

Objection to SSD-97528708

Developer Proposal for 160 Oxford Street

Introduction and summary of my perspective to SSD-97528708

My name is Benjamin Ross Dowson, and I have resided at 24 Gipps Street, Paddington NSW since 2003 (23 years). My family and I have deep and binding ties to the Paddington community. A summary would include:

- That I grew up in Paddington, living on Goodhope Street in the 1970s and 1980s, attending Glenmore Road Public School (GRPS) and Sydney Grammar Edgecliff Preparatory School in Alma St, Paddington.
- My wife, who has also lived at 24 Gipps St, Paddington for the past 20 years, has been a pillar of the local school community, serving on both the GRPS P&C as Treasurer and most recently on the P&C for Inner Sydney High School as Vice-President.
- Our two children both attended GRPS (where they were both selected as school captain in their respective Year 6 cohorts) and Inner Sydney High School with distinction.

As a family, we are deeply connected to our Paddington community and wish to continue to live and thrive in the local community. I believe that my long connection to the Paddington community enables me to provide a helpful perspective on the proposed development SSD-97528708.

Summary of my objection

The existing proposal (SSD-97528708) for 160 Oxford Street completely misses the mark on what the State Significant Development pathway is meant to achieve. Instead of increasing affordable housing, it **eliminates 17 existing low-cost homes** and replaces them with a scheme that overwhelmingly benefits the developer. In exchange for this loss, they're asking for massive, permanent height and density concessions that will drop an eight-storey wall into the middle of a two-to-four-storey heritage precinct. It's impossible to see how this serves the public interest. As someone who has lived in Paddington for more than two decades and has deep roots in the neighbourhood, I find it unreasonable that the planning system would reward a proposal that reduces housing for key workers, disregards local character, and openly contradicts the objectives of the legislation it relies upon.

For our family at 24 Gipps Street, the impacts are even more personal and immediate. Our home already bears the brunt of oversized vehicles squeezing through Gipps, Liverpool, and Shadforth Streets, damaging our guttering, blocking the only natural light into our kitchen, and creating daily gridlock. This development would turn those already regular incidents

into a constant, two-year-plus construction reality. Heavy excavation machinery, rock-breaking into sandstone just metres from our 19th-century walls, and trucks navigating streets that already fail under normal loads present a real risk to the structural integrity of our home and the wellbeing of our family. The noise, dust, vibration, loss of amenity, and traffic chaos would fundamentally change the way we live day to day. And even after construction, the scale, massing, mechanical noise, and heat impacts of the new building would permanently diminish the quiet, human-scale character that brought us, and has kept us, in this community for more than 20 years.

Given the measurable loss of affordable housing, the unacceptable heritage impacts, the unmanageable traffic and congestion impacts, and the unreasonable harm this project would cause my family and the Paddington community, I respectfully request that this proposal be rejected in its current form.

Detailed Arguments Against the Development SSD-97528708

Failure to Meet SSD Objectives and Net Loss of Affordable Housing

The primary justification for this proposal's classification as a **State Significant Development (SSD)** is its intended contribution to affordable housing. However, a critical analysis of the current site versus the proposed development reveals a significant **net loss of affordable dwellings**, which fundamentally contradicts the goals of the NSW Government's housing reforms.

1. Substantial Net Reduction in Affordable Dwellings

The proposal seeks to utilize massive height and floor space ratio (FSR) bonuses intended to solve the housing crisis, yet it actually reduces the total number of low-income housing units on the site:

- **Existing Capacity:** The site currently provides **27 affordable studio dwellings** within the residential flat building at 160 Oxford Street.
- **Proposed Capacity:** The new development proposes only **10 affordable apartments**.
- **The Result:** This represents a **63% reduction** in the number of affordable housing units available on this site. Approving an SSD project that results in a net loss of 17 affordable homes is a perversion of the legislation's intent to "boost the supply" of well-located housing.

