

To: NSW Department of Planning, Housing and Infrastructure

I wish to lodge a formal objection to the proposed Residential Flat Building at 40-76 William Street, Leichhardt (SSD-119545240).

At the outset, I wish to make it clear that I am not opposed to additional housing, redevelopment, affordable housing, or appropriate growth within Leichhardt. My objection is to the scale, density, planning approach and impacts of this particular proposal, which, in my view, fails to adequately address the concerns previously identified by the Inner West Council, the Sydney Eastern City Planning Panel and the Land and Environment Court.

Before setting out my specific objections, I wish to acknowledge the difficult task facing the Department.

NSW is experiencing a well-documented housing shortage, and the Government has committed to increasing housing supply across the State. I recognise that the Department is required to assess major housing proposals within the context of these broader policy objectives and growing community expectations for additional housing.

However, it is precisely during periods of pressure and urgency that the planning system performs its most important role. The strength of the planning process is not demonstrated by the speed at which developments are approved, but by its ability to ensure that each proposal is assessed on its individual merits, against the applicable planning controls, evidence and long-term consequences for the community.

I make no allegation that this proposal will not receive such consideration. Rather, my concern is that the legitimate desire to deliver more housing should not inadvertently diminish the significance of issues that have previously led to the refusal of development on this site.

The history of this site is particularly important. Previous applications were refused following detailed assessment by Council and ultimately by the Land and Environment Court. Those decisions were based on specific planning findings relating to density, scale, character, amenity and compliance with planning controls.

My objection is therefore not to the delivery of housing itself. It is to the possibility that, in the broader and understandable focus on housing delivery, insufficient weight may be given to the reasons those earlier proposals were found to be unacceptable.

I respectfully ask that the Department consider this application with the same level of scrutiny and independence that was applied to the previous proposals, and ensure that housing targets do not outweigh the need for sound planning outcomes

1. FAILURE TO ADEQUATELY ADDRESS PREVIOUS REFUSAL REASONS

The site has been the subject of previous development applications that were refused and ultimately dismissed by the Land and Environment Court in 2023. Key concerns included excessive density, non-compliance with Floor Space Ratio (FSR) controls, building bulk and scale, heritage impacts, amenity impacts, traffic, parking, flooding and the incompatibility of the proposal with the surrounding low-scale residential character.

Rather than reducing these concerns, the current proposal increases the number of apartments to 203 units and seeks a substantially larger development outcome. The proposal appears inconsistent with the planning findings that previously resulted in refusal. I am not opposed to redevelopment of the site. A development that complies with the applicable FSR controls and respects the findings of previous planning assessments would be a far more appropriate outcome.

2. EXCESSIVE BULK, SCALE AND FLOOR SPACE RATIO

The permitted FSR for the site is approximately 0.5:1, while the proposal seeks approximately 3.1:1. This represents a dramatic increase beyond the established planning controls and creates a development that is significantly out of character with the surrounding area.

The proposed buildings of up to 11 storeys are visually dominant and intrusive within a locality characterised by low-rise residential dwellings, townhouses and heritage buildings. The development would overpower neighbouring properties and fundamentally alter the character of William Street, North Street and Leichhardt as a whole.

3. HERITAGE AND CHARACTER IMPACTS

The Cyclops Toy Factory is a significant heritage landmark within Leichhardt. Previous planning assessments identified concerns regarding additions exceeding the existing building envelope and impacts on the heritage significance of the site.

The current proposal does not appropriately respect the scale, form and visual prominence of the original building. Instead, the proposed contemporary structures dominate the historic warehouse and diminish its heritage value.

4. TRAFFIC AND PARKING IMPACTS

Parking and traffic congestion already present significant challenges within the area.

