

**SSD-83721209 DEVELOPMENT APPLICATION
PROPERTY 307-315 PARRAMATTA ROAD, LEICHHARDT NSW 2040**

Applicant Ceerose Pty Ltd

Council area Inner West

OBJECTIONS, CONCERNS & COMMENTS from SHARON & ERNST PFENNINGER

Our property is 303 Parramatta Road, Leichhardt (east of the proposed development). It is a mixed development being 30% residential (top levels) and 70% commercial (lower levels). The effects of this development if approved will have a substantial impact on our property and the surrounding area. This proposed development is completely out of character with the surrounding area, it's massive size, height, bulk and scale is overwhelming. Preserving the inner west's unique charming character with low level historical, heritage and conservation buildings is of paramount importance. If this building is approved as is it will set a precedent for other buildings of this or a similar size or even higher to be potentially approved.

We would support low level developments in principle up to six storeys preferred but to a maximum of 8 storeys, depending on the proposal.

Based on the previous DA's from Ceerose's second last application the Council approved a height limit of four storeys.

We understand that the new heights being considered are to a maximum of six storeys although at present there is no legal status for this. This area is dominated by low buildings; one, two and three storeys with heritage listed houses in the mix. On this basis alone the application should be withdrawn.

- A. **FUTURE DEVELOPMENT OF OUR BUILDING & POTENTIAL ISOLATION:** In the DA it states we will not be affected by isolation. This is based on the two neighbouring properties (east of us and the proposed site) combining to achieve enough width/depth for a redevelopment. In the event we become isolated this is of great concern to us as it affects our or any future owner's ability to redevelop our site to its full potential. Also of concern is the nature of setbacks required to redevelop our property considering we are only five meters wide. From the information given below it appears that our lot should still have the height limits prior to 2016 which I believe was 12 meters. It cannot be presumed that our property will be combined at any stage with the 2 neighbouring properties to the east of our lot. Letter NSW Govt to Prase Corp 20/6/2025 Point 6... need to see EIS demonstrating more clearly consideration of adjoining lots and potentially in our property site isolation. Ceerose should demonstrate how our building could be developed if isolated.

To clarify that all the windows shown on the boundary with our property in both towers are translucent/opalized types of material. It states obscured fluted glass. This is essential for privacy and future full potential redevelopment of our site. The wall at the back facing Redmond Street has a brick wall up to six storeys thereafter windows which if not translucent/opalized impacts on the privacy of our open roof terrace.

We have not been approached or consulted with regard to the potential isolation of our property. Refer to EIS page 121 7.2.

2016: The State Government led Parramatta Road Corridor Strategy recommended six storey height limit.

2022: Council led a planning proposal nearby that recommended six storeys draft status stopping at Balmain Road which does not include the proposed Ceerose development site. They effectively continued the height limits recommended in 2016.

2025: Council's led with Our Fairer Future plan continues with a height limit of 23.3 meters (6 storeys) (FSR 3:1). The proposed development of 16 storeys at 62 meters is overwhelming and massive and clearly very excessive.

DEVALUATION OF OUR PROPERTY IF ISOLATED is of great concern.

The extensive planning that the Inner West Council has done over many years to create a compatible streetscape, livable spaces for the Inner West considering all factors will, with this development be completely overwritten to the detriment of the community and the future vibe that is unique.

- B. AFFORDABLE HOUSING:** Based on the requirement to provide affordable housing and the prices in the Sydney market it is questionable that those seeking affordable housing will be able to purchase any of these units. If there is a serious intention to provide affordable housing the 10% allocation (it is a recommended 15% by the Inner West Council) has also been limited to 15 years rather than no time limit but as a permanent situation.
- C. WATER INGRESS CONCERNS:** We have common walls and are very concerned that there may be serious water ingress to our property via our common walls, the full length of our building and the stability and protection of our foundations. What is being done to ensure our property is fully protected.

A couple of examples with Ceerose claiming that our water problem was not as a result of their building:

- 1) We had water in our dining room which was resolved when the Ceerose fixed their property's flashing on our boundary wall.
- 2) We had water entering our shop from the common wall with Ceerose which was resolved when Ceerose fixed the leaking fire hydrant.

There has been mention of a possible upgrade to stormwater/Balmain Flow Path, how has this been addressed?

Considering the site's location to ensure all has been done re flood mitigation (great concern with regard to our foundations as well as rising damp etc). Also of concern is landscaping and to ensure our property is protected against any seepage into our property. Any adjoining walls to our property to ensure when there are more extreme rain events that any water is dealt with within Ceerose's site whether from above or below ground. We believe there may be a creek underground in close proximity to Ceerose's property, if correct how is that being addressed again in the event of flooding caused from any event e.g stormwater overflow, rain etc.