2. Failure to Achieve Strategic SSD Goals

The **NSW State Significant Development** framework is designed to facilitate projects that provide a clear, high-level public benefit. This proposal fails to meet those standards:

- **Temporary vs. Permanent Impact:** The applicant is requesting permanent, aggressive height uplifts (reaching up to **32.6m**) and FSR bonuses (reaching **2.86:1**). In exchange, the affordability of the 10 units is mandated for a period of only **15 years**, after which they revert to full-market luxury assets.
- **In-fill Affordable Housing Misalignment:** While the EIS claims to respond to the need for "diverse housing choices", it replaces existing high-density, low-cost studios with a project that is **75% luxury market-rate housing**.
- **Erosion of Key Worker Housing:** The EIS justifies the project by citing the need for housing for nurses and teachers near St. Vincent's Hospital. By reducing the total unit count from 27 to 10, the project effectively evicts more "key workers" than it ultimately accommodates.

3. Unjustified "Bonus on top of a Bonus"

The applicant utilises the **In-fill Affordable Housing** bonus (30% FSR/Height) on top of the already generous **Low and Mid-Rise (LMR)** housing reforms.

- The State Government provided these incentives to increase net supply.
- Because this project results in a **net loss** of 17 affordable units, the application of these bonuses is technically and ethically unjustified. It places an immense heritage and infrastructure burden on Paddington without delivering the "State Significant" housing increase required by the SSD pathway.

Height and Bulk Breach Local Character

The 8-storey height exceeds Woollahra LEP controls for heritage precinct. Breaches ADG objectives for solar access, privacy, and streetscape.

- Contextual Incompatibility: The proposed 8-storey building is dramatically out of scale with the established built form of Oxford Street and the Paddington Conservation Area.
 - Most surrounding buildings are 2–4 storeys, with heritage terraces and low-rise commercial structures dominating the streetscape.
 - There is no comparable building of this height within several blocks, making the proposal visually intrusive and inconsistent with the Woollahra Local Environmental Plan (LEP) and Paddington Heritage Conservation Area objectives.
- Impact on Streetscape & Heritage Values:
 - The excessive bulk will overwhelm adjacent heritage façades, eroding the fine-grain character that defines Paddington.
 - Creates a visual canyon effect on Oxford Street, contrary to LEP aims for maintaining human-scale development.
- Planning Principle:
 - NSW Land and Environment Court decisions (e.g., Project Blue Sky v Woollahra Council) emphasize that contextual fit and heritage compatibility are critical in determining development appropriateness. Breaching these principles strengthens grounds for refusal.

The proposal fails to respect the prevailing height plane and urban rhythm, which is a key requirement under Woollahra LEP 2014 – Clause 4.3 (Height of Buildings) and Paddington Conservation Area Management Plan. The proposed development's visual dominance and bulk will cause irreversible harm to the heritage streetscape and community identity.

Unacceptable Traffic and Parking Strain

The Traffic and Parking Assessment Report for 160 Oxford St provides a narrow technical justification for the building's operational phase while failing to address the severe

disruptions expected during construction and the unique heritage constraints of Paddington.

Lived Experience: Immediate Localised Impacts at 24 Gipps St, Paddington

The Traffic Impact Assessment fails to account for the acute, existing congestion at the critical intersection of **Gipps and Shadforth Streets**, where the narrow functional road width (ranging from **3.4m to 7.5m** along the site frontage) already creates a state of daily gridlock. As residents of **24 Gipps St**, we already contend with standard-sized supermarket delivery trucks, utility maintenance vehicles, and removalist trucks that routinely block this intersection while attempting to navigate the radius.

Specifically, our property is severely impacted by the following recurring behaviours that the proposed **26-month construction phase** will exacerbate to an unlivable degree:

- **Boundary Encroachment and Structural Damage:** Trucks frequently park and wait within **50 centimeters** of our house boundary on Liverpool St. These heavy vehicles have already regularly struck and damaged the guttering on the side of our heritage home, which lacks the structural resilience to withstand constant close-proximity impacts.
- **Amenity Degradation:** While waiting to navigate the narrow lanes, truck drivers sit with engines idling, generating significant noise and exhaust fumes. Furthermore, the height and mass of these vehicles physically block the natural light entering our kitchen window, causing a total loss of amenity.
- **Systemic Conflict:** The proposal to use **Liverpool, Gipps, and Shadforth Streets** as primary routes for construction vehicle travel paths will institutionalise this disruptive behaviour. Forcing large excavation machinery and **6.4m Small Rigid Vehicles (SRVs)** into a corridor where cars already struggle to pass will create a permanent "bottleneck" that endangers pedestrians and inflicts an unfair burden on the residents of 24 Gipps St.

