

Re: 28 Lawrence St, Freshwater (DA 2025/0077)

To Whom It May Concern,

Please see below an objection letter to the proposed development at 28 Lawrence Street, Freshwater (DA 2025/0077). The proposed development is an over development of the site and does not comply with key planning controls.

- Given that there is 1,379m² of retail floor space, there does not appear to be separate waste collection room. Where do the retail shop owners dispose their waste? Does the entry / exit driveways comply with *AS/NZS 2890.1-2004 Parking Facilities – Off Street Car Parking, Minimum Sight Distance for Pedestrian Safety AS/NZS 2890.1* and do the proposed driveway gradients comply with *AS/NZS 2890.1 and AS2890.2*. The gradient for the 6.4m service vehicle should be 1:6.5, the proposal does not seem to comply.
- The proposal has 1,379 GFA of retail, or 1,291 GLLA of retail which requires 79 car spaces, but the proposal is only providing 62 retail spaces, that's a deficit of 17 car spaces, or 27%. Given the already limited parking in Freshwater Village, the car parking numbers should comply.
- There is no service bay that caters for a 6.4m Small Rigid Vehicle (SRV), nor is there sufficient height clearance (3.500m) to the basement to accommodate a SRV.
 - Do waste collection vehicles park in the street?
 - Do delivery vehicles for the retail tenancies park in the street?
 - Do furniture removal vehicles park in the street? The proposal does not comply with the requirements as noted within the DCP, Access and Loading.
- The DCP Map 'Number of Stories' notes this to be 3 stories (i.e. 11m), but this proposal is for a 4 story development, this is not consistent with the height of recent residential developments within Freshwater Village. The overdevelopment of the site is clearly demonstrated by the gross exceedance of the height allowance i.e.
 - Western Lift Overrun: Height: 17.45m (**this is an exceedance of 59%, over and above the 11m height limit**).
 - Western Communal Open Space Awning: Height: 16.50m (**this is an exceedance of 50%, over and above the 11m height limit**)
 - Eastern Lift Overrun: Height: 18.90m (**this is an exceedance of 72% over and above the 11m height limit**)
 - Eastern Communal Open Space Awning: Height: 17.33m (**this is an exceedance of 58% over and above the 11m height limit**).

- There will be substantial ocean, headland and district view loss should the proposed development proceed in its current form. The above exceedances in building height of between 50% to 72% over and above the maximum building height is unreasonable and will have a detrimental impact on 48 Lawrence St, Freshwater



Current View from 48 Lawrence St, Freshwater



View Loss from 48 Lawrence St, Freshwater

- The proposed third story is not setback from the front boundary 5m, as per DCP requirements. The third story is only set-back 2.5m. This is not consistent with the set-back of recent residential developments within Freshwater Village.
- Overshadowing and Privacy is a concern to the residential properties to the south, which is the result of an over development of the site.

Please see below relevant extracts from the DCP.

1. Built form in Freshwater

Applies to land

Within area edged red in [DCP Map 1 Freshwater Study Area](#)

Objectives	Requirements
O1.To reinforce and enhance the role of Freshwater Village as a centre for the local community.	R1. Development is to evoke the coastal setting of the area through architectural expression and public art, eg murals or other external treatment of buildings
O2.To achieve high quality built form that enhances the streetscapes and coastal character of Freshwater Village	R2.Buildings, including balconies and carpark entry points, fronting any public place must not contain any utility service pipe or conduit that is visible from the public place. <u>Utility services</u> including service structures, plant and equipment are to be located below ground or be designed to be an integral part of the development and suitably screened from public places including streets. •
O3. To maintain and enhance Freshwater as an attractive destination among Sydney's coastal centres	R3.Locate residential uses so that noise, odour and any other <u>adverse impacts</u> are minimised from loading bays, <u>garbage</u> disposal and other service areas
O4. To ensure development responds to the low scale, narrow lot pattern of Freshwater	R4. Retail entries are to be no more than 10m apart A minimum <u>floor to ceiling height</u> of 3.3m for ground floor uses R5.A minimum <u>floor to ceiling height</u> of 2.7m for uses above the ground floor
O5. To achieve comfortable, functional and attractive buildings for residents, workers and visitors	R6.For any development with 10 or more shops or 500m ² or more retail floor space, accessible and well signposted toilet facilities complying with AS 1428 shall be provided. These facilities shall have the same minimum opening and closing hours as the proposed development. Residential entries are to be separate and clearly distinguished from business entries

2. Number of storeys

Applies to land

This control applies to land shown coloured on the [DCP Map Number of Storeys](#).

Objectives	Requirements
O1. To ensure a reasonable level of amenity and solar access is provided and maintained to adjoining and nearby properties	R1. Buildings on land shown coloured on the DCP Map Number of Storeys must comply with the maximum height measured in storeys identified on the map
O2. To complement the height of buildings control in the LEP with a number of storeys control.	
O3. To provide sufficient scope for innovative roof pitch	

5. Access and loading

Applies to land

Within [DCP Map 1 Freshwater Study Area edged red](#)

Objectives	Requirements
O1. To improve amenity and safety for pedestrians	R1. Service and loading areas should improve the amenity of the streetscape and reduce any potential for vehicle / pedestrian conflict
O2. To minimise the impact of service vehicles and loading	R2. Locate all underground car park entries, service and loading as well as <u>garbage</u> collection areas away from the primary street frontage
O3. To relocate loading and servicing away from Lawrence and Albert Streets	R3. No additional vehicle or loading access is to be provided from Lawrence or Albert Streets R4. Rear or underground loading, <u>garbage</u> collection and access for vehicles is to be provided as part of any new development for lots fronting Lawrence and Albert Streets wherever possible via new connected laneways or through negotiation with Council for access via existing surface carparking areas

10. Front setback

Applies to land

Within [DCP Map 1 Freshwater Study Area](#) edged red

Objectives	Requirements
O1. To improve pedestrian and customer amenity O2. To expand publicly accessible areas at ground level O3. To help enliven street frontages O4. To maintain uninterrupted pedestrian circulation and flow	<u>Ground level and second storey</u> R1. New buildings may be built to the boundary or may be set back a maximum of 3m, for outdoor seating, display of goods, etc
O5. To create a sense of openness O6. To protect and enhance the visual quality of streetscapes and public spaces	<u>Third storey</u> R2. The third storey is to be set back a minimum of 5m from the property boundary R3. Landscaping or gardens within the 5m setback area of buildings are encouraged

Regards,
Owners, 48 Lawrence St, Freshwater