

ATTACHMENT 4

Submission 1

15 April 2019

Rennie Rounds
Senior Development Planner
Cumberland Council
PO Box 42
MERRYLANDS NSW 2160

CUMBERLAND CC

File No: DA-51/2019

16 APR 2019 N

REFERRED TO: ROUNDS, R

Dear Sir / Madam,

Please find attached our submission from the homeowners of [REDACTED]
[REDACTED] as requested in your correspondence dated 27 March
2019, regarding Development Application No. DA-51/2019 for Lot 4 DP 440764,
Lot 1 DP 798616, Lot 30 DP 75014, 40 Park Road Auburn NSW 2144.

Yours faithfully,

Contact details for the homeowners that have authorised us to submit this
submission on their behalf.

[REDACTED]

15 April 2019

Rennie Rounds
Senior Development Planner
Cumberland Council
PO Box 42
MERRYLANDS NSW 2160

Dear Sir / Madam,

REFERENCE: DA-51/2019

DEVELOPMENT APPLICATION FOR DEMOLITION OF EXISTING DWELLINGS
AND CONSTRUCTION OF A SIX STOREY RESIDENTIAL FLAT BUILDING
COMPRISING 32 UNITS ABOVE TWO LEVELS OF BASEMENT CAR PARKING
FOR 36 VEHICLES PURSUANT TO STATE ENVIRONMENTAL PLANNING POLICY
(AFFORDABLE RENTAL HOUSING) 2009

Please accept this submission written by us on behalf of the owners [REDACTED]
[REDACTED]

As long term homeowners at [REDACTED] and members of the Auburn community, we are strongly opposed to the proposed demolition of the existing buildings at 40 Park Road, 42 Park Road and 42a Park Road and the subsequent construction of a six storey residential flat building comprising 32 units above two levels of basement car parking for 36 vehicles.

During our 31 years in Auburn we have witnessed the neighbourhood change and grow. We are extremely aware of the desire to increase accommodation for residents, but building this type of dwelling will have a long-term negative impact and cause major disruptions to the owners [REDACTED] and surrounding homeowners situated nearby.

On the following pages (3 to 6) we have listed our reasons for opposing this development application.

OUR REASONS FOR OPPOSING THIS DEVELOPMENT APPLICATION
ARE AS FOLLOWS:

- Dominance, Shading and Scale
- Reduced Privacy and Noise
- Reduced View and Inadequate Air Flow
- Safety and Security Concerns
- Noise Pollution Issues
- Changes to Road Infrastructure
- Lack of Open Space
- No Economic, Environmental or Social Benefits
- Pressure on Community Infrastructure
- Environmental Concerns
- Inappropriate Use of Land
- Expected Damage to our Building

• **DOMINANCE, SHADING AND SCALE**

The proposed maximum site coverage and height of the development is particularly ill-considered as it will have adverse effects on our building particularly in terms of dominance, given the planned height of six storeys which will dwarf our building and any other nearby building.

Even though the plans for this development indicate there will be no overshadowing; it is of concern to us that the amount of natural light that enters our property will be significantly reduced to the point of our usage of artificial lighting will have to be increased. This will cause a greater detrimental impact on our environment and further increase Global Warming.

In relation to the scale of the proposed construction it would constitute an unbalancing of the already established buildings nearby and be out of proportion in both height and appearance.

• **REDUCED PRIVACY AND NOISE**

The plans show the proposed building will be constructed at a minimum distance of 3 metres from our property line. We have concerns that due to the close proximity of the structure the occupants of the proposed dwelling will have a direct view into the living and sleeping areas of our homes which face the north, even with the addition of window coverings, therefore causing extreme disruption to our privacy, lifestyle, health and well-being.

• **REDUCED VIEW AND INADEQUATE AIR FLOW**

The proposed building height and size will block the existing view we have from the windows situated in the north aspect of our homes which adversely affects our residential amenity and that of the neighbouring owners in the properties that surround the proposed dwelling.

- **REDUCED VIEW AND INADEQUATE AIR FLOW, CONTINUED**

To have adequate air circulate throughout our properties it requires the windows in the north aspect of our homes to be open constantly and if the proposed residential flat building is constructed as planned this will mean a severe reduction in the amount of air coming into our homes.