Residents regularly have trouble finding parking spaces, particularly within North Street, William Street, Francis Street and surrounding roads. Additional visitors, delivery vehicles, contractors and residents associated with 203 apartments will place further strain on an already constrained road network

The intersection of William Street, Norton Street and the City West Link regularly experience congestion. The proposal does not adequately demonstrate how the local road network can absorb the substantial increase in traffic generated by over 200 dwellings.

The transport assessment appears to underestimate realistic vehicle ownership and vehicle movements. Many future residents will require private vehicles, particularly those travelling to employment locations not well serviced by public transport.

5. INADEQUATE PUBLIC TRANSPORT AND LOCAL INFRASTRUCTURE

The application relies heavily on the assumption that residents will use existing public transport services. However, local residents regularly experience overcrowding on the Light Rail and bus services during peak periods.

There is insufficient evidence demonstrating that existing transport, health services, schools, childcare facilities, public open space and community infrastructure can accommodate the significant population increase associated with this development.

6. OVERSHADOWING, LOSS OF SUNLIGHT AND PRIVACY

The development will result in substantial impacts on neighbouring properties, including loss of sunlight, increased overshadowing, reduced privacy and visual intrusion.

Many neighbouring residents currently enjoy limited sunlight. Additional building height and bulk will worsen these impacts and may contribute to long-term issues including dampness, mould growth and reduced residential amenity.

The proposal also introduces direct overlooking opportunities between new apartments and existing neighbouring dwellings.

7. NOISE, CONSTRUCTION AND AMENITY IMPACTS

The proposal is expected to involve an extensive construction period lasting several years.

The construction impact assessments appear generic and do not adequately reflect local conditions.

8. IMPACT ON ME AS A NEARBY RESIDENT

I have lived at 54 North Street, Leichhardt. The impacts of this proposal will be directly experienced by me, my family and my neighbours on a daily basis.

Parking Impacts

My property does not have the benefit of a garage or dedicated off-street parking space, and I rely entirely on street parking.

Even under current conditions, parking in North Street and the surrounding streets is extremely difficult. It is not uncommon for me to return home and be unable to find a parking space near my residence. On many occasions, I am required to park around the corner or a considerable distance away from my home.

This situation becomes substantially worse during major events at Leichhardt Oval when residents already compete for limited parking spaces.

I have genuine concerns that the proposal will permanently worsen an already difficult situation for existing residents.

A previous proposal contemplated general residential vehicle access from North Street, directly opposite my property at 54 North Street. I also understand that previous concepts included the introduction of "No Stopping" restrictions outside 54 and 56 North Street to facilitate access and servicing requirements.

As I do not have a garage or dedicated off-street parking, any loss of on-street parking directly outside my home would have a significant impact on my daily life. Given the volume and complexity of the documentation, together with the limited time available for review, I have been unable to determine with certainty whether the current proposal retains these arrangements.

Similarly, I have been unable to clearly ascertain the proposed garbage collection entry, exit and servicing arrangements, and how these may affect North Street and surrounding residential properties.

I therefore request that the Department carefully examine these matters and provide assurance that the current proposal will not result in the loss of existing parking opportunities for residents, the introduction of additional traffic and servicing impacts in North Street, or the implementation of "No Stopping" restrictions that would disproportionately affect nearby residents, including myself.

Traffic Impacts

As a daily user of the local road network, I regularly experience congestion around William Street, Norton Street and the City West Link access points.

My concern is not simply the existence of additional traffic, but the increased travel times, reduced accessibility and additional pressure on roads that are already operating near capacity.

9. LOSS OF SUNLIGHT AND RESIDENTIAL AMENITY

One of my greatest concerns relates to overshadowing and loss of sunlight.

My property already experiences limited access to sunlight due to existing buildings. However, there remains an open aspect through which I receive morning sunlight and visual access to the surrounding area.

The proposed development would introduce substantial additional building mass directly within that outlook.

