

St Francis Xavier Church, Mackenzie Street, Lavender Bay (SSD-88702457)

Objection to State Significant Development

I object in the strongest possible terms to State Significant Development Application SSD-88702457 for the proposed redevelopment of the St Francis Xavier Church site at Mackenzie Street, Lavender Bay. I acknowledge and support the need to increase housing supply in Sydney, including the provision of genuinely affordable housing. However, increased housing supply must be delivered through development that is appropriate to its location, respects established planning and heritage constraints and does not impose disproportionate and irreversible consequences on the surrounding community.

Lavender Bay is a small, highly constrained and heritage-sensitive part of Sydney. The need for additional housing cannot be treated as a blanket justification for development of any height, bulk or density. The scale and nature of development must be appropriate for the long term, particularly within and adjacent to a recognised conservation area whose heritage character, streetscape and residential amenity cannot be replaced once lost.

The proposed development is not appropriate in its current form. A 20-storey residential tower, together with a substantial seven-storey extension associated with the heritage-listed former school building, represents an excessive and overbearing form of development for this site and for Lavender Bay more generally. Of equal concern, this proposal is progressing at the same time as another very substantial State Significant Development nearby at 64–66 Lavender Street and 3–7 Middlemiss Street, Lavender Bay (SSD-86797708). The two proposals cannot reasonably or responsibly be assessed in isolation.

Excessive height, bulk and density in a heritage-sensitive location

The proposed 20-storey tower is fundamentally inconsistent with the character and scale of Lavender Bay. The proposed height, width, bulk, density, podium form and overall visual dominance of the development create a scale of development that is fundamentally incompatible with the sensitive heritage setting of the Lavender Bay Conservation Area.

Lavender Bay derives much of its character from its historic streetscapes, lower-scale residential buildings, heritage structures, mature landscaping and the clear distinction between the high-rise character of Milsons Point and North Sydney and the much more intimate and historic character of Lavender Bay. Development of this scale would erode that distinction and extend high-rise development further into an area in which it is plainly out of character.

A 20-storey tower cannot credibly be described as a modest or sympathetic response to a heritage-sensitive site. The scale of the new development risks reducing heritage buildings to decorative elements at the base of a much larger commercial residential project rather than respecting them as important elements of the area's existing character. Heritage protection should mean more than retaining isolated pieces of historic fabric while permitting development around them of such scale that their setting and context are overwhelmed.

The proposed development would permanently alter the visual identity of this part of Lavender Bay. Once that change has occurred, it cannot later be reversed. The long-term protection of the conservation area and the character of Lavender Bay should be prioritized over maximising commercial returns at this location.

The cumulative impact with SSD-86797708 must be assessed

It would be a serious planning failure to determine SSD-88702457 without fully considering the nearby proposed development at 64–66 Lavender Street and 3–7 Middlemiss Street under SSD-86797708. These are two major State Significant Development proposals within the same small, already constrained Lavender Bay precinct. The cumulative effect is potentially transformative.

Taken together, the developments would result in a substantial increase in:

- building height and visual bulk;
- resident and visitor numbers;
- vehicle movements -private, delivery, service;
- demand for street parking;
- construction traffic;
- pressure on local roads and intersections;
- pedestrian and bicycle movements;
- noise and general activity;
- demand on local infrastructure; and
- pressure on the heritage character and residential amenity of Lavender Bay.

The planning approval process must undertake an independent and precinct-wide cumulative-impact assessment of how Lavender Bay will look and function if both developments proceed at the scale proposed, considering their combined impacts rather than assessing each development in isolation. Assessing the applications independently risks significantly understating their real-world effects. It also creates the possibility of approving a succession of individually assessed developments which, cumulatively, fundamentally transform the precinct without any coherent decision ever being made about whether that transformation is appropriate.

That assessment should address, at a minimum:

- combined traffic generation from both developments;
- cumulative resident, visitor, delivery, rideshare and service-vehicle movements;
- cumulative demand for street parking and resident parking permits;
- impacts on Mackenzie Street, Lavender Street, Middlemiss Street, Blues Point Road, Alfred Street and surrounding intersections;
- pedestrian and cyclist safety;
- pressure on public transport and local infrastructure;
- overlapping or successive construction periods;

- construction-worker parking;
- noise, dust, vibration and road occupation; and
- the combined visual, heritage, overshadowing and amenity impacts on the Lavender Bay Conservation Area.

Without such an assessment, the Department cannot properly understand the consequences of the development it is being asked to approve.

Parking and the proposed expansion of resident parking-permit demand

Parking is already a serious and persistent problem in Lavender Bay during the week with offices in North Sydney and surrounding areas and on weekends with various Churches in the area and weekend events on and around the harbour. The proposal risks making that problem substantially worse.

The development proposes 118 car spaces associated with the tower and 34 spaces beneath the old school house, but only 12 of the latter spaces are allocated to the co-living component, with the balance allocated to the Parish. At the same time, the proposal seeks R4 zoning across the whole site, rather than mixed-use zoning. Of particular concern, this would permit residents who do not have access to on-site parking to seek resident parking permits in Area 6 – Zone A. This is a very significant issue and should not be dismissed as an incidental consequence of the rezoning.

The resident parking-permit system exists within an area where street parking is already scarce. It should not become a mechanism by which the parking consequences of a major high-density development are transferred from the development site onto surrounding public streets and existing residents. The co-living component alone proposes 58 dwellings with only 12 dedicated parking spaces. Irrespective of assumptions about lower rates of vehicle ownership, it is unrealistic to assume that a development of this size will create no additional demand for private vehicles or street parking.

