
Sent: 13/08/2021 7:17:40 PM

Subject: DA2020/1743 45 Lantana Avenue Wheeler Heights - missing conditions of consent

Attention Anne-Marie Young

Re: DA2020/1743 45 Lantana Avenue Wheeler Heights - missing conditions of consent

Hi Anne-Marie

I hope you are safe and hopefully vaccinated!

Having read through the Assessment report I believe it is missing 2 important conditions of consent.

1. To ensure that these units cannot ever be sold off as individual townhouses that are no longer under the covenant of seniors housing.

This must be added and should be a standard addition to all DAs of this nature.

Example of suitable wording:

1. Impose conditions of consent requiring a covenant on the title/s which prohibits the use of the land for anything but housing for seniors or people with a disability. (Section 88E of the conveyancing Act)

The following positive covenant to be registered on the title of this development and all futur SEPP (Senior) DAs which states:

'that the development is only permitted to be occupied by persons detailed as follows:

(a) seniors or people who have a disability;

(b) people who live within the same household as seniors or people who have a disability;

(c) staff employed to assist in the administration of and provisions of services to housing provided under this policy.'

2. Include occupancy restrictions in the Planning Certificate (Under Section 149 certificates) and all future ones.

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2. A strict conditions of consent to ensure that the required privacy screens etc can not be removed at a future time, even if the body corporate votes to. Given recent problems in Rose Ave this must also be added.

Regards

Dot and Chris Waterhouse

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