D. ADJOINING WALLS ISSUES:

- 1) It is not clear to us if the wall in Ceerose's application that forms part of our roof terrace will

remain? Please advise. It appears on one of the images that a new wall will be built and if so is it to the existing height of the current wall?

2) The wall adjoining Ceerose's wall leading to our residence may be cross-eased and we believe that by removing any part of this wall may cause our wall to be either weakened, damaged or collapse. We would require from the Applicant a structural engineers report regarding this. If there is a new wall built as indicated on their designs that any damage to our single brick will be repaired by the Applicant.

3) In the DA that was approved by the Inner West Council we understood there was an agreement to retain the brick wall adjacent to our property "to retain brick wall of My Baby Warehouse" (now rented by the Salvos) "along shared boundary with 303 Parramatta Road". We need clarification regarding this.

- E. **LACK OF SOLAR - NEGATIVE IMPACT ON OUR PROPERTY:** We will incur substantial loss of light into our property for all rooms – we have skylights on almost the total roof area of our residence being the main source of natural light (no windows on either side of our building), our residence will be much darker for a substantial part of the day all year round (much worse in winter). It will also have a major impact to our roof terrace garden, our only outside area.

The shadowing from a building of this massive height and bulk will create not only a high degree of shadowing to our building (proposed building is on the western side of our building) but other buildings close by. We will have very little sun particularly in winter and greatly reduced sun in summer. We need to see accurate shadow diagrams. Light is of great importance.

SOLAR REFLECTIONS reference EIS Page 157 –could this effect our property?

- F. **ACCOUSTIC ISSUES ARISING FROM THE CLOSENESS OF THIS DEVELOPMENT:** Acoustic issues arising from the building as they are so close to our property. Double glazing on all windows also as the building is close to the flight path, this helps noise mitigation for the tenants and us. Ensuring that any machinery within the property is sound proofed to ensure no or very low-level noise emission e.g. air conditioners, pumps, lifts etc. We have a right to the quiet enjoyment of our property, privacy and peace.
- G. **CLARIFICATION ON ATTACHMENT OF BUILDING TO OURS IN REDMOND STREET:** To clarify how much of the Ceerose building is actually attached to our building – please provide actual measurements.
- H. **OUR OPEN ROOF TERRACE GARDEN OMISSION FROM DA APPLICATION:** We have an open roof terrace garden on part of our building fronting Redmond Street; this has been omitted from Ceerose's application. Part of this space has a retractable awning. Our property has never been shown correctly on any of Ceerose's DA's since 2016.
- I. **CAR PARK BASEMENT LEVELS UNDERGROUND/POTENTIAL IMPACT ON OUR FOUNDATIONS:** With regard to the car park basement levels underground is there any party wall footing? Would any underpinning be required under our property? How will our foundation be protected. What is being done to protect our foundation/property against vibration or any impact from the heavy use of equipment required to create these levels.

- J. **VEHICLES AND PEOPLE EXITING/ENTERING OUR PROPERTY:** Currently Ceerose's DA shows vehicles exiting and entering their underground parking levels directly into Redmond Street which is literally within a few meters of our garage door and entrance/exit door to both the commercial and residential areas. Neither vehicles or pedestrians are potentially safe. This closeness is completely unacceptable and very dangerous. There is also a power pole in front of the proposed entrance/exit. There is also a "dogleg" bend opposite the entrance which is already very difficult for two cars to negotiate coming in opposite directions. Their applications have repeatedly shown this exit/entrance and it has been rejected by Council and us in every application. Reference EIS pages 128, 129, 130. If the new plans for the northern lane are adopted this will help with regard to the "dogleg" but this exit/entrance has to be moved.

We understand that the required distance for a driveway from an intersection is at least 10 meters and sometimes more depending on the intersection.

- K. **FIRE ESCAPES AND FIRE SAFETY MEASURES:** Have all the fire safety regulations been applied? If there is no access from the front of the building on Parramatta Road for the tenants of the units, in the event of a fire of any other situation requiring evacuation of the building presumably only the back entrance is available. This is clearly not enough. Also if for any reason the back entrance is blocked then tenants could be effectively trapped. There could be hundreds of people in the units at any one time. Any fire could also impact our building. There have been substantial events around the world demonstrating the lack of fire safety.

- L. **TRAFFIC CONGESTION/PEDESTRIANS & CYCLISTS:** As the road leading to and from the council carpark is currently a "dogleg bend" in Redmond Street it is a very tight and dangerous corner. Trucks negotiating this "dogleg" have mounted the footpath and destroyed the bollard. Cars cannot safely pass each other, one car usually requiring to back up, then Catherine Street from Redmond street can be very banked up. This is without any construction taking place. Cars and trucks entering Redmond Street from the Council Car Park and turning left struggle to safely drive when two vehicles are coming in opposite directions or the car spaces are filled. The bollard on the "dogleg" corner shows that many cars/trucks have scraped it.

