

WZRM PTY LTD

50 Wayne Ave Lugarno
Sydney 2210

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Major Projects Assessment
Dept of Planning and Infrastructure
NSW Government
GPO BOX 39
Sydney

Re; Application to modify mixed use development at 23-37 Lindfield Ave Lindfield MP08-0244MOD1

We are the owners of 43 Lindfield Ave Lindfield, the service station adjoining the above site, and hold options over the adjoining properties at 51 Lindfield Ave. We are in a joint venture agreement with the owners of 39 & 41 Lindfield Ave to develop our properties..

We are currently working on architectural drawings to develop our site. This will be ready for lodgement within the next couple of months.

We have built the apartments in 2 - 8 Milray St Lindfield & 10 Havilah Lane which abut Havilah Lane. We spent 5 years on the site and built and sold all apartments ourselves, spending many hundreds of hours listening to the locals discussing their housing needs and so have a very good grasp of the demographics of the area. All apartments in Stage 2 of our development (8 Milray- 10 Havilah Lane) were tailored to the requirements of the purchasers by amalgamating units and redesigning layouts.

As a result of our long association with the area and building for the housing needs of the community, our experience reflects an up to date view of what those needs are.

We view the application to modify the consent of 23-37 Lindfield Ave Lindfield deficient in the following areas.

Issues of concern

1. SETBACKS

Setbacks on the boundaries of 39-41 Lindfield Ave and the KMC car park at 9 Havilah Lane.

To build so close to the boundary and have such scant regard to the amenity of light and sun in the design of their own apartments places a burden to provide this on other developments to follow. As a building goes higher it is customary to step the building back to allow light and air to freely circulate. Your own SEPP 65 bears testament to that . Any plans we have to develop our properties will be unfairly burdened with providing the setbacks to our property to accommodate their shortcomings.

2. CAR PARKING

The total number of car parking spaces provided on site is out of touch with the realities of the type of accommodation being built. From our experience, Lindfield is a suburb that houses families. Families are drawn to the schools and housing available in the area. Young people do not live in this area in their years following their education. There are not the facilities nor attractions to keep them there. They return to "nest", raise families and educate their children .

Almost without exception the people who buy apartments in this area are down sizing from large 5-6 bedroom homes with large gardens. They are at an age where they do not want the maintenance and upkeep and want to live in an apartment that has at least 3 bedrooms. The attraction of the services (medical, pharmaceutical dental and trains) are the primary reason for moving there.

One bedroom and studio apartments are almost always taken up by the single elderly seeking integration and the security of communal living. To achieve this, a mix of apartments of varied sizes attracts these people. The basic requirements are a bedroom, an office to administer their affairs and somewhere for guests/ grandchildren to stay. That is the core need of virtually all . A development with only one and two bedroom apartments are not that demographic.

All are dependent on a car. The train is for incidental travel - the car is essential to maintain their friends and family links. A car and parking are an essential.

The demographics drawn to the development proposed will not be owner occupiers and suggests investors for rental and without adequate parking off load a huge burden on the adjoining streets.

To me this is a development targeted at the rental market aimed at a younger demographic from outside the area. This type of development is more than catered in nearby Chatswood. The community groups(Kuringai) have fought tooth and nail over the last ten years to preserve its identity and way of life. The attraction of the area is to those who seek, good schools and large homes with gardens. Excessive catering for the needs outside the community will only strengthen the resolve of the activists.

We don't argue to exclude any group that wants to enjoy the amenity of the area but a mix that is a balance that allows integration not segregation .

3. TOWN CENTRE LEP 2013

The KMC has just had its Town Centre LEP adopted. The prescriptive heights and FSR are completely ignored by the modifications. Given that the original consent gave an FSR that allows a 30% more intensive development than the new LEP allows. For the applicant to ask for any increase seems unreasonable and unfair. Our two sites were part of the same zoning of a site taken control over by Minister Refshaugie in 2005. We must comply with an LEP that is significantly lower.

There are other areas where the MOD differs from the new controls and

4. EXEMPT FROM DOING DILAPIDATION REPORT

We note in the applicant's report that they ask to be exempted to have a dilapidation report carried out on the properties we built in 2-8 Milray St & 10 Havilah Lane. Outside of the zone of influence they claim. Having excavated the adjoining site we are well aware of the type of excavation and the material and rock that needs to be excavated. Our buildings go down to the bedrock as their building will have to and so the condition of all adjoining buildings need to be documented. Hammering lift pits in rock has in the past created issues and claims of damage to neighbouring property.

5. HEIGHT AND BULK

Building heights increased for no benefit to the built form. Generally a building should be allowed to go higher if the footprint is decreased in order to gain better amenity within the building. There is no attempt to improve any of the failings in the building. Some 34 apartments are sitting less than 3m from the boundary. Some with windows on the boundary, some within 1.2m of the boundary.

If the motive of increasing the height demonstrated a better building then I would say it is justifiable. It clearly indicates the only net benefit is an economic one to themselves.

6. INCORPORATING THE KMC CAR PARK AND DIMINISHING ITS POTENTIAL FOR DEVELOPMENT

Kuringai Municipal Council (KMC) are in the process of turning their car park at 9 Havilah Lane in to operational and will be selling off this land. We have expressed our interest in buying this land and incorporating it into our development. In the approved development, ANKA said at the time of submission, that they did not need the Council car park in their development. In the modification they now do need it as essential to their development. They eliminated 34 car spaces in their development, saving themselves \$850,000 in the process and shifting the burden to the KMC for the viability of their amendment. They clearly are able to provide the space required within their site with reinstating the deleted basement.

7. KMC CAR PARK SETBACKS

Zero setbacks to the car park shifts the burden of the poor amenity of their apartments on the boundary, to the KMC and the marketability of their land. They have designed their modification as though they have exclusive rights over the land.

8. ROW TO 39 & 41 LINDFIELD AVE

The right of way ROW 39 & 41 have over the ANKA land have not been negotiated nor respected in the proposed modification. The ROW is proposed to be shared by trucks pumping out trade waste, with all the associated stench and discomfort, trucks making deliveries several times a day with pedestrians using the ROW to access parking and entry to the shops. These ROW will see large trucks reversing in amongst pedestrian traffic and shoppers with trolleys. The matter should be sorted out in the design and not as a condition as was previously done. The solution to that condition was a total redesign that we are now looking as their modification. The ROW is unrestricted 24 hours access in both directions.

9. SUSTAINABLE, VIABLE, APPROPRIATE

Finally, as professionals concerned with the built environment, we should be considering the best outcome for the end users. Whatever gets built will be with us for a long, long time. It should be a measure of our resolve to create comfortable and the sustainable environment for the long term. Short term and transient solutions to housing are a catastrophic waste of resources for the whole of society. If for the sake of expediency this MODIFICATION gets approved, can the buildings in this development be altered in the future to improve the amenity of the residents if it is lacking from the beginning? I don't see how.

Yours truly

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