

To Whom It May Concern,

I am writing to formally raise significant concerns regarding the proposed 13-storey housing development at 25–27 Boyd Street, Tweed Heads (25-27 Boyd Street, Tweed Heads Affordable Housing), as detailed in the submission documents prepared by Homes NSW and its associated consultants. After thoroughly reviewing the Traffic Impact Assessment (TIA) by Cathy Thoms and Sean Morgan (Ver04, Reference: P2559, 28 November 2024), the Social Impact Assessment (Final Report, 28 November 2024), Appendix G (cost and procurement details), the Environmental Impact Statement (EIS), the Accessibility and Arborist Reports, the Landscape and Public Domain Plan, the Design Report, the Architectural Drawings, and other relevant documentation, I have identified numerous critical issues that require immediate attention and response.

This review has also incorporated direct consultation with local residents—many of whom are elderly, have mental health conditions, or come from vulnerable backgrounds, who have highlighted significant concerns that have not been captured through the developer's assessment process.

It is particularly concerning that, as I draft this letter, I can hear someone screaming from a nearby social housing property. This underscores the broader issue that the NSW Government appears to be creating a concentrated social housing enclave, reminiscent of the failed housing commission estates of the 1980s and 1990s. This development raises substantial concerns about transparency, governance, and planning integrity. The lack of rigorous oversight suggests that the government is not subject to the same rules as private developers, instead engaging in a 'tick-and-flick' assessment process.

### **1. Scale and Planning Inconsistencies: The 13-Storey Height Discrepancy**

This development is grossly out of scale with its surroundings. The tallest building currently within sight of the proposed development is seven storeys. There is no precedent for a 13-storey structure in this precinct.

- **Disparate Planning Standards:** Private developers within Tweed Heads are routinely held to strict planning controls regarding height limits and built form integration. Yet, Homes NSW has seemingly bypassed these same constraints.
- **Tick-and-Flick Approval Process:** The government appears to be imposing an inconsistent set of planning rules—where private sector developments are subjected to intense scrutiny, but public housing projects are rubber-stamped with minimal oversight.

- Neighbourhood Character Impacts: A 13-storey tower in a low-to-medium-rise area significantly alters the character and amenity of the neighbourhood, a factor not sufficiently assessed within the submission.

## **2. Traffic and Road Network Capacity Constraints (Reference: TIA, Ver04, P2559, 28 November 2024)**

The TIA fails to address the substantial traffic impacts this development will introduce. The assessment does not provide adequate modelling of capacity constraints or intersection queuing. I request that a comprehensive traffic model using SIDRA or an equivalent be conducted to analyse queuing, intersection delays, and overall network performance, particularly during peak periods.

Key deficiencies include:

- Lack of Construction Traffic Impact Modelling: The assessment fails to quantify the additional burden from construction traffic, deliveries, and worker vehicles.
- No Intersection Queuing Analysis: The analysis should include peak-hour constraints at major intersections, particularly along Boyd Street and Brett Street.
- On-Street Parking Shortages: No solution has been provided for the expected increase in demand for parking by construction workers, visitors, and additional residents.

## **3. Housing Terminology Ambiguity and Public Understanding (Reference: Homes NSW documentation, 2024)**

Throughout the proposal, the terms “social housing” and “affordable housing” are used interchangeably, without clarity on whether the dwellings will be privately owned, rented at subsidised rates, or provided at no cost.

- What is the actual classification of these properties? Will residents be purchasing these units, renting at a discounted rate, or receiving government-provided housing?
- How will this development be managed long-term? There is no clear strategy for property maintenance, tenant selection, or community integration.
- Why is this ambiguity allowed in a government-led project? If private developers attempted to misrepresent housing classifications, they would be held accountable.

## **4. Lack of Indigenous Consultation and Recognition of Native Title (Reference: AHIMS & Native Title Tribunal, 2024)**

This development has failed to incorporate meaningful consultation with Aboriginal groups. There is no evidence of:

- AHIMS heritage searches being conducted.

