

# Submission to the NSW Department of Planning, Housing and Infrastructure

**Application SSD-119545240 | 40-76 William Street, Leichhardt**

Dear Assessment Team,

I object to the proposed development at 40-76 William Street, Leichhardt in its current form.

I am not opposed to redevelopment of the site or to additional housing in an appropriate form. My concern is that this proposal is too large for the site and its surroundings, and that the process appears to be focused on finding a planning pathway that allows the development rather than requiring the development to respond to the location.

My three primary concerns are the traffic impact, the proposed change to the planning rules, and the fact that the same fundamental proposal continues to progress despite earlier rejection and repeated requests for refinement that have not resulted in meaningful change.

## 1. Traffic has not been properly assessed

Traffic is my most immediate and practical concern. The proposal would add approximately 203 apartments and more than 240 parking spaces to an established residential area that already experiences congestion, constrained local roads and limited on-street parking.

The impact is not just the number of cars entering and leaving in the morning and afternoon peaks. It is the permanent addition of resident, visitor, delivery, rideshare, service, waste, trades and removalist movements throughout the day, at night and on weekends.

The Transport Impact Assessment does not support the conclusion that this impact will be negligible. In particular:

- it predicts that 69% of development traffic will travel north via William Street and Norton Street, but the modelling stops at the William Street-Norton Street roundabout;
- it does not model the Norton Street-City West Link intersection, the City West Link-James Street intersection, or the interaction of queues between these known pressure points;
- it relies on a weekday survey from July 2024 without clearly identifying the survey date, whether it was during school holidays, or whether it reflected normal conditions;
- it does not include a representative weekend assessment, future-year traffic, nearby development or cumulative growth;
- it reduces the forecast impact by deducting theoretical traffic from the existing self-storage use, even though a self-storage facility is not comparable with the daily movement profile of more than 200 homes; and
- it provides only 17 visitor spaces for more than 200 apartments and does not include a current, comprehensive parking survey covering weekday evenings and weekends.

There is also a clear contradiction in assuming low car use because the site is near public transport while providing approximately one residential parking space per apartment. Proximity to buses and light rail does not mean residents will not own or use cars, particularly in the larger two, three and four-bedroom apartments.

These impacts cannot be fixed after the development is built. The surrounding streets cannot simply be widened later, and lost parking capacity cannot easily be restored. The traffic impacts must therefore be independently and comprehensively assessed before any approval is given.

At a minimum, the Department should require current weekday and weekend surveys, modelling of the downstream City West Link intersections and queue interaction, future-year and cumulative scenarios, and a realistic assessment of visitor, delivery, servicing and on-street parking demand.

## 2. The planning rules should not be changed to fit the proposal

The proposal seeks a concurrent rezoning through the Housing Delivery Authority pathway to allow buildings of five to eleven storeys and a density that is far beyond the current planning framework and the predominantly low-rise surrounding neighbourhood.

Planning controls can change, but changing them is not a minor administrative step. Residents, such as me with my young family, have made long-term decisions about where to live based on the controls that apply to the area. A major departure should require a compelling strategic case, a clear and proportionate public benefit, and a proposal that genuinely responds to its setting.

That case has not been made here. The EIS appears to treat the availability of a new approval pathway as justification for the proposed scale. It is not. A pathway for assessment does not establish that an eleven-storey development is appropriate for this site.

The affordable housing component also does not justify the permanent planning uplift. Only 15 of 203 apartments are proposed as affordable housing, representing approximately 5% of gross floor area, and only for a 15-year management period. The increase in height, bulk, density, traffic and development value is permanent. The impacts on the community are also permanent.

A limited and time-bound benefit is not proportionate to the lasting change being sought. If the proposal does not fit the existing controls, the starting point should be to reduce and redesign it - not change the controls to accommodate it.

## 3. Repeated requests for refinement have not produced meaningful change

I am also concerned by the way this proposal continues to progress despite having been rejected or found unacceptable at multiple levels and despite repeated opportunities for refinement.

Refinement should mean that the applicant responds to the substance of the concerns raised. In this case, the core issues - excessive height, bulk and density, traffic impacts, visual dominance and the relationship with the surrounding neighbourhood - remain substantially unchanged.

Repackaging the proposal, changing the approval pathway or submitting further technical material is not the same as resolving the issues. Reports repeatedly describe impacts as acceptable or low, while the underlying assessments identify serious limitations or moderate-to-severe impacts. The mitigation table largely restates conclusions rather than setting out measures that would actually reduce those impacts.

There must be a point at which the assessment process recognises that a proposal has not been adequately refined. Continuing to ask for further information while allowing the same scale and form to remain effectively intact risks turning the process into a search for a way to approve a predetermined outcome.

The Department should consider the full history of the proposal, the concerns previously raised, what changes were requested, and whether the applicant has genuinely responded. If the fundamental issues remain, the application should not continue unchanged through another pathway.

## 4. The supporting material understates the impacts

The same pattern is evident in the supporting reports.

- The visual assessment identifies moderate-to-severe or severe impacts from some viewpoints, yet concludes the proposal is acceptable because it is within the height framework the rezoning itself is seeking to create.
- Some photomontages appear cropped or rely on vegetation to reduce the apparent width, bulk and visibility of the buildings. Directly affected homes and open spaces within the Allen Estate are not adequately represented.
- The acoustic assessment predicts construction noise above relevant management levels, including highly noise-affected levels in some cases, while the mitigation schedule classifies the impact as low and omits a number of the consultant's specific monitoring and respite recommendations.
- The acoustic report refers to traffic routes via Atchinson Street and Mitchell Street, which do not relate to this site and appear to have been carried over from another project. This raises a reasonable concern about the quality assurance applied to the supporting documents.

Technical reports should test the proposal objectively. They should not assume that the proposed new controls make the impacts acceptable, rely on future developments to normalise the scale, or treat generic management plans as a substitute for real mitigation.

## Requested outcome

I ask the Department to refuse the application in its current form.

If the applicant is permitted to submit a revised proposal, it should be required to:

- substantially reduce the height, bulk and density;
- respond directly to the reasons earlier versions were rejected or required refinement;
- demonstrate what has materially changed, rather than relying on a different planning pathway;
- provide an independent and complete traffic and parking assessment, including downstream intersections and cumulative future conditions;
- provide accurate visual material showing the full development from the Allen Estate and other directly affected residential locations; and
- replace generic mitigation statements with specific, measurable and enforceable commitments.

## Conclusion

This is not an objection to housing or to reasonable redevelopment. It is an objection to an overdevelopment that has not adequately responded to its setting, the existing road network, the established planning framework or the concerns repeatedly raised about it.

The community should not be expected to accept permanent traffic, density and amenity impacts because the planning rules can now be changed to enable the proposal. Nor should an application continue substantially unchanged after repeated requests for refinement and rejection at multiple levels.

The proposal should be assessed on whether it is appropriate for this site and this neighbourhood. In its current form, it is not.

Thank you for considering my submission.

Kind regards,

**Chelsea Love**

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