Reduced sunlight has practical consequences including:

- Reduced enjoyment and liveability of the home;
- Increased dampness and moisture retention (WH&S);
- Increased risk of mould growth and associated health concerns (WH&S);
- Impacts on the long-term condition and maintenance of the property; and
- Reduced energy efficiency.

it would be good to know who would be held accountable if mould growth occurs a couple of years after the construction.

10. PRIVACY AND SENSE OF BEING OVERLOOKED

At present, I enjoy a reasonable level of privacy within my home.

The cumulative effect of hundreds of residents overlooking surrounding homes would fundamentally change the residential experience currently enjoyed by nearby residents.

11. COMMUNITY CHARACTER AND HUMAN IMPACT

What concerns me most is that once this development is approved and constructed, there is effectively no opportunity to correct fundamental mistakes.

If it is later found that the building is too large, that the scale is inappropriate, that traffic impacts have been underestimated, or that the design does not function as intended, those issues cannot easily be undone. You cannot simply remove several storeys from a completed building, redesign major structural elements, or reverse the loss of sunlight, privacy and neighbourhood character experienced by surrounding residents.

Planning decisions of this scale are, for all practical purposes, permanent. Once the development is built, the community must live with the consequences for decades. We have seen numerous examples where developments have been approved with the best intentions,

only for shortcomings and unintended impacts to become apparent after construction is complete.

For that reason, I respectfully submit that this proposal should be subject to the highest level of scrutiny before any approval is granted. It is far easier to address concerns now than to attempt to manage the consequences after the development has been approved and built.

The decision-makers assessing this application may not personally experience the long-term consequences of the development in the way that nearby residents will. Residents, however, will live with the outcome every day.

12. COMMUNITY CONSULTATION AND PROCEDURAL FAIRNESS

The consultation period provided insufficient time for residents to properly review and respond to a complex and highly technical application.

13. OVERDEVELOPMENT OF THE SITE

The proposal represents overdevelopment of the site and is inconsistent with the established character, planning framework and previous planning decisions affecting this location.

14. BUILDING QUALITY, DEFECT RISK AND ACCOUNTABILITY

Recent research conducted by the NSW Building Commission highlights ongoing concerns regarding the quality and long-term performance of apartment developments in NSW.

Recent NSW Building Commission research found that 53% of strata apartment buildings registered between 2018 and 2024 reported serious defects, including waterproofing, fire safety, structural and other significant building issues.

Similarly, the 2023 survey found that 53% of strata buildings had serious defects in common property, highlighting the ongoing challenges within the apartment construction sector.

As a resident, I am concerned that large-scale developments can create long-term consequences not only for future apartment owners but also for the broader community.

There should be strong accountability throughout the design, construction and post-completion phases of major developments to ensure buildings are delivered to an appropriate standard and remain safe, durable and fit for purpose over the long term.

While I make no allegation against the applicant, I respectfully submit that any approval should be subject to rigorous scrutiny of the project's design, construction standards, compliance obligations and quality assurance processes.

