



Robert Newlinds SC

99 Addison Road

Manly NSW 2095

Tel: 8239 0228 (wk)

0410 636 279 (mobile)

1 August 2019

Senior Administration Officer

Northern Beaches Council

PO 82

Manly NSW 1655

Attn: Ms Carly Sawyer

Email: council@northernbeaches.nsw.gov.au

Dear Ms Sawyer



Application No DA2019/0683

Address: 95 Bower Street, Manly and 29, 31 and 35 Reddall Street, Manly

Opposition to proposed development

Thank you for your letter of 13 July 2019 giving me notice of the proposed development between Bower and Reddall Streets.

May I record my opposition to the proposal in the strongest terms. My reasons are as follows:

1. It seems extraordinary following the recent community consultation between the Council and residents concerning availability of parking and the issue of parking permits in the "Fairy Bower" precinct that it could be contemplated that such a large scale development involving so many new residents and visitors could be allowed.
2. Whilst I appreciate that no doubt there is some underground parking dedicated for residents, it is inevitable that not only will they have visitors (in particular on

weekends) but that multiple members of families and other groups living in the premises will have more cars than available parking. As the Council well knows, there is simply no available parking in the streets surrounding the proposed development. There is already a complete bottleneck in Bower Street on most weekends and the parking in Addison Road is extremely problematic especially over the summer period and weekends.

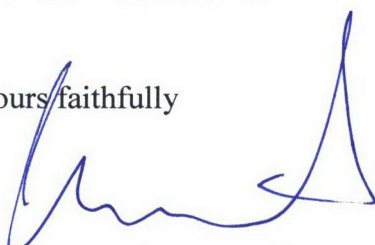
3. The route to the proposed development will either be via High Street or Addison Road. Neither is a major thoroughfare. Both have many families living there. They are quiet suburban streets with many hidden entries into properties and the inevitable added traffic (including people endlessly driving around in circles looking for parking spots) will be not just an inconvenience but a public safety issue.
4. I fail to see how the extra stormwater run off created by such a largescale development on what at the moment is a "soft" area with much greenery, could possibly be coped with, by the already inadequate stormwater infrastructure above Cottage Tree Bay. As the Council is no doubt aware, whenever there is a major rain event or high seas combined with a high tide, the current stormwater system fails dramatically. Not only does this have the potential to cause flooding along the walkway adjacent to the bay but also significant flooding risk to low lying properties. Whilst I am not an expert on drainage, I am convinced that the current infrastructure simply will not be able to cope with any additional development of the size contemplated. The added stormwater will be detrimental to the water quality of Cabbage Tree Bay.
5. In a similar vein, it is notorious that the sewerage leaks along the walkway adjacent to Cabbage Tree Bay. I regularly walk this route and swim in the bay. Inevitably after any sort of rain there are areas where the sewerage leaks. No doubt Council is familiar with this and receives regular complaints. The fact is the current sewerage system, like the stormwater system in the area is already breaking down and I am confident will fail more regularly and to a greater extent if a development of this size and scale is allowed.

6. The issues concerning stormwater and sewerage are all the more acute having regard to the fact that Cabbage Tree Bay is a "marine sanctuary" with literally hundreds of people swimming in it every day. It is currently teeming with beautiful fish life, is a significant tourist destination and the prospect of development being allowed which will interfere with the water quality and the viability of this unique environmental area is dreadful.
7. Having looked at the computer generated mock-ups of what the development will look like, if there remains any concept of "bulk and scale" in the planning legislation, what is proposed must fail abjectly. The proposal is entirely out of character with the area, will dominate the locality and no doubt significantly interfere with the character of what is a special neighbourhood.
8. Finally, may I observe that it seems to me to be just too much of a coincidence that the alleged cost of the development is said to be \$31 million. As I understand it, \$30 million is the threshold by which a development is no longer the subject of the local environmental plan but will be dealt with by an authority other than the Council under a state environmental protection plan. Is it too cynical for me to wonder whether the estimated cost figure has been selected so as to avoid the requirement of the local council to approve the development? Is there anything that can be done to interrogate that figure?

Thank you for the notice of the proposed and for taking into account my views.

If it be right that the Council is not the relevant approval authority, may I encourage the Council to actively oppose the application. If I can be of any assistance in that regard, please feel free to contact me.

Yours faithfully



ROBERT NEWLINDS