protect surrounding residences from any noise generated by the operation of the development.

##### All other Marina Services

The hours of operation are to be restricted to: 7.30am - 6pm. Reason: To protect the amenity of neighbouring residents.

I also ask for a condition that the tender boat approaches and leaves the Site in an arc to the west rather than across the face of the residences above and to the east. Reason: to reduce the acoustic impact of the tender boat to ensure that the amenity of homes most affected by such noise is maintained.

**I ask NBLPP to refuse this DA.**

Yours faithfully,

**Dale Andrijin**  
**9a Bolingbroke Parade**  
**Fairlight**  
**NSW 2094**