- Consultation with the Tweed River Bundjalung People, despite their active native title application (NC2020/002, NSD876/2020).
- Transparent engagement with traditional landowners, beyond a culturally tokenistic BBQ session.

Notably, previous community consultation letters invited the general public to review the development information through standard means, while Indigenous attendees were offered a free barbecue. Treating different groups of people differently based solely on ethnicity is the very definition of racism. This approach raises serious ethical concerns—is it the NSW Government's position to use taxpayer funds to entrench division within the community, exacerbating the gap between Indigenous and non-Indigenous residents? The Government should be fostering unity and genuine engagement, not reinforcing societal divides under the guise of consultation.

### **5. Procurement and Cost Transparency (Reference: Appendix G – Redacted Cost Information, November 2024)**

The decision to redact project costs obstructs public scrutiny of taxpayer spending. This follows a disturbing pattern of procurement irregularities within NSW, including documented cases of public servant misconduct in Transport for NSW.

- What is the cost per unit, and how does this compare to equivalent private-sector developments?
- What is the procurement methodology? Will this be a lump-sum contract, a public-private partnership, or another model?
- How will Homes NSW ensure delivery to budget and timeline?

### **6. Sunlight and Shadow Modelling Deficiencies (Reference: Environmental Impact Statement, 2024)**

There is no detailed shadow analysis for the proposed 13-storey structure. Preliminary calculations suggest that:

- Summer shadow lengths could exceed 42m, impacting surrounding residences and communal spaces.
- Winter shadow lengths could reach 90m, significantly reducing amenity and sunlight access for adjacent properties.

A **comprehensive shadow modelling report** should be submitted immediately.

### **7. Social Impact Assessment Omissions (Reference: Social Impact Assessment, Beam Planning, 2024)**

The Social Impact Assessment fails to:

- Assess the effects of increased social housing concentration on crime and antisocial behaviour.
- Incorporate police data, health authority reports, or input from NSW Families and Communities.
- Engage in meaningful consultation with vulnerable residents—relying instead on a desktop-based methodology.

## **8. Lack of Consideration for Privacy and Overlooking Impacts**

The proposal does not include a clear privacy impact assessment. The development's height and balcony configurations pose a direct privacy threat to neighbouring residences, yet the documentation does not outline mitigation strategies.

## **9. Failure to Address Revised Planning Standards and Guidelines**

Many referenced standards appear outdated:

- The TIA does not align with the latest Guide to Transport Impact Assessments (GTIA, November 2024).
- NSW planning guidelines have changed, yet the submission continues to reference older iterations.
- The National Construction Code (NCC 2022) should be applied, ensuring compliance with the most recent industry standards.

## **10. Summary of Key Requests and Formal Response Required**

Given the severe deficiencies outlined above, I request a comprehensive and documented response addressing each of these concerns, including but not limited to:

1. Updated traffic impact modelling using SIDRA or similar software.
2. Clarification on the classification of this development as either affordable or social housing.
3. Full disclosure of procurement details, including unit costs and contract structure.
4. A revised Social Impact Assessment that includes real-world consultations, crime data, and Indigenous engagement.
5. Why has there been no documented AHIMS heritage search to assess potential Aboriginal cultural heritage impacts?
6. Why has there been no consultation with the Tweed River Bundjalung People, despite their active native title application (NC2020/002, NSD876/2020)?
7. Why was a separate consultation method provided to Indigenous residents, including a free barbecue, while non-Indigenous residents were required to engage through standard means?
8. Does the NSW Government endorse the use of taxpayer funds to impose a racial divide within the community, rather than facilitating equal and inclusive consultation for all affected residents?

9. Comprehensive shadow analysis demonstrating the impact on surrounding properties.
10. Privacy impact assessment, particularly regarding direct overlooking of adjacent residences.
11. An explanation for why this project is exempt from standard planning rules applied to private developers.

This project's potential impact on the Tweed Heads community is substantial. It is imperative that these concerns are addressed transparently and in full detail. Please provide a formal response to each of the points raised.

**Yours sincerely,**

William Drew, Concerned resident of Boyd Street.