- **SAFETY AND SECURITY CONCERNS**

Having our properties so close to this type of dwelling could have a negative impact on the safety and security of our property, for the owners in the surrounding properties and other residents of the Auburn community.

As owners we are concerned that this proposed development could cause an additional amount of foot and vehicle traffic created by way of unauthorised persons and vehicles entering our property and disturbing the residents and neighbouring homes.

We have on numerous occasions experienced unauthorised people and vehicles from nearby residences using our property for recreational purposes, etc.

- **NOISE POLLUTION ISSUES**

Due to the number of residents this proposed structure will accommodate, we are very concerned that any excessive noise which may occur during the day or night will be significant enough to create disturbance to our home environment which could have long term detrimental effects on our health and well-being.

Also if residents are accommodated in the north facade of the proposed residential building, the possibility of excessive noise needs to be considered as it could affect the properties that surround the proposed dwelling.

Furthermore, the potential increase in noise from traffic due to vehicles using the car parking area underneath the proposed residential dwelling and the road area outside the property could be excessive enough that it will encroach on the properties adjacent to the proposed residential dwelling.

- **CHANGES TO ROAD INFRASTRUCTURE**

The plans for the basement car parking area indicate that 1 space per residence has been allocated. We are concerned that this will be insufficient as each residence can accommodate 2 adults. Also no space has been provided for visitors, tradesmen and delivery vans.

Street parking is already a problem in this part of Park Road both during the day and night, however if cars belonging to residents without an allocated space have to park on the street, it will have severe implications due to overcrowding. These vehicles could possibly double park, park across driveways, park on footpaths and/or nature strips.

- **CHANGES TO ROAD INFRASTRUCTURE, CONTINUED**

We as long term homeowners have witnessed the impact of high density residential developments and the changes to the traffic volume in Park Road Auburn and are very concerned that road safety issues will need to be addressed if the application for development is approved.

- **LACK OF OPEN SPACE**

The plans for the development application indicate a lack of open space at ground level for environmental amenities such as Landscaping. This raises concern as it creates an unpleasant view from the streetscape for the residents living in properties nearby the proposed residential dwelling and the members of the general public who visit the Auburn community.

- **NO ECONOMIC, ENVIRONMENTAL OR SOCIAL BENEFITS**

There is no need for this type of proposed dwelling to be built in the planned location as there are already numerous high residential developments constructed or nearly constructed that can more than meet the requirements to house the increasing long term residential growth of the Auburn community.

- **PRESSURE ON COMMUNITY INFRASTRUCTURE**

Community facilities and services are currently inadequate to meet the needs of the existing and future residents. Ongoing pressure to the public transport system and shopping facilities for Auburn needs to be addressed if the proposed development of this residential flat building is accepted.

We as a community must ensure that all of its members are currently living in an environment that supports their lifestyle and encourages economic growth.

- **ENVIRONMENTAL CONCERNS**

The number of residents expected to be living in the proposed dwelling of this size will have a severe impact on the environment. For many years we have witnessed the dumping of household rubbish on nature strips, footpaths and road drainage areas. This includes dumped shopping trolleys and motor vehicles.

On occasion these piles of dumped household rubbish have been set alight and caused damage to adjacent motor vehicles, power poles and rubbish bins.

We are very concerned that the damage caused by these environmental concerns will have a very negative impact on the community both for all residents of Auburn and the general public who visit this suburb.

- **INAPPROPRIATE USE OF LAND**

Even though this land is zoned for high density affordable rental housing, using the land for this type of dwelling will conflict with the already established single storey residences nearby and compatibility of nearby land uses. Resulting in possible hazards and risks to people, property and the environment arising from this development proposal.

BASEMENT CAR PARKING AREA

- **EXPECTED DAMAGE TO OUR BUILDING WHEN THE PROPOSED DEMOLITION AND CONSTRUCTION COMMENCES**

Whilst we understand the need to construct such a dwelling and taking into account the fact our building was erected in 1978 and has already suffered severe damage due to subsidence and erosion; with cracks being prominent in the exterior and interior of the structure; we are concerned that the required excavation for the proposed basement car parking area will further add irreversible long-term damage to our property and it's perimeter. This could pose an unacceptable risk to the safety of the residents [REDACTED].

