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**Sent:** 12/07/2010 1:53:44 PM  
**Subject:** Freshwater Village  
**Attachments:** Freshwater Village2.doc;

Please see attached.

The General Manager  
Warringah Council  
Civic Centre  
725 Pittwater Rd  
Dee Why 2099

**Objections to Development Application NO DA 2010/0697**  
**22-26 Albert St, 5-21 Lawrence St, 18-22 Marmora St Freshwater**

I object to the above development for a number of different reasons, some are based on the current LEP2000 and others are that it is not in keeping with the Freshwater Village and Community. However, as I understand it there is no point in registering any objections other than those based on the LEP and the Statement of Environment Affects

I have read the current LEP 2000 (and it is complicated) and on my understanding where this development is on H1 land it does not comply in a number of areas. In H1 areas 40% of the land must be landscaped open space (this does not include driveways or deck space) however the DA 2010/0697 has only 33.7% of open landscaped space. In the H1 area this development does not comply in height. The LEP clearly states that maximum height is 8.5m and this DA has buildings as high as 9.2m in an H1 area. The LEP states that for H1 area you are only permitted one dwelling on 450m<sup>2</sup> but this development is putting around 9 buildings on 1650m<sup>2</sup> on my calculations this does not comply.

I have also read the LEP 2000 in the H2 area and this development does not comply in this area as well. It states that in the H2 area the buildings cannot be more than 3 storeys, the DA 2010/0697 has building 5 storeys high. The LEP in H2 areas are not permitted to be higher than 11m but this development has buildings up to 16.6m high. In the LEP for the H2 area in the "Desired Future Character" section it states that there needs to be "reasonable set backs for boundries", building A in the development has a set back of 2.2m (from sun awning) is this reasonable? In terms of Land Use in Category One, the buildings B,C and D of this development are excluded and therefore should not be allowed.

Outside of the LEP and though I gather my objections in this area make no difference I would still like to mention them. There will be significant traffic congestion and I have grave concerns regarding the safety of pedestrians

around the exit onto Albert St. This entry and exit needs to be able cope with up to 337 cars – I don't believe it can. This development will also mean our first "gated community" it is not in keeping with Freshwater and it is not a precedent we should set.

Please consider my objections and take them into account.

Kind Regards

Tim O'Sullivan  
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Freshwater NSW 2096