
From: Alex Whiteley
Sent: Monday, 4 July 2022 7:10 AM
To: Planning Panels - Northern Beaches
Cc: Stefanie Oeben; Rodney Abbot; Mom
Subject: DA2021/2590 - 40 Pine St, Manly - Item 4.2 for 6 July 2022
Attachments: Submission to NBLPP - DA2021_2590 - 2022-07-06.pdf

Categories: NBLPP

Hello,

Please find attached a written submission to the Planning Panel, for consideration in the meeting this Wednesday 12pm, agenda item 4.2 (40 Pine St).

Thank you,
Alex

3 July 2022

Northern Beaches Council
PO Box 82
Manly
NSW 1655

To the members of the Local Planning Panel,

NBLPP meeting Weds 6 July, agenda item 4.2: DA2021/2590 - 40 Pine Street, Manly

We are the owners and residents of [REDACTED], Manly, which sits directly to the north of 40 Pine Street. The subject property is perched several metres above ours due to the steep gradient of the site.

The concerns that we originally submitted to Council on the 17th of February still stand and have been recognised in the assessment report as valid reasons to refuse the application.

Heavy rains over the last few months have made the stormwater concern more immediate. In March and again this week, we have had large volumes of water sheeting down our property from 40 Pine Street above, forming a literal waterfall down the garden steps.

Due to the precarious position of 40 Pine Street above the houses of Pacific Parade, it is incumbent on the owner to design and develop the site in keeping with good hillside practice, to avoid destabilising the site and surrounding area; however, the proposed design does not comply with Council controls, demonstrates poor hillside practice, and presents a risk to our safety.

The primary gaps / areas of concern:

1. Inaccuracies and inconsistencies of the geotechnical report
2. Lack of rear setback does not allow for landscaping
3. Unclear / insufficient stormwater management plan

Inaccuracies and inconsistencies of the geotechnical report

A neighbour who is an experienced geophysicist has reviewed the geotechnical report submitted with the application and noted several omissions, discrepancies and examples of poor practice - see *Review of Geotech Report by In Depth Geophysics Pty Ltd*, submitted 23 February.

We urge the Panel to arrange for an independent geotechnical review of the application; engineers are welcome to our property to assist with any assessment.

Lack of rear setback does not allow for landscaping

The proposed design does not allow any space at all for landscaping in the rear setback which might mitigate the effects of sheeting stormwater runoff from 40 Pine Street to our property, and our neighbours.

Unclear / insufficient stormwater management plan

The plan to capture stormwater in a tank on site and disperse it into the steeply sloping ground above an old dry-fitted rock wall appeared insufficient on first review several months ago; in light of weather conditions since then it is clearly not fit for purpose. The tank would overflow in a matter of minutes under the rainfall we have seen this past week; and even under normal conditions, saturating a relatively thin layer of soil sitting on a steep rock slope, supported by an old wall not built for the purpose, seems like a bad idea. The Council's own Engineering team did not support the proposal (Ref.: *Engineering referral response*, submitted 13 May) .

We appreciate that the owner is constrained by peculiarities of the site, but the proposal as it stands presents an indifference to our safety, let alone the privacy and amenity concerns raised in our previous submission.

We urge the Panel to carry the recommendation from the assessment report, and refuse consent for this development application.

Unfortunately we are currently in Europe and cannot attend the session ourselves due to time zone difference, but our parents will represent us in the meeting.

Kind regards,
Alex Whiteley and Stefanie Oeben