

S. Young
47 Stuart St,
Manly, NSW 2095
25.2.2009.

The Manager,
Manly Council,
Council Chambers,
MANLY, NSW 2095

Dear Sir,

Re: 38 Stuart St, Manly
O.A. No: 261/2008.

Manly Council	
REC 26 FEB 2009	
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I wish to reiterate & re-echo my previous objections to the new proposed PA as above. As far as I am concerned, change whatever you like, the building is bulky, the setbacks wrong, etc etc. BUT Manly Council shouldn't even be considering any P.A. as the land IS WAS & SHOULD stay "Open Space". As I've said before OPEN SPACE zoning is OPEN SPACE ZONING, no, if, but or whatever! & the applicant purchased the property with full knowledge of this.

I purchased my property with this knowledge & paid top \$ because the land opposite me was zoned Open Space & one day would be returned to the public.

I also had the opportunity of purchasing No 36 Stuart St, by negotiation ^{in 1990}, with the full knowledge that this was also zoned Open Space; however as this was the zoning & I knew I couldn't redevelop the property etc etc. I chose not to purchase & to honour & embody the regulations on the land. Morally, socially & legally correct. I argue that I too, could have taken the stance of the above applicant & ~~the~~ ^{purchased} the

the property for a price well below that which it would be if it was zoned residential & "try my luck" at Council & LEC to alter the status quo ^{but} believe we should all be bound by the same rules & regulations. Manly Council this is so wrong!! Wrong that for 40 years Councils have voted overwhelmingly to retain 34, 36, 38 & 40 Stuart St properties as open space & yet again we are having to fight it. I sincerely implore you to do the right thing quickly & surely, refuse the D.A. in any form & immediately acquire this property. I could be only concerned that my property value would decline dramatically, as would my neighbours who also purchased in good faith, but like I said after my purchase, I had the opportunity to do exactly with No 36 ^{as} what the applicant is doing now & if he achieves then ^{by acting} morally & socially & having regards to the laws of the land (there I might add to protect land for the use of the public now & in future generations) am entitled to feel very let down by my trust in the Councils of Manly to whom both myself, the lawyers for whom I was working at the time & the agents involved in my purchase, reaffirmed this land would remain ^{Zone} ^{Open Space} open space. This land is listed for compulsory acquisition & Council should feel it totally inappropriate to ever have to consider a submission. I firmly reiterate Roy Cantrell's view of the matter in letter dated 20.2.2009. I can make many more objections to the D.A., example climate change, councils all over the east coast are acquiring properties that may be "at risk

in the future of higher sea levels etc, not looking to allow a new development to be built. This alone is insane. Next few decades will see you repurchasing this property - paying compensation to the victim. Pay now, avoid more problems in the future. Climate change cannot be ignored, this onus is on you to protect the lands involved.

I would like to ask all Councillors a simple question. WHY? Why when all are in favour, the vote unanimous, why hasn't the acquisition of the land proceeded. WHY?

The property could have been tied up & purchased by Council for approx. 4 million BEFORE auction. The estate of Betty Cuthberts mother wanted the land returned to the public. This is a matter of public interest - vs - private interest. 2 families - vs - my mother's generation still alive - remembering promises of 40 yrs old, my generation, promises 20 yrs old, my sons generation old enough to ask WHY? Why the correct process has not come to fruition. Future generations are depending on you.

Would you like to be ^{the} ~~the~~ one of the group of councillors that finally saved "Little Manly". Stand up, be counted & do the right thing Now no more delaying tactics as the LEC might just do it for you.

One has to wonder, if that what this delay is about, the possibility of the LEC rezoning this to residential, & then you being able to sell 34+36 at a huge profit? I hope not, greed is heavy on

the conscience, especially short term greed of a few - v. - a lifetime of pleasure & happiness to so many people

God forbid, civil war may just break out in Manly - don't underestimate the small, weaker & more vulnerable of society.

Your delay may just give a great quality of life to a few precious people for a short term. Eventually nature will even out the equation the sea will rise, the sand will be lesser & less - the properties will go & the people will regain their piece of paradise.

Let us all enjoy the sand, grass, trees & sea while it is in its splendour.

Public use --- private. I'd vote for the public anytime. loved to^{be} remembered as such

Little Manly has been described as a "little slice of heaven, a paradise". Many people from all walks of life enjoy & have enjoyed its splendour. For some it has been a place of solace in a world of mayhem, for others their childhood summer holidays frolicking & learning to swim. Everyone who knows her loves her & has their very own special memories of life at Little Manly. A place where dreams are made & memories invoked. Just ask them, ask around, they'll tell you.

As one fine old^{wise} lady said a long time ago:
"Bricks & mortar are cold comfort in old age."

Let's start tearing those bricks down now, a start on No 36 sounds good!

Kind regards

S. Yang