

17 March 2023

Ledger.

Our Ref: LLEJ205

Your Ref:

Adam Susko
725 Pittwater Road,
Dee Why NSW 2099

By email

Dear Mr Susko,

Application Number: DA2023/0172

New - Demolition works and construction of a multi-dwelling housing development comprising of 30 townhouses and basement car parking

Proposed Site: 1, 5, 5A and 7 Gladys Avenue Frenches Forrest NSW 2086

We act for Mr Ajmal Hassan and Mohammad Akbari, the owners of 3 Gladys Avenue, Frenches Forrest NSW 2089 (the **Property**), and are instructed to provide the following objections to the above application.

We set out the following for your consideration:

- 1. No Fair Offer to Purchase:** The owners of the Proposed Site have made no genuine attempts to provide a reasonable or commercially competitive offer to our clients for the purchase of the Property.
- 2. Low Valuation:** The owners of the Proposed Site engaged a valuer, whose report grossly undervalued the economic potential of the land, in support of their below market offer to purchase the Property.
- 3. Site Consolidation:** The development potential of the Property has not been discussed with our clients by any of the owners of the Proposed Site. If this application is to proceed, our clients will be limited with what they can develop in isolation. Any conceptual redevelopment of the Property as provided by the Proposed Site owners in support of their proposed development has, to date, not been discussed with our clients. If this proposal is to proceed, it will be to our clients' detriment and in conflict with local planning provisions and the Court's planning principle.
- 4. Development in Isolation:** Any purported development plans, designs or prospective opportunities for the Property to be built in isolation in support of the Proposed Site have not been approved nor discussed with our clients. While the Property may be able to accommodate multi-dwelling housing developments, the potential to maximise the commercial viability of the Property will be grossly limited if the Proposed Site is to proceed.
- 5. Greater Community Value:** Our clients believe the proposed application will better serve the community and changing demographic of the local area if the Property is included in the proposed plans. The inclusion of our clients' Property would drastically improve the potential of what could be developed on the Proposed Site.

- 6. Easement:** If the Proposed Site development is to proceed, and future isolated development of our clients' site is pursued, there will be a requirement of a stormwater easement to be registered across the back portion of our clients parcel of land, and that of the adjoining lots of the Proposed Site. This will need to be factored in any proposed future development of the Proposed Site.

Our clients object to the development and request for Council to exercise its duty of care with respect to considerations surrounding privacy, solar access, and future development potential of the isolated site.

You may contact me at the details below if you require anything further.

Kind regards,

Ledger Legal



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Solicitor

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