The applicant's reliance on modeling that shows a "Level of Service A" is a complete misrepresentation of the physical reality and existing friction in these heritage laneways.

1. Failure to Address Cumulative Construction Impact

The report isolates the Traffic Impact Assessment (TIA) from the Construction Traffic Management Plan (CTMP), effectively ignoring the cumulative burden on the community.

- **Concurrent Disruption:** The construction period (indicatively 2026–2029) will likely overlap with the **Oxford Street Revitalisation Project** and the **1-11 Oxford Street Development**, creating a "three-front war" of local disruption.

- **Omitted Pressures:** The applicant's claim that traffic increases are "statistically insignificant" only accounts for post-construction residents, entirely ignoring years of high-intensity heavy vehicle movements required for deep excavation.

2. Critical Gridlock on Local Access Loops

The proposal creates a high-risk traffic loop through narrow heritage streets including **Liverpool, Gipps, and Shadforth Streets**.

- **Constrained Circulation:** Due to restricted right-turns from Oxford Street and the one-way restrictions on Gipps Street, vehicles must navigate complex turns to access the proposed 83-car basement garage.
- **Heavy Vehicle "Blind Spot":** The study fails to account for the physical reality of a 6.4m Small Rigid Vehicle (SRV) or construction truck turning from narrow Gipps Street frontages (3.4m–7.5m) into Shadforth Street. Such turns will require multi-point "swings" into oncoming lanes, causing immediate gridlock.

3. Incompatible Road Geometry and Safety Risks

The existing road network is fundamentally unsuited for the volume and scale of construction vehicles required.

- **Functional Width Deficiencies:** Functional widths on Gipps and Shadforth Streets are as narrow as 3.4m. Current residents and delivery trucks already struggle to pass each other within these "Permit Holder" zones.
- **Loss of Residential Capacity:** Establishing a new driveway on Shadforth Street will permanently eliminate scarce kerbside parking, increasing local congestion as vehicles "cruise" for remaining spaces.
- **Active Transport Conflict:** These streets are vital links for pedestrians walking to high-frequency bus stops. Introducing heavy construction traffic into this pedestrian-heavy environment creates a severe safety risk that the applicant's model fails to mitigate.

4. Extensive Excavation and Structural Vibration Risks

The proposed **four-level basement** requires approximately **15m of excavation** into sandstone bedrock.

- **Heritage Vulnerability:** Most surrounding Victorian-era terrace houses lack modern foundations or cavity walls, making them highly susceptible to structural damage from vibration and groundwater changes.
- **Inadequate Protection:** The assessment focuses on parking numbers rather than the physical stabilization of neighboring heritage walls during the high-impact excavation phase.

5. Conflict with "People First" Planning Strategy

The proposal directly contradicts Transport for NSW (TfNSW) objectives to transition Oxford Street into a "people first" corridor.

- **Prioritizing Throughput over Safety:** The report relies on the SIDRA model which prioritizes vehicle throughput rather than the state's goals for a "healthier, quieter, cleaner, and greener" precinct.
- **Increased Traffic Burden:** Introducing an 83-car garage entry on a minor side street increases the traffic burden on local residential roads, contrary to integrated transport planning principles.

Conclusion: The proposal is inadequate to manage the parking and traffic demands of residents and retail visitors. It will significantly increase congestion, compromise pedestrian safety, and pose unmitigated risks to the structural integrity of Paddington's heritage fabric.

Environmental, Noise, and Structural Impacts (SSD-97528708)

1. Extreme Construction Noise and Community Disruption

The **Noise and Vibration Impact Assessment** confirms that the demolition and construction phases will subject our residential community to noise levels that are functionally unlivable.

