

Date: 30th March 2026

SUBMISSION: 19-23 Rosalind Street, Cammeray.

Dear Sir

My name is Lewis Tessarolo and I am the owner and occupier of 3/199 West Street, Crows Nest which is one of the adjoining properties to 19-23 Rosalind Street SSD on the west side.

Please accept this document as objection to the proposed SSD (SSD-96505456) based on the following criteria which will be discussed in further detail in this submission:

1. Building height
2. Insufficient setback
3. Privacy
4. Impact on solar/Overshadowing
5. Character, Bulk and Scale
6. Traffic and Parking
7. Environmental Impact
8. Deep Excavation
9. Construction hours
10. Stakeholder Engagement
11. Site location
12. Dilapidation Reports
13. General Comments on the Proposal

It is my view that the proposal does not sufficiently address these issues with neighbouring residents and general public. It is my firm opinion that if the developer does not adequately address these issues and arrive at an agreed resolution with adjoining residents, NSW Planning should object to this proposal.

Yours Sincerely

Lewis Tessarolo

Lewis Tessarolo
Owner and occupier
3/199 West Street
Crows Nest. NSW. 2065

1. Building height

One of the most significant concerns is the proposed height of 18.8 metres which exceeds the North Sydney Council height limit of 12 metres by 57%. This creates issues with solar, overshadowing, privacy, bulk, scale and visual impact to my property and surrounding neighbours. No other building on this block or surrounding blocks is built to this height.

Clause 4.6 Variation Request uses the decision from *Wehbe v Pittwater Council* in the NSW Land and Environment Court to provide justification for height increase. The arguments advanced in Clause 4.6 are weak and do not provide adequate justification to support the requested variation.

Recommendation

- The building height should be set to no greater than 15.8 metres.

2. Insufficient setback

Another significant concern is Section 3.2 of the EIS states that setback for Building B on the western side be a minimum of 3 metres which is insufficient. This is inadequate and will increase overshadowing, impact sunlight and reduce privacy into neighbouring properties. My bedroom, living room and courtyard face the proposed development, meaning these impacts will be severe. There is ample space in front of building B to move forward and allow at least 12 metres setback and more if necessary.

Recommendation

- The setback should be set to a minimum of 12 metres.

3. Privacy

Having a six-storey building will have an impact on my property and surrounding areas. My bedroom, living room and courtyard face the adjoining property, residents in the new development will be able to view into my private living and sleeping spaces thus having an impact on privacy.

Section 6.2.1 Visual Privacy in the EIS refers to Building B and consideration provided to residents of 199 West street. This consideration only takes into account living areas face the SSD which is not the case. Units 2, 3, 4 and 5 of 199 West street also have bedrooms that face the property which has not been taken into consideration.

Recommendation

- Height for Building A and B should only be set to 15.8 metres
- Setback should be at least 12 metres from western side of property.
- There should be no impact to privacy to adjoining properties.
- Privacy fins installed on the western side of both buildings.

4. Impact on solar/Overshadowing

Section 6.1.4 Overshadowing of the EIS has failed to address this issue of overshadowing to adjoining and nearby properties which will have an impact on solar, especially with the affected residents on 199 West Street. Each townhouse has two skylights each which will be affected by overshadowing. The SSD admits that there will be an impact on solar and overshadowing, but no solution has been sought.

The Shadow diagrams in Appendix A Architectural Drawings.PDF do not adequately illustrate the impact of overshadowing on neighbouring properties.

Recommendation

- Height for Building A and B should only be set to 15.8 metres
- Setback should be at least 12 metres from western side of property.

5. Character, Bulk and Scale

The proposed SSD will have an impact on the visual appeal of the surrounding area due to its excessive size of both buildings. The proposal will look out of character as no other building in the area is five or six stories high. It is visually dominant and will adversely impact the character of the neighbourhood.

The overall bulk and scale of the proposed development provide an unacceptable loss to neighbouring residents of visual impact. The proposed development does not reflect the typical character of the neighbouring area. The proposal fails to minimise visual impact and does not stimulate good design and architecture.

Recommendation

- Height for Building A and B should only be set to 15.8 metres
- Setback should be at least 12 metres from western side of property.

6. Traffic and Parking

Traffic congestion will increase with more cars traversing through Rosalind and West Street. West street during peak times is already congested and this development will only add to the existing problem. A bike lane also exists on West Street, yet the SSD has not addressed the increased risk of bike accidents resulting from increased traffic to the area.

