

State Significant Development Application - SSD 80626208

8-10 New McLean Street, Edgecliff

We appreciate the opportunity to comment while noting that the deadline for submissions, even though extended, is quite short for the local community to absorb hundreds of pages of documentation, do research and prepare their responses.

We oppose the application.

1. Scope

The application relates to the first stage of development comprising 56 residential units in a medium-rise tower. A second, much larger, stage, will take the total number of residential units to 246, three quarters of them in a much taller tower rising 18 storeys.

Obviously, the development application process should take into account the impact of the complete project on all relevant factors, including urban design, housing density, public amenity, heritage, traffic, tree cover, flood risk, shading etc.

The project site is adjacent to the proposed Edgecliff Commercial Centre project which will potentially replace the existing building with an even larger structure. The scale and combined impact of these and other potential projects in Edgecliff need to be known and understood before informed and sensible decisions can be made on whether the current application should be approved.

A decision on the first stage should be withheld until an application for the second stage is lodged so the project can be considered in its entirety and in the context of known proposed developments.

2. Affordable Housing

A key objective of the NSW Government's housing strategy is to provide more affordable housing by offering developers incentives to include housing for people with lower incomes in residential projects. The incentives allow taller residential buildings in return for providing affordable housing.

The reality of this project is that 106 existing affordable housing units will be demolished.

According to the current application, they will be replaced by just two.

This is a poor outcome for the community but a good deal for the developer. The developer will be able to sell more than 240 luxury apartments with harbour and city skyline views while committing at this point to provide only two affordable units on the ground floor of the lower tower.

The development application gives no detail on how this very meagre affordable housing offer will be delivered. More needs to be known about how "in perpetuity" will work in practice, consistent with the NSW Affordable Housing Ministerial Guidelines.

3. Urban design

The original proposal for the site was knocked back by Woollahra Council in 2022 as "excessive in bulk and scale". The current application states the original proposal has been amended "to deliver a more sympathetic and considered response of (sic) the characteristics of the immediate and wider locality" with "significant improvements to the public domain." It describes the revised proposal as "slender" in form.

In our view, these claimed improvements are not delivered.

There is no extra benefit to the public. Indeed, the original proposals for a community centre and food and drink premises have been dropped.

The application makes the point that the tower building will be lower than the planned Edgecliff Centre, about the same as Eastpoint Tower in Edgecliff and lower than Ranelagh and other existing blocks in Darling Point, mainly built in the 1960s. That high-rise buildings were allowed when planning and design standards were lax should not justify over-sized buildings today.

Far from being 'slender' in form, as the application claims, the podium and tower will have a bulky appearance, particularly when viewed from Trumper Oval. The building will dominate the skyline above Trumper Park.



Photomontage of new proposal with planning proposal building envelope in grey.

(Urbaine Design Group Visual Impact Assessment)

The application argues that the design is improved by being stepped down from New McLean Street to Trumper Park. Yet it will still be 47m high on the boundary with Trumper Park.

The revised proposal fails to meet its claim to provide "a more sympathetic and considered response of (sic) the characteristics of the immediate and wider locality".

Trumper Park and Oval make a natural buffer zone between the traditional residential streetscapes of Paddington and the more commercial tone of Edgecliff now and increasingly in the future. This buffer will be compromised by an 18 storey tower looming over the tree line of Trumper Park.

Paddington is one of the earliest suburbs of Sydney. Its distinctive rows of terrace houses were built in the mid-19th century for workers (the affordable housing of its day). By and large Paddington's character has been retained. From the 1960s, terrace houses were sympathetically updated, retaining much of their original character and preserving the original tree-lined streetscape. In 1897, almost 120 years ago, Trumper Park and Oval were set aside by the NSW Government as a reserve for public recreation.

Paddington's heritage value will increase as time goes on and Sydney becomes more populated.

Paddington and neighbouring suburbs like Woollahra need to be shielded against the overpowering presence of tall residential towers right on their boundaries.

Rather than rely on reports commissioned by the developer, the Department should obtain independent advice from heritage and urban design experts.