- **Highly Affected Thresholds:** Predicted noise levels at adjoining property boundaries reach **83 dB(A)**. This far exceeds the NSW EPA's "Highly Noise Affected" threshold of **75 dB(A)**, at which point the government anticipates "strong community reaction".
- **Acute Impact on Gipps and Shadforth Streets:** Our streets currently have low background levels, yet during demolition, we will be subjected to noise up to **29 dB(A) above current background levels**.
- **Sustained Amenity Loss:** These extreme levels are expected to last throughout the **26-month construction period**, with the report admitting these calculations do not fully account for the cumulative impact of multiple machines operating simultaneously.

2. Structural Jeopardy to Heritage Fabric from Vibration

The proposed **four-level, 15-meter deep excavation** into sandstone bedrock poses a direct and unmitigated structural threat to the 19th-century homes surrounding the site.

- **Vulnerability of Victorian Terraces:** The report adopts a safe vibration limit of **3 mm/s** for heritage structures. However, hydraulic rock breakers and saws required

for bedrock excavation generate significant levels of vibration that can easily exceed this.

- **Reactive vs. Preventative Measures:** The proposed mitigation relies on "two-stage alarms" that trigger only *after* a threshold is reached. For fragile masonry terraces with shared party walls and no modern foundations, irreversible cracking or structural shifting may occur before work is halted.

3. Escalation of the Urban Heat Island Effect

The **Ecologically Sustainable Development (ESD) Report** admits the site already suffers from a moderate Urban Heat Island impact, with temperatures peaking at **7.44°C above the baseline**.

- **Heat Trap Creation:** Replacing low-scale structures and established greenery with a massive eight-storey concrete and glass mass will worsen localized thermal retention.
- **Detriment to Neighbors:** This increased radiative heat will be trapped in the narrow corridors of Gipps and Shadforth Streets, significantly degrading the indoor livability of neighboring Victorian terraces that lack modern insulation.

4. Permanent Loss of Ambient Peace and Natural Ventilation

The transition to a high-density mixed-use site will permanently destroy the quiet residential character of our precinct.

- **Industrial Hum:** The introduction of heavy mechanical plant, including **car park exhaust fans** and **40+ AC condensers**, will replace the existing "suburban" quiet with a constant industrial hum designed to operate right at the maximum permitted limits.
- **Obstruction of Airflow:** To meet internal noise targets, the new building is designed to remain largely sealed. This creates a "walled-off" mass that acts as a physical windbreak, disrupting natural cross-ventilation for the smaller 1-2 storey heritage houses to the north.

5. Lived Experience and Existing Gridlock at 24 Gipps Street

As residents of **24 Gipps Street**, we provide evidence of existing localized failure that the applicant's modeling ignores:

- **Current Intersection Failure:** The intersection of **Gipps and Shadforth Streets** is already routinely blocked by supermarket delivery trucks and utility vehicles.
- **Property Damage and Encroachment:** We frequently experience heavy vehicles parking within **50 centimeters of our boundary** on Liverpool Street, where idling

engines block kitchen light and have repeatedly struck and damaged our heritage guttering.

- **Unfair Burden:** Forcing a massive construction fleet into this "bottleneck" will institutionalise this dangerous behaviour and cause absolute chaos for pedestrians and residents alike.

Detrimental Environmental and Amenity Impacts

The ESD Report reveals that the proposed development at **160 Oxford Street** will have a significantly detrimental impact on the immediate environment and the livability of existing heritage homes.

1. Extreme Urban Heat Island (UHI) Escalation

The report admits the site already experiences a moderate urban heat island effect, with temperatures peaking at **7.44°C above the baseline**. Replacing existing low-scale structures with a massive eight-storey concrete and glass massing will worsen this through:

- **Thermal Retention:** The sheer bulk of the new building will act as a "heat trap," radiating warmth into the narrow surrounding corridors of Gipps and Shadforth Streets.
- **Impact on Heritage Homes:** Neighboring Victorian terraces, which lack modern insulation, will suffer from increased indoor temperatures and significantly higher cooling costs.

2. Conflict Between Heritage Ventilation and Acoustic Sealing

The development's reliance on mechanical compliance creates a "walled-off" effect that harms the local microclimate:

- **Stagnant Air Pockets:** To meet acoustic targets, the building is designed to remain largely sealed. This creates a physical windbreak that disrupts existing natural cross-ventilation for the smaller 1-2 storey houses to the north.
- **Loss of Amenity:** While the new building uses internal systems to maintain air quality, existing residents are left with reduced airflow and trapped heat.