The SSD will increase on-street parking, yet this is not adequately addressed in the SSD. At present, local council is trying to address congested parking on Rosalind Street and surrounding areas with permitted parking limits however, this development will only make the problem worse with more residents and visitors fighting for street parking.

7. Environmental Impact

Section 3.4.4 of the EIS clearly states that 27 trees need to be removed to accommodate the development to be replaced with only 14 trees thus reducing the total number of trees on the property by 13. Furthermore, the SSD does not address the native wildlife that exists in the area which will not return if trees are removed. Construction will inevitably disturb the wildlife with the heightened risk wildlife will never return.

In Appendix C of the submission titled Landscape Drawings, the trees chosen for planting along the Western Boundary (bordering 199 West street) are *Angophora Costata* or commonly known as Sydney Red Gum. These trees can grow up to 30 metres in height, much higher than the proposed building heights in the SSD. These trees are not recommended close to buildings or gardens because of their size and more importantly, their branches are susceptible falling off which is a safety hazard.

Recommendation

- All 27 trees to be removed should be replaced.
- *Angophora Costata* should not be planted due to safety risk. Choose an alternative tree that poses less risk and lower in height

Figure 1



8. Deep Excavation

The deep excavation 10 metres proposed will lead to soil degradation and erosion, large volumes of soil removal expose loose surfaces which in turn increase soil erosion, sediment run-off and loss of soil structure. This will also lead to land instability and settlement issues.

In addition, there will be prolonged noise and vibration, dust and air quality issues affecting neighbouring properties.

Deep excavation destroys vegetation and displaces wildlife which will in turn fragment ecosystems. Noise and vibration from machinery will disturb fauna.

Recommendation

- Height for Building A and B should only be set to 15.8 metres
- Setback should be at least 12 metres from western side of property.
- Excavation should be less than 10 metres.

9 Construction Hours

Section 3.10.1 of the EIS discusses construction hours. Whilst work conducted from Monday to Friday are acceptable, work on Saturday should not be permitted due to the proximity of the works to neighbouring properties. Neighbours should receive some relief from the works conducted and have their weekends free from construction.

Recommendation

- Construction hours should be limited from Monday to Friday 7.30 am to 4.00 pm.

10. Stakeholder Engagement

In the EIS, Section 5.1.1 - Identified Stakeholders, it states that,

“As a result of the above process, a number of stakeholders were identified for consultation, including:

- *Owners of 199 West street, Cremorne and 27 Rosalind Cremorne.”*

I am a member and Chairperson of 199 West Street Strata Committee (SP23021). My committee members and I have never been consulted throughout the preparation of the SSD. The first time I have seen the EIS/SSD was when it was made available via the NSW Planning portal.

Recommendation

- The strata committee of 199 West street should have been consulted during the process. The committee is open and welcomes consultation.

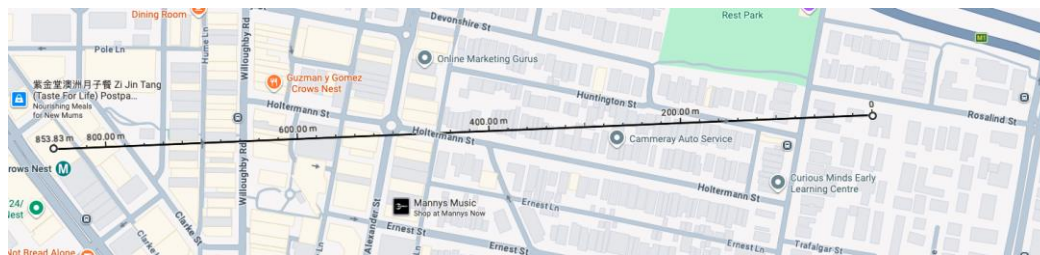
11. Site and location

In the EIS, Section 2.1 Site and Location of the EIS states that,

“Crows Nest Station is located approximately 800 metres north-west of the site.”

Please refer to figure 1 below taken from Google Maps and using their distance program, the distance from the proposed site to Crows Nest station is greater than 850 metres

Figure 2



12. Dilapidation Reports

In Appendix H: “Consolidated Mitigation Measures under Geotechnical” Ref No: C-G-1 (page 7) states that a dilapidation report will be carried out prior to works commencing.

Recommendation

A dilapidation report at 199 West street should be conducted:

- Prior to earthworks commencing
- Post earthworks and
- Post completion of site.

13. General Comments on the Proposal

Most of the comments in the SSD exclude 199 West street from much of the reports. In my opinion, 199 West street should have been included in the scope of work addressed as it is directly impacted by the property. The Strata Committee is open to having a consultative approach to the proposal, yet no one has approached us.