4. Shadowing

The consultant's report shows that on mid-winter mornings there will be over-shadowing of the Trumper Park natural bush land and some over-shadowing of townhouses in Royston Street.

5. Tree cover

The arboricultural impact assessment notes that of the 203 significant trees on the site, 152 will be removed, 16 will be affected by the building works and 35 will be retained. Landscaping will restore some vegetation, but there will be a substantial loss of tree cover and wildlife habitat. This loss undermines Woollahra Council's Urban Forest Strategy.

6. Flooding

The flood risk assessment submitted by the developer focusses on the risk to the development site, not the risk to the surrounding areas posed by run-off from the site.

While the flood risk to the site itself, and the neighbouring Edgecliff Centre, can be mitigated in the new construction, the consultant's report appears to simply assume that water from the hard surfaces of the development site area will flow downhill through Trumper Park to Trumper Oval.

This will add to the flood risk for the Oval and nearby low-lying streets, threatening the properties of residents of these streets and businesses in the Paddington Art Precinct. Coincidentally, while preparing this submission, heavy overnight (March 17-18) rainfall sent a large volume of fast-flowing storm water coursing through the streets abutting Trumper Oval, including Royston Street, Hampden Street and Cecil Lane - a timely reminder.

The flood risk report submitted by the developer relies on previous assessments. These should be updated and reviewed by an independent expert, taking into account climate change that is creating heavier and more frequent rainfall. It is likely there will be more frequent 1% AEP (Annual Exceedance Probability) storm events* and PMG (Probable Maximal Flood) events. Flood protection infrastructure should allow for a significant safety margin above these 'probable' levels.

* noting that a 1% AEP means there is a 1% chance of exceptionally heavy flooding every year not once in 100 years.

More detailed comments on the issue of flood water management relevant to the application:

Hydrology: There has been a significant change in hydrologic modelling with introduction of an updated Australian Rainfall & Runoff in 2019 (ARR2019) which superseded ARR1987. The hydrologic approach adopted in the PTC report submitted by the developer has relied on a report by Catchment Simulation Solutions (CSS) in the July 2019 (Paddington Floodplain Risk Management Study and Draft Plan). However, the CSS2019 report was based on hydrology undertaken by WMAwater in 2007 (Rushcutters Bay Catchment Flood Study) which adopted ARR1987.

As the flood management approach in the PTC report involves construction of a new pipe, the design must comply with current best practice which is ARR2019 not ARR1987. Additional consideration should be given to adoption of ARR V4.2 August 2024 which requires the hydrology to include anthropomorphic climate change as this increases the design flows by 10% or more. An updating of the hydrology is therefore required.

The construction of the two buildings and associated impervious surfaces will mean that the volume and peak flow of the runoff from the site will increase. This occurs because there will be less infiltration of runoff (increase in volume of runoff) but more importantly the runoff will "speed up" (runoff travelling across the proposed impervious surfaces is much faster than across the existing vegetated lands) and so increase the peak flow downstream. The proposed development will therefore increase peak flood levels downstream, unless mitigation measures are constructed but these have not been considered in the modelling.

Hydraulics: The key purpose of undertaking a flood impact assessment is to use a computer hydraulic model to determine the "afflux" or impact (as a change in peak flood level) due to construction of the proposed development. This is very important as otherwise flood levels would rise across Sydney. Most Councils in the Sydney basin consider that an increase in the peak

flood level in the 1% AEP event of greater than 20mm (or even 10mm) is unacceptable and mitigation measures are required.

The HECRAS hydraulic model has been adopted for design, rather than the TUFLOW hydraulic model adopted in CSS2019. HECRAS is generally not adequate for use in a flood impact assessment as (unless run in “unsteady” mode) it cannot assess the impacts of a change in temporary floodplain storage. No detail is provided whether the HECRAS model is run in “steady” or “unsteady” mode but it is presumed that it is the former. If this assumption is correct, this is a significant limitation as the proposed building on the western side of the site will occupy ground land currently inundated by floodwaters (refer Figure 3.16). Thus post development there is a loss of temporary floodplain storage which will increase peak flows downstream. It is for this reason that TUFLOW (or equivalent) provides a more rigorous assessment of flood impacts (afflux on Figure 4.18).