SUMMARY

To flourish, we all need a safe place – both physically and emotionally – to come home to. Our homes should be a sanctuary so our families can be nurtured and grow. If the development application for 40 Park Road Auburn is approved our home and the homes of our neighbours will no longer be havens.

On these grounds, we strongly and respectfully urge you to deny the development application for the proposed demolition of the existing dwellings and construction of a six storey residential flat building comprising 32 units above two levels of basement car parking for 36 vehicles.

In addition, we wish to advise you that the Development Notice that was attached to the wire fence at 40 Park Road Auburn on Friday 29 March 2019, for this proposed construction was removed from the site on approximately Friday 3 April 2019, by person(s) unknown. This is considered unfair and unjust as the members of the Auburn community were not permitted to view the information about the proposed development.

We wish to disclose we have not made any political donations or gifts.

Yours faithfully,

[REDACTED]

Submission 2

Rennie Rounds

From: [REDACTED]
Sent: 15 April 2019 10:02 PM
To: Rennie Rounds
Subject: Application No: DA-51/2019 – 40 - 42A Park road AUBURN NSW 2144

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Mr Rounds,

I am writing in relation to the proposal to demolish existing dwellings (Lot 4 DP 440764, Lot 1 DP 798616, Lot 30 DP 75014) and construct in their place a six storey residential flat building comprising of 32 units ("the proposed development"). I currently reside with my family at [REDACTED]
[REDACTED]

This correspondence is to object to the proposed development as it will:

- Cause loss of daylight by overshadowing. I refer to the diagrams provided to me reflecting the shadow of the proposed development at 9am, 12pm and 3pm. These images reflect that my home will be in constant shadow by this development.
- Have a negative impact on the amenity of my home through noise, overlooking, smell, loss of privacy, dust and late night activities.
- Cause traffic issues particularly traffic generation as the proposed development wishes to construct a two level basement car park for 36 vehicles.

I draw your attention to the Auburn Development Control Plan 2010 for Residential Flat Buildings. Within the Built Form Objectives at 2.0, it lists that the proposed development:

e. "protects the amenity of adjoining and adjacent properties"

h. "maximises views, solar and daylight access" and

j. "minimises the impacts of buildings overshadowing open spaces and improves solar access to the street"

I note that given my aforementioned objections, the proposed development does not meet these objectives. Further, the Performance Criteria at 2.4 notes that the proposed development must "*maintain a reasonable level of amenity for neighbours with adequate access to sunlight*", which, again, we will not have should the proposed development go forward.

Additionally, within the Privacy and Security Objectives at 5.0, it is noted that the proposed development must:

a. "ensure the siting and design of buildings provide visual and acoustic privacy for residents and neighbours in their dwellings and private open spaces".

The Performance Criteria further states, "*Private open spaces and living areas of adjacent dwellings are protected from overlooking*". As the proposed development is six storeys, there will be ample opportunity for the residents to look inside my home, depriving my family and I, as well as the other tenants [REDACTED] of any privacy.

With regards to Solar Amenity at 6.0, it is noted that the proposed development must:

a. *“minimise overshadowing of adjoining residences”*

P1. *“buildings are sited and designed to ensure daylight to living rooms in adjacent dwellings and neighbouring open space is not significantly decreased”*

Throughout all hours of the day, the proposed development will be overshadowing my home and will ultimately fail to meet the aforementioned objectives. Further, Development Controls at 6.1 list that the proposed development *“shall be designed to ensure sunlight to at least 50% of the principal area of ground level private open space of adjoining properties for at least 3 hours between 9.00 am and 3.00pm”* which as previously discussed, the proposed development fails to do.

My family and I have lived in our home for over 20 years and wish to continue to do so. However, I do not think this will be possible should the proposed development be approved.

Please do not hesitate to contact me should you have any further questions.

Kind regards,

