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**From:** andrew&danelle [REDACTED]

**Sent:** Friday, January 10, 2025 2:17:16 PM

**To:** Kristyn Glanville <[Kristyn.Glanville@northernbeaches.nsw.gov.au](mailto:Kristyn.Glanville@northernbeaches.nsw.gov.au)>

**Subject:** Public Domain under threat - detrimental impact of DA2024/1562 on the Heritage foreshore area at Fairlight Cove

Dear Councillor Glanville,

There is a development application currently lodged with Council for 5 Lauderdale Ave, Fairlight (DA2024/1562). This site is in a Foreshore Scenic Protection Area (see attached Manly Foreshore Scenic Protection Area Map), and is adjacent to Fairlight Cove's heritage listed park, foreshore, and pool.

If this DA is successful it will have:

1. Serious detrimental impacts on the **heritage environment** of Fairlight Cove (see attached Heritage Zone map).
2. Significant and permanent detrimental impacts on the **local biodiversity zone**, as it intends to chop down every mature tree on the development site (see attached Biodiversity Zone map).

I implore you to request Council to reject the DA in its current form, specifically on the **community issues affecting the Public Domain**, for the following reasons:

**Heritage Zone impacts:**

- The foreshore park and pool are in a Environmental Heritage protected area (see attached Heritage Map), and the proposed development will severely visually impact these areas due to its bulk and scale.
- It will also **overshadow the grassy parklands** which are enjoyed by countless people who visit the area for picnics and swimming.
- The proposed development will create a huge 'visual barrier' right next to the park and the world-renowned Spit to Manly walkway, diminishing the amenity for the thousands of people using this space.
- The Spit to Manly walk is a **valuable tourist asset** for the Northern Beaches, bringing significant economic value to the area.

**Development on sloping sites:**

- MLEP2013 requires that buildings in this area respond to the sloping landscape. This DA does not in any aspect meet these requirements with its large boxy shape.
- The detrimental impact of this 4-storey structure (2 stories more than permitted) at the foreshore will be significant, with solar loss and an **overbearing presence in the immediate vicinity, on the heritage park** and the Spit to Manly walkway.

#### **Biodiversity Zone impacts:**

- The DA requires **all trees be removed**, 12 in total, including mature Norfolk Island pines and banksia.
- The site is within the Council Biodiversity Zone (see attached map). Trees on the site **contribute to the heritage values of the area** and their loss will significantly undermine the amenity provided to the community.
- The trees at the southern end of the site, adjacent to the foreshore are **publicly visible for a great distance**, including from Reef Beach in the National Park and the Forty Baskets area of Balgowlah Heights on the opposite side of North Harbour.
- The trees at No.5 are **vital habitat for local bird and animal life**, as there is a significant lack of mature trees servicing local wildlife and providing desperately needed canopy.
- The planned and indiscriminate removal of these trees raises serious **concerns to the sustainability of wildlife populations** in the area.
- If the development was a more reasonable size and design, and MLEP2013-compliant, then these trees could potentially be saved and incorporated into the overall development project.

#### **Future Development:**

- The DA argues that Council has 'lost control' of planning in the area, as an argument to support approval of their oversized and poorly designed proposal, despite its breach of every measure in the MLEP 2013.
- **This claim is untrue.**
- Since the MLEP2013 (and its predecessor) has been in place, **Council has enforced the planning controls explicitly**, maintaining a clear and fair outcome for development and the community.
- It is true that there are large apartment buildings within the Fairlight Cove precinct, but these are all built prior to the current MLEP2013 and so are considered 'intrusive buildings' in the context of the current code. **They are not precedents for future development.**

A Public Petition has been signed with over 1200 signatures, which asks Council to reject the current proposal outright, and for the applicant to instead submit a proposal that is both MLEP2013-compliant with the building code and respectful of the heritage and environmental values of Fairlight Cove area.

This proposal seeks to benefit a single developer, as opposed to the detrimental impacts which would be imposed on the broader community. The **consequence of even contemplating this proposed development is reckless and unfair for the community**, and sets a **dangerous precedent for future development** in Fairlight Cove.

Kind regards

Danelle and Andrew Agnew  
3A Lauderdale Ave, Fairlight

