
Submission Regarding SSD-77608714-Mod-2

Modification 2 to increase building height and other external modifications 1 Darling Point Road, Edgecliff

Dated: 26.05.2026

We, Arek and Celina Drozda, the owners of apartment 12/ 164 New South Hear Rd, Edgecliff, formally **object to the approval of the proposed façade amendments to the eastern elevation of the podium**, as outlined in the State Significant Development S4.55(1A) Modification Report, Section 3.2.1.2 – *Podium – Northern and Eastern Materiality* (pages 10–11).

Our objection is based on the significant and unreasonable adverse impacts the proposed amendments will have on the privacy, amenity, security, and enjoyment of our residence.

Specifically, the proposed redesign introduces enlarged openings within the louvre screening system facing our apartment. These changes create serious concerns in relation to:

- Loss of Privacy; and
- Amenity Impacts, including noise intrusion, light pollution, disturbance, and nuisance.

1. Loss of Privacy

The proposed amendment introduces substantially wider gaps between the façade louvers, as indicated in the drawings submitted with the application.

Based on our assessment of the plans, the openings appear to be approximately 20–30 cm wide. Given the extremely close proximity of the structures - approximately 3 metres from our apartment windows - these openings will permit direct lines of sight from the adjoining car park area into our private living spaces, including:

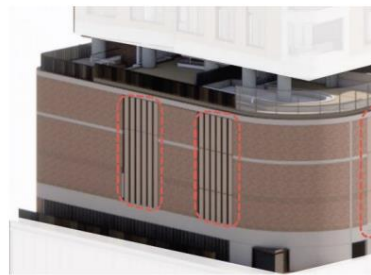
- the lounge room;
- the dining area; and
- the main bedroom.

This represents a serious and unacceptable invasion of privacy for residents of the adjoining building. The originally approved façade design provided appropriate visual screening and directional shielding. The proposed amendment materially weakens those protections.