Pedestrians/Cyclists anywhere in the vicinity are also potentially at risk in this environment and often have to walk/cycle in the street rather than a footpath.

HILL PDA EIS Page 109 stating there is "no unacceptable impacts on traffic". This is not at all correct.

- M. **VEHICULAR AND PEDESTRIAN ACCESS/REDMOND STREET:** To ensure our driveway as well as neighbouring properties (east) to have access to their driveways and footpath at all times EIS Ref page 113. This is of concern particularly when the construction is taking place. Also with the chaos during construction and the car park may also be unavailable there will be a much higher demand for parking in the area putting more pressure on the local streets which are already struggling. Any events e.g. at the Glorius Gospel Church or elsewhere will also add to the strained parking situation.

- N. **WIND TUNNEL EFFECT:** The massive size of these buildings/towers is of great concern regarding strong winds potentially creating a dangerous wind tunnel effect.

- O. **DAMAGE TO OUR PROPERTY:** Any damage during or after construction to be repaired immediately by the Applicant if we approve the repair. In the event that we are not satisfied with the repairs being suggested we can independently organize for the repairs which are to be

paid for by Ceerose. Of great concern to us is that there appears to have been significant Australian legal cases against Ceerose. Building defect mitigation case (The Owners Strata Plan No, 89074 v Ceerose P/L Defective Works. Safety issues with a death in 2013 and a spinal injury in 2015 with the Courts identifying repeated work safety breaches. Also our own experience see C 1) and C 2) above.

- P. **LIVING IN OR RENTAL OF OUR PROPERTY IMPACTS:** Living in or renting our property during the construction phase anticipated to be 30 months would be extremely challenging not only during the actual construction but the area around: noise, vibration, traffic congestion, dust, pollution, access to our property, any damage to our property and unforeseen events.
- Q. **OPEN SPACE IN OUR LOCAL AREA:** There is a limited amount of open spaces in our area. The number of extra people will only negatively impact this situation. If this proposal is approved setting a precedent for other massive developments in our area being approved the very limited number of open spaces will be detrimentally impacted even further.
- R. **DILAPIDATION REPORT:** A report is required to ensure our building is unaffected during construction and into the future. There would need to be checks after the build if proceeding for any changes to our building which could occur years after the build. This report to be done by Ceerose and shared with us.
- S. **VIBRATION REPORT:** A report is required during the construction period if a development of any nature proceeds to ensure our property is unaffected. The car park levels are of particular concern regarding our foundations. This to be done by Ceerose frequently and shared with us.
- T. **GARBAGE BINS:** To ensure their garbage bins are kept within the property, collections are made within the property.
- U. **PEDESTRIANS:** During construction there is a far greater risk for pedestrians' safety as it is currently not very safe now with pedestrians needing to walk on the road. This area is quite busy as an access to the car park and Norton Street.
- V. **PARKING PRESSURE:** There will be substantial extra parking pressures in our area which is already very stressed. During the construction phase and thereafter as visitors to the units will be using the streets and Council car park for parking reducing the locals parking areas. Many homes don't have garages as well as businesses requiring parking for their customers. Businesses not offering adequate parking tend to fail in time.
- W. **INFRASTRUCTURE:** As mentioned above re great lack of green open spaces. Are there enough schools, hospitals and all institutions to support an increase in population as this is clearly very important for a healthy lifestyle and sense of wellbeing. For example, RPAH is extremely busy most of the time. What is being done to ensure the infrastructure can support this large increase in population?
- X. **ACCESS TO COUNCIL CAR PARK DURING CONSTRUCTION STAGE:** The council's car park and the Hay Street carpark is important for businesses and residents in the local area, will this remain accessible during the whole construction phase.

Y. **IF CONSTRUCTION PROCEEDS:** Who does one approach if there are any issues with the build either urgently or in the future? Who is responsible for ensuring that the build is compliant and is completed correctly and in line with all the regulations to ensure a good quality, compliant and safe building?

Z. A few extra comments about the building proposed:

- 1) **Bus stop:** The bus stop is not in front of the proposed building as indicated on their drawings.
- 2) **Access to the proposed development for the tenants including any disabled tenants via the rear of the building....** This is very cumbersome for the tenants. The tenants would also require a fire escape from the front of the building as mentioned above.
- 3) **No power pole** is shown in Redmond Street on their plans.
- 4) **Some units do not appear to have any natural light.**
- 5) **I could not see any reference to asbestos being on the site which it is.**
- 6) **Shadowing will occur across Parramatta Road, south side.**
- 7) Where are the deliveries for the shops taking place?

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