Comparison of PTC with CSS2019 results: When undertaking a flood impact assessment, it is prudent to compare the Existing results from the adopted modelling with that from the Council accepted Flood Study results (CSS2019). This has not been undertaken in the PTC report.

Review of Afflux (Figure 4.18): The main concern is that the categories in the legend require greater definition. For example, a range of 0m to 50mm is too crude if most Councils will not accept an increase of greater than 20mm. The modelling also indicates an increase of over 50mm in the 1% AEP. If all new developments in Sydney were approved with an increase of greater than 50mm there would be a significant increase in flood damages and the risk to life.

Comparison of Existing v Proposed 1% AEP Flood Depths: Figure 4.6 (Proposed) is incorrect as it shows that Trumper Oval now becomes largely flood free compared to Figure 3.12 (Existing).

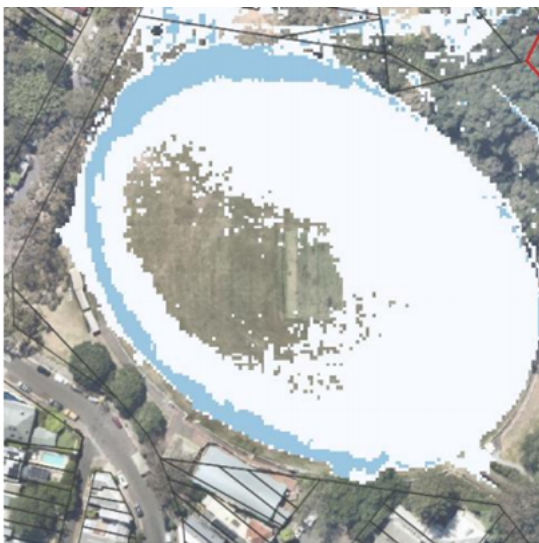


Figure 3.12: Existing 1% AEP flood event depth map



Figure 4.6: Proposed 1% AEP flood event depth map

These concerns about the relevance and adequacy of the flood risk assessment underline the need for the Department to be sure it is relying on up to date and independent technical advice.

7. Construction noise and vibration

The geotechnical report says noise levels and vibration during construction “are difficult to predict”.

What is certain is that noise will be created during construction and there are most likely to be significant vibrations as five levels of underground parking are excavated by heavy machinery.

Before approval to construct is given, these effects need to be much more clearly calibrated and appropriate suppression measures employed. The developer will need to indemnify nearby property owners for any damage.

This is another example where the Department will benefit from independent expert advice.

8. Traffic

There will undoubtedly be a significant increase in traffic, including heavy trucks, during construction despite encouraging trades people working on the site to use public transport. It's hard to see 'tradies' being enthusiastic about this idea! Even if they do take public transport, there will still be considerable extra traffic - e.g trucks carrying demolition and building material - adding to an already very busy New South Head Road during peak hours.

The traffic analysis suggests there will be a "negligible" increase in traffic generated by the new development when completed. However, it is difficult to believe that a residential building of 246 units will add only 5 to 10 vehicle movements an hour in peak periods, one vehicle every 6 to 12 minutes, even if many residents of the tower do opt to walk to nearby public transport as the report expects. The proposed new Edgecliff Centre and other residential and commercial projects will also be creating extra traffic.

According to the traffic analysis, the intersection of New South Head Road, New McLean Street and Darling Point Road sees 5,000 vehicles each way per hour during the morning and afternoon peaks.

Anyone who lives/works in the area knows that driving along the stretch of New South Head Road between Rushcutters Bay through Edgecliff and Double Bay to Rose Bay is a twice-daily crawl. It will only get worse as more people are crammed into the surrounding suburbs.

This is another example of where an independent report should be provided.

In short, we submit that the revised proposal does not enhance public amenity; is too large in scale for its surroundings; falls woefully short of providing a meaningful amount of affordable housing; will reduce tree cover; cast a shadow over the Trumper Park bush; add to traffic congestion and heighten flood risk to downhill properties.

Madeleine & Duncan Fairweather
9 Royston Street
Paddington NSW 2021