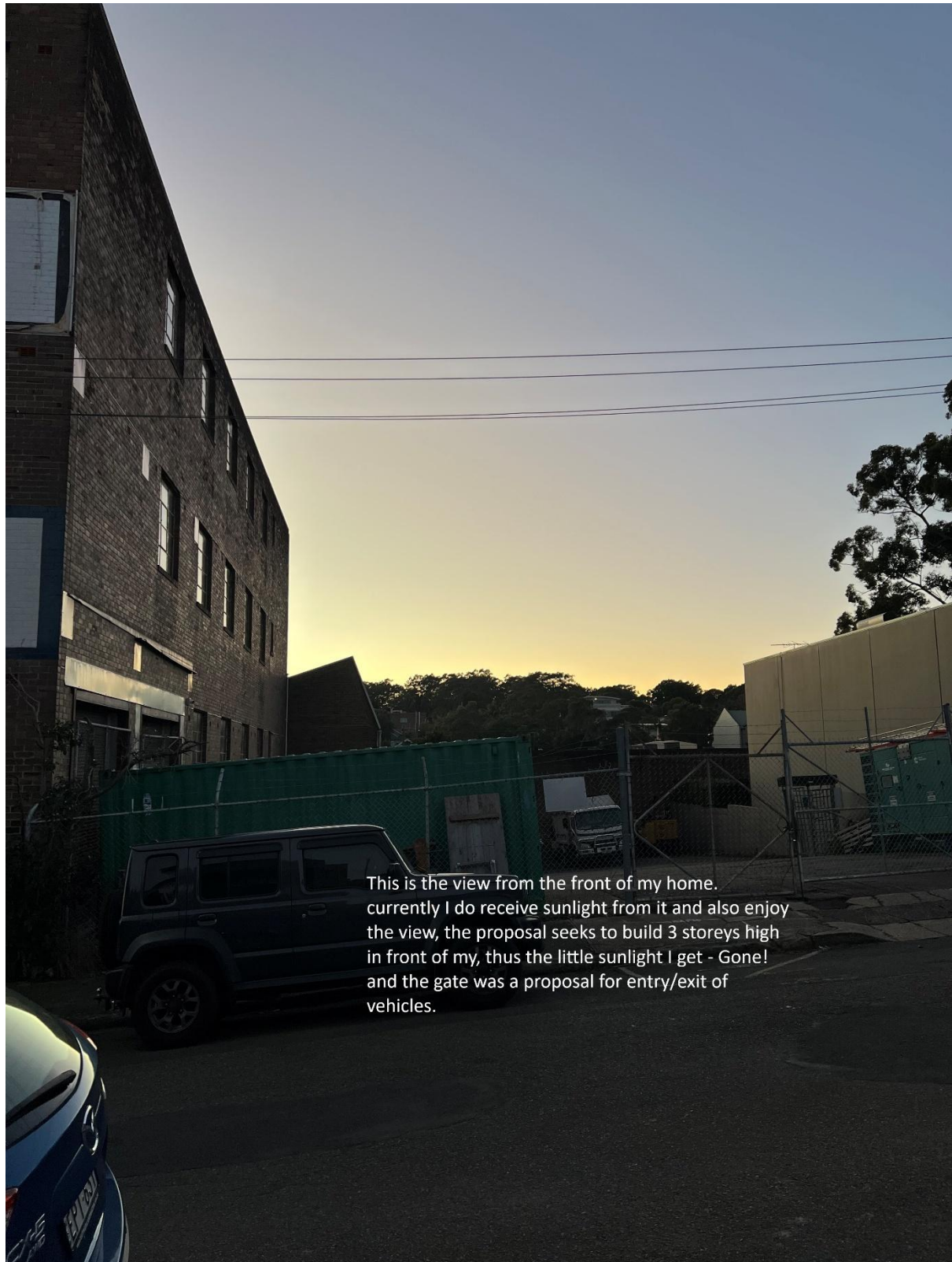
CONCLUSION

I respectfully request that the Department carefully consider the findings of the previous Council, Sydney Eastern City Planning Panel and Land and Environment Court decisions relating to this site.

