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RE: DA2020/0543 - 50 Lawrence Street FRESHWATER NSW 2096

As the owner of the property at 30 Dowling Street I'd like to make some comments about aspects of the proposed DA 2020/0543 that will adversely affect our property and lives as well as some comments about the location and function of the proposed building.

I've lived in Freshwater since 1979 and we purchased 30 Dowling Street in 2004 and planted 205 sq metres at the Northern end with deep soil Australian native plants to provide a dense green space to relax in and improve the appearance of the general Lawrence St / Oliver Street intersection area. This garden area benefits from the sweeping sunlight angles, year round breezes and the rain runoff from the higher Southern end of our property.

We have two severely disabled sons aged 9 and 11 and we live solely in the home and garden and are unable to take both of our sons outside of the property due to their disabilities. The northern garden area allows us to take our boys outside the house to enjoy the natural healthy environment and for us as parents to take much needed mental and physical breaks from the 24/7 demands of our 2 sons. The north garden provides respite, recreation and exercise for all of us. We have modified the home to provide access ramps, security and safety measures and this home is the centre of our lives and where we intend to stay for our lives and for our boys to continue here with assistance from support workers.

The Northern end of our house is our lounge room area where we spend most of every day attending to our sons as it's the only room with enough space for their mobility, feeding, toileting and other care demands. We survive on carers pensions and make every effort to grow our own food and extensively use rooftop solar panels to offset the high expense of electricity that comes with running a home based 'care facility'.

These are my objections regarding DA2020/0543.

1. The bulk and scale of the DA shows a slab sided Monolith covering every possible inch in concrete with 4 storey rising from the footpath with no setback at ground level or any visible plant life. The sheer size will dominate the intersection and ruin what is the landmark entrance to the Freshwater Village.

2. The Western side of this DA is the face of the entrance to Freshwater Village but what it will display is the back end of a block of flats. Numerous small windows and an uninviting huge flat slab of mass. It's not attractive, proportionate or sympathetic to the style of the Village area or the whole suburb.

The major intersection adjacent to the property has recently been upgraded due to the increase in traffic and the location of the Western current car park entrance requires drivers to launch themselves into traffic to avoid collisions and also hinder traffic flow when trying to get into the current car park. The current entrance on this side is 11 metres from the South boundary, moving it further North and closer to the intersection is inviting high speed disaster.

Drivers don't expect a driveway within metres of a big intersection and with 2 downhill approaches to the intersection there's always heavy braking and wild driving as there's more traffic and not enough room to safely accommodate the current volume of cars. I've witnessed many minor collisions and one fatal one at this intersection due to congestion and speed so putting a new entrance even closer to the intersection is foolhardy. The flat Western wall will also create a canyon with the other unit block and reflect traffic noise back and forth all day.

3. The Eastern side rises 4 storeys from the foot path and displays a wall of glass without eaves and will reflect a wall of sunlight into the traffic on Dowling Street. Drivers will need to shield their faces as they approach the intersection. This side will tower over the streetscape and is most disproportionate to the surrounding shops and homes. The proposed Eastern car park entrance is ridiculously close to Lawrence Street, only 2 car lengths. With heavy morning, evening, weekend traffic and a busy bus route negotiating skinny Dowling Street there's no chance drivers will be able to enter or leave without significant delay and problems for pedestrians with drivers looking for entering cars not people. The 139 disabled bus stop would have to move but passengers will have to negotiate crossing the driveway with drivers keen to get in or out. It's certainly not ideal to put another vehicle crossing across the footpath and so close to a bus stop. The Eastern driveway will be an additional new driveway that goes against development rules designed to make the village area a safer place for pedestrians not more dangerous.

4. The Southern side will face our home. For reference it will be 2 metres taller than the current telegraph pole on the Eastern side.

It will be 3 metres taller than our house.

It will be 4 metres higher than our eyeline in the lounge room.

It will be a massive visual intrusion into our lives. It will be a monstrosity of biblical proportions. Discounting the loss of views it will impact our every day living and family budget, enjoyment of our home and property valuation. The design has no regard for its impact on us.

I've attached photos to show how our Northern garden and ground floor of our home will be completely shadowed by this monolith for half the year and even at midday in Winter it casts an 18 metre shadow blocking 100% of the width and 35% of the length of our entire property from any direct sunlight. It's just a massive wall.

It comprehensively overshadows our North garden and even shadows our solar roof panels in the morning. The DA also indicates that due to the height and proximity of this Southern wall it will block not only a significant amount of sunlight around the year but also block the majority of the prevailing winds throughout Summer and Winter.

You could not design a worse building to adversely affect the current natural amenities that we enjoy and rely on to generate solar power and hot water. For about half the year it will be cold, dark, wet unusable land that will eventually lead to the death of our beautiful North Garden and our ability to enjoy this unique space our family uses for respite and relaxation. Of course having a massive wall to the North will also affect the value of our land as it's grossly oversized and takes away any functionality of 300 square metres. Why should we face such a significant and permanent loss due to someone's investment? You could wipe the whole top floor off the development and it would still be a major development.

5. The DA indicates it will be 4 storeys for 2/3 of the building but the legal limit for this area is only 3 storeys. Is there any mitigating reason, apart from profit, that qualifies this development from ignoring this limit? Why don't the developers just dig deeper and put the car parks

completely underground.

6. The proposed budget is 3 million dollars. I would not like the development to stall due to a lack of finance if the developers haven't sufficient funds allocated for the reasonably expected problems that any building works encounter. Having the current plans go ahead would be terrible but having a large hole in the ground due to financial reasons wouldn't be good for the area either.

7. There is a legal requirement for Soft Landscaping of 25% of the site. In the DA there's provision for a woefully undersized rooftop garden, but I don't think this would be sustainable as it's on the roof and it wouldn't be visible as it's the highest building in the area. The rooftop garden seems to be a token effort to put something green somewhere no one cares or can see.

There's meant to be 147 square metres of soft landscaping, but only 54 square metres provided. There's also a legal requirement for 74 square metres of deep soil planting, however this development doesn't accommodate any. Zero.

I know the deep soil garden takes away from the profitability of a development but there's community expectations and liveability issues that are more important than any person's profits.

If the developers wish to take advantage of every opportunity to maximise their profitability, and that's fair, then they should also treat the development laws with the same respect and fully provide what is legally and fairly required.

The problem is if a DA gets through without honouring certain requirements then future DAs can cite precedence and totally ignore any of the requirements they like. We may as well not have a council if council let's developers build whatever they like.

This soft landscaping is mandatory and is especially essential for such a large and visually dominant location.

8. It's called a 'Shop top' development but the commercial allocation hasn't increased. It's a token effort to claim Shop Top classification but without any real attempt to add anything to the commercial viability of the area. There's 900 sq metres of unit and only 70 sq metres of shop. Providing commercial space is essential for the liveability of the residents including the ones living in the proposed development. It's a requirement that allows you to build units in sensitive areas like the Freshie Village and should be enforced so that the whole community and visitors get something other than more people and more cars.

9. This DA is sitting in a highly sensitive location that marks the gateway to one of the environmentally curated and attractive villages along the northern beaches. Such a prominent location deserves an excellent design.

Other developments are usually nestled within a row of similar sized buildings but this one sticks out with all sides exposed and could add or detract from the established unique feel of Freshwater.

If the current design gets approved it will be a hideous eyesore that will shock people and disgust them as to how it ever got approved. It will also be a permanent visual disaster for the suburb.

Something will be built on this location, but please make it a landmark of excellence in design and incorporating all the features it should have for the community and environment.

Regards, Brett McPherson-Smith

images can't be attached *