3. Intensive Resource Strain and Delayed Commitments

The report lacks concrete technical guarantees, postponing critical sustainability details:

- **Grid Pressure:** The addition of 40 luxury apartments and retail space will place an unprecedented load on a fragile local utility grid.

- **Unconfirmed Mitigation:** Critical systems, such as the rooftop solar PV and final tank sizing, are listed as "to be refined" or "further developed," providing no legal certainty that the building will not remain a permanent resource drain on the Paddington community.

Retail Disruption near Oxford Street/Glenmore Road

Retail faces access restrictions during construction, reduced foot traffic due to hoardings and noise, and long-term risk of gentrification and rent hikes.

Heavy machinery and spoil removal trucks will:

- Block Oxford Street and surrounding laneways.
- Increase congestion and reduce pedestrian safety.

Businesses may experience loss of trade due to reduced accessibility and noise.

Defence and Rescue Helicopter Safety Risks

Victoria Barracks opposite site maintains a helicopter landing zone. Height may penetrate obstacle limitation surfaces (OLS), breaching NASF Guideline H and EPBC Act.

Aviation safety is non-negotiable and the SSD fails to demonstrate compliance with NASF Guideline H.

In addition, Victoria Barracks is a Commonwealth-protected site, so any interference with its operational capability is a federal matter.

- NASF Guideline H (National Airports Safeguarding Framework) requires that strategically important helicopter landing sites maintain unimpeded flight paths and obstacle-free airspace for safe operations.
- The proposed building height may penetrate the OLS, which is the protected airspace around the HLS. Breaching this surface:
 - Creates a collision risk during approach/departure.
 - Compromises Defence aviation safety standards.
- Under EPBC Act (Environmental Protection and Biodiversity Conservation Act), Victoria Barracks is a Commonwealth heritage site and its operational integrity (including aviation safety) is protected. Any development impacting Defence operations or heritage values triggers mandatory referral to the Federal Environment Minister.
- If the building obstructs the HLS flight path, the development could be deemed incompatible land use under NASF and EP&A Act, providing strong grounds for refusal.
- The developer or NSW Planning must refer the proposal to the Australian Defence Force (ADF) and Department of Defence Aviation Environment for assessment.

- **Aeronautical Assessment:** Defence will conduct an OLS penetration analysis and risk assessment for helicopter operations at Victoria Barracks.
- **Submission to IPC or Minister:** Defence can lodge an objection during the SSD exhibition period, citing NASF Guideline H and EPBC Act obligations.
- **Federal Trigger:** If the project impacts Commonwealth land or heritage values, Defence can request an EPBC Act referral, which may override state approval.

Heritage and Streetscape Impact

The proposal represents an unacceptable breach of the Paddington Heritage Conservation Area (HCA) integrity. While the EIS dismisses the existing structures as "intrusive", it seeks to replace them with an eight-storey massing that is fundamentally at odds with the "fine-grain" Victorian-era character of the locality. The applicant's reliance on "axonometric context" to justify an 8-to-12 storey scale ignores the immediate low-density residential interface to the north, where 1-to-2 storey terraces and cottages will be visually overwhelmed. This failure to provide a sympathetic transition undermines the primary objective of the State Significant Development (SSD) framework to preserve local character.

Construction Phase Hazards

The proposed 4-level basement excavation poses ground movement risks to adjacent heritage buildings, noise, dust, vibration affecting residents and businesses, and traffic disruption from heavy machinery.

- Deep excavation can cause soil settlement and lateral movement, especially in areas with older foundations.
- Adjacent heritage buildings in Paddington often have shallow footings and fragile masonry, making them highly vulnerable to cracking or structural failure.
- Without robust geotechnical monitoring and retention systems, there is a real risk of irreversible damage.
- Excavation produces silica dust and particulate matter, affecting respiratory health.
- Heritage façades and shopfronts can suffer surface deterioration from dust accumulation.
- Mitigation measures (e.g., water sprays, sealed trucks) must be detailed and monitored.