The Department must consider not only residents' vehicles but also the substantial additional demand generated by visitors, carers, tradespeople, deliveries and other short-term users of the site. Private basement parking does not solve these wider consequences.

It would be unacceptable for a development of this magnitude to be approved on the assumption that deficiencies in on-site parking can simply be absorbed by the existing street network or resident parking-permit system which are already at full capacity. If the development cannot adequately accommodate the parking demand it generates without placing additional pressure on surrounding streets, that is evidence that the proposed density is excessive for the site.

Traffic and road safety

Mackenzie Street and the surrounding road network are not suited to the scale of additional activity contemplated by this proposal. The proposal includes vehicle entry and exit points on

Mackenzie Street, including one near the corner of Miller Street and another beneath the former school house. This will increase turning movements, queuing and vehicle conflict in an area already affected by constrained streets, residents, pedestrians, cyclists, local businesses, schools and through traffic.

The combined traffic effects of this proposal and SSD-86797708 are especially concerning. It is not sufficient to consider whether an individual intersection may technically continue to operate within a nominated modelling threshold. The Department must consider the lived reality of the precinct: narrow roads, limited parking, frequent pedestrian activity, deliveries, school-related traffic, cyclists and a road network that already experiences significant congestion. The safety and amenity of existing residents, pedestrians and cyclists must carry substantial weight.

A temporary affordable-housing commitment cannot justify permanent overdevelopment

The affordable-housing component of the proposal is being advanced as an important benefit of the development. Increased affordable housing is clearly desirable. However, the nature and duration of that benefit must be considered honestly. The proposed affordable dwellings are committed as affordable housing for only 15 years. Fifteen years is a relatively short period when compared with the permanent physical and planning consequences of allowing a development of this scale.

The bulk of the proposed 20-storey tower, the loss of heritage setting, increased density, traffic and parking pressure, alteration of Lavender Bay's character, and the planning precedent created by development of this scale would all have consequences extending far beyond the 15-year affordable housing commitment. This demonstrates a profound imbalance between a temporary affordable-housing benefit and the permanent planning, heritage and community impacts relied upon to justify it.

Housing supply is important, but not every housing proposal represents good planning. A predominantly market-based development should not be permitted to use a time-limited affordable-housing component to justify a scale of development that would otherwise be inappropriate for this heritage-sensitive location.

Overshadowing, privacy, noise, wind and residential amenity

The proposed scale will inevitably have significant consequences for neighbouring residents and the wider community. A development of this height and bulk creates substantial overshadowing, loss of privacy, visual domination, wind impacts and additional noise.

Residents who currently enjoy reasonable sunlight, privacy and amenity should not be expected to accept a substantial deterioration simply because an assessment concludes that the development remains technically within a particular numerical threshold, particularly when the benefit of the development is substantially to serve commercial interests.

The development also introduces an outdoor pool, retail uses, significant additional residential activity, building plant, deliveries and vehicle movements. These uses will create noise and activity extending well beyond that associated with the existing site. The cumulative impact on surrounding residents must be given appropriate weight.

Construction impacts

The estimated construction period of approximately 2.5 years is itself a major impact, particularly when considered alongside the possibility of construction associated with SSD-86797708. The Department must assess the cumulative construction impacts if both projects proceed concurrently or in close succession, particularly given that Lavender Bay's narrow and already congested streets are poorly suited to construction staging, worker parking and frequent heavy-vehicle movements.

Residents should not be subjected to years of heavy vehicles, road occupation, construction-worker parking, noise, dust, vibration and traffic disruption without a detailed assessment of the combined effects. These impacts should not be deferred to construction-management plans prepared after approval. They are directly relevant to the threshold question of whether developments of this scale are appropriate in such a constrained location.

Requested outcome

I strongly request that the Department reject SSD-88702457 in its current form.

I do not oppose appropriate redevelopment of the site, nor do I oppose increasing housing supply or providing affordable housing. I oppose a development whose scale, bulk, density and long-term consequences are fundamentally disproportionate to its location.

Any revised proposal should:

- be substantially reduced in height, bulk and density;
- provide a genuinely low- to medium-rise built form appropriate to Lavender Bay;
- respect and preserve the setting and prominence of St Francis Xavier Church and the heritage-listed former school building;
- respond sensitively to the Lavender Bay Conservation Area rather than visually dominating it;
- provide adequate on-site parking for the demands generated by the development without transferring those demands to Area 6 – Zone A resident parking permits or surrounding streets;
- provide adequate visitor, tradesperson, delivery, removalist and service-vehicle parking;
- avoid worsening congestion and road-safety risks on Mackenzie Street, Lavender Street and surrounding roads;
- minimise overshadowing, overlooking, wind and noise impacts;
- include detailed and enforceable construction-management measures;

- consider the adequacy of the affordable housing component included in the proposal compared to the large scale of the development which is predominantly commercial; and
- be supported by an independent, precinct-wide cumulative assessment expressly considering the combined effects of SSD-88702457 and SSD-86797708.

Lavender Bay should not be required to accept permanent overdevelopment for predominantly commercial interests in exchange for temporary public benefits. The need for housing is real, but so too is the responsibility of the planning system to ensure that new housing is delivered in the right form, at an appropriate scale and in locations capable of accommodating it.

Approving this proposal in its current form, particularly when another major State Significant Development is simultaneously proposed only a short distance away, risks permanently altering the heritage character, liveability and functioning of Lavender Bay. The Department should not allow the future of this small and heritage-sensitive precinct to be determined through the fragmented approval of individual major developments without considering their combined consequences.

For these reasons, I strongly urge the Department to refuse SSD-88702457 in its current form and require a substantially reduced, heritage-sensitive and appropriately scaled redevelopment of the site.