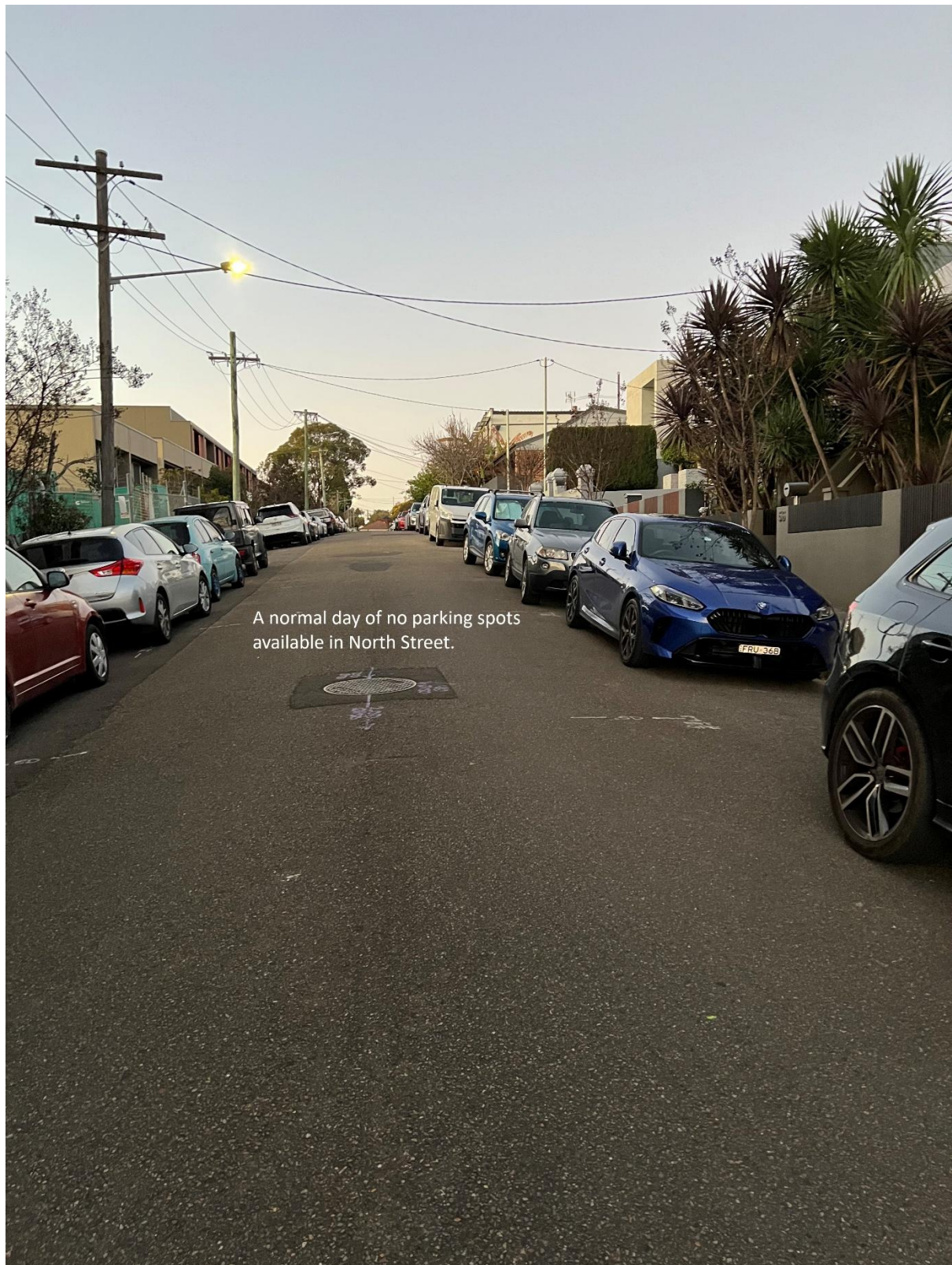
The need for additional housing should not override established planning principles, legitimate community concerns, infrastructure constraints or the findings of previous planning decisions relating to this site.

I acknowledge the NSW Government's objective of increasing housing supply through State Significant Development pathways and the Housing Delivery Authority. However, the existence of a housing delivery objective should not displace the requirement to properly assess site-specific impacts, consistency with previous Land and Environment Court findings, heritage impacts, local infrastructure constraints, traffic, parking, overshadowing and residential amenity.

I respectfully request that the Department refuse the application in its current form or require substantial redesign to ensure compliance with established planning controls, protection of residential amenity, respect for heritage values and compatibility with the character of Leichhardt.







A normal day of no parking spots available in North Street.

Yours faithfully,

Abdul M
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Leichhardt NSW
2040