Approved

Proposed coloured precast elements

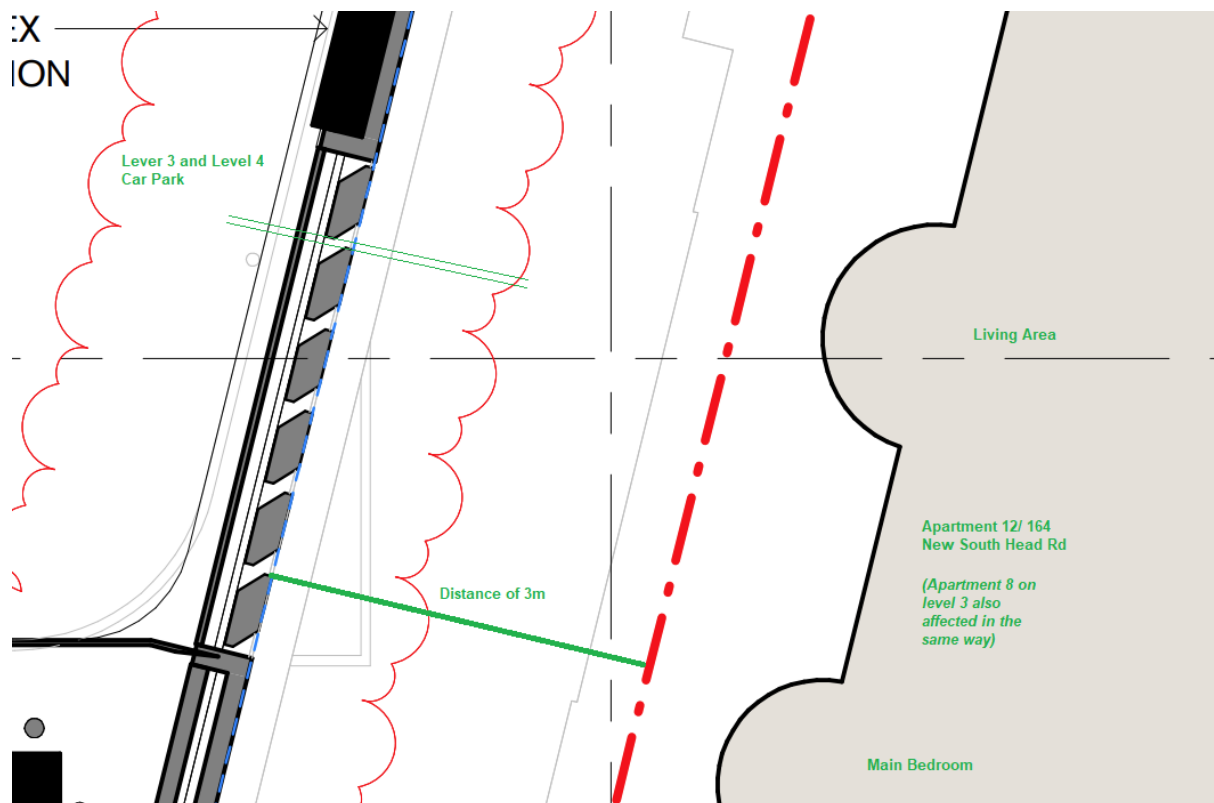


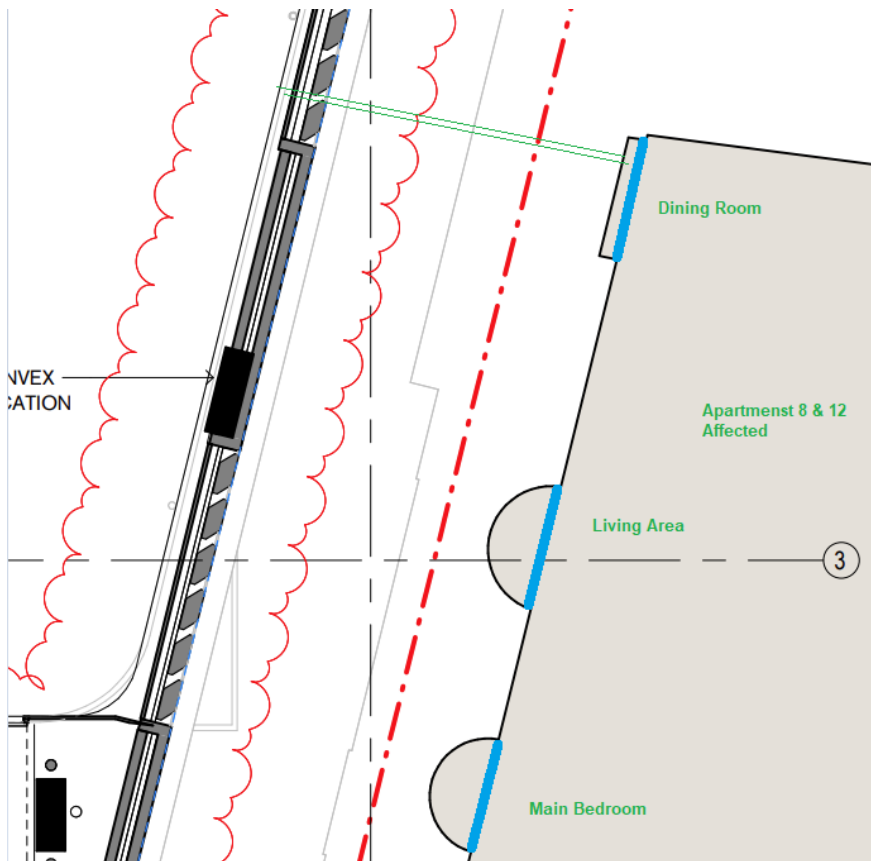
Proposed

Figure 3 Approved vs Proposed Northern and Eastern Carpark Façade

Source: Tzannes

Pages 10-11 of State Significant Development S4.55(1A) Modification Report, Section 3.2.1.2 Podium - Northern and Eastern Materiality





Level 04 Parking Floor Plan - Drawing no: 1DP-2- AD20400. Page 10

Importantly, there are at least two, and potentially three, apartments in the adjoining building directly exposed to these openings.

2. Amenity Impacts – Noise, Light Pollution, and Disturbance

The proposed openings will also allow unrestricted transmission of artificial light and noise from the car parking area directly toward our apartment.

The originally approved façade treatment appeared specifically designed to redirect light spill and vehicle noise laterally, thereby minimising impacts on neighbouring residents. The proposed amendment undermines that design intent by creating direct openings facing residential windows.

As a result, residents will likely experience:

- increased night-time light pollution;
- amplified vehicle and mechanical noise;
- greater disturbance from car park activity at all hours; and
- ongoing loss of residential amenity.

Given the very short separation distance of approximately 3 metres, these impacts are likely to be severe and continuous.

Summary

In summary, the proposed façade amendments are unacceptable in their current form and should not be approved.

The widened louvre gaps create direct and unreasonable privacy impacts, compromise residential security, and materially reduce the amenity of adjoining apartments through increased noise and artificial light intrusion.

These impacts are avoidable. Eliminating the frontal gaps and fully redirecting the openings to the side, consistent with the intent of the originally approved design, would address the concerns raised above.

We therefore request that the proposed modification be refused unless the façade design is amended to eliminate direct openings toward adjoining residential apartments and restore adequate privacy and acoustic/light screening outcomes.

For reference we would like to quote the following:

The Apartment Design Guide – Part 3: Siting the Development specifies that the separation between buildings should be at least 12m if habitable rooms and balconies are present and the building exceeds 25m in height. The approved development fails to meet this crucial guideline, resulting in inadequate separation that negatively impacts privacy, light, and overall amenity for the residents. [See Objective 3F-1: <https://www.planning.nsw.gov.au/sites/default/files/2023-03/apartment-design-guide-part-3-siting-the-development.pdf>]

Design criteria

1. Separation between windows and balconies is provided to ensure visual privacy is achieved. Minimum required separation distances from buildings to the side and rear boundaries are as follows:

Building height	Habitable rooms and balconies	Non-habitable rooms
up to 12m (4 storeys)	6m	3m
up to 25m (5-8 storeys)	9m	4.5m
over 25m (9+ storeys)	12m	6m

Apartment buildings should have an increased separation distance of 3m (in addition to the requirements set out in design criteria 1) when adjacent to a different zone that permits lower density residential development to provide for a transition in scale and increased landscaping (figure 3F.5)

Additionally, when a building is adjacent to a zone that permits only lower-density development, as is the case here, the separation should be increased by at least 3m. This means that the minimum **separation between the buildings should be 15m**. We strongly request that the approving authority takes responsibility for enforcing the design guidelines in the interest of existing residents.