

Objection to SSD 88702457 and the Planning Proposal for 1–13, 17–19 MacKenzie Street and 211 Blues Point Road, Lavender Bay

I am writing to object to State Significant Development Application SSD 88702457 and the Planning Proposal that supports it, at 1–13, 17–19 MacKenzie Street and 211 Blues Point Road, Lavender Bay.

I live in an apartment at 61 Lavender Street, Milsons Point NSW 2061, close to the site, and will be affected if this development goes ahead.

I understand the need for more housing in Sydney, including affordable, well-located housing, and I'm not opposed in principle to the church site being redeveloped. My objection is to the scale of what's being proposed, the loss of existing affordable and vulnerable housing on the site, the impact on street parking for residents of Milsons Point and Lavender Bay, the heritage impacts, and the limited community consultation.

My objection is primarily drawn from the applicant's own Environmental Impact Statement, dated 7 August 2026, and its supporting reports. Even taking the EIS at its own word, this proposal goes well beyond what should be acceptable on this site.

1. The rezoning removes almost all height control, with no cap on floor space to replace it

This proposal can't go ahead without the concurrent Planning Proposal, which lifts the maximum building height across the site from 12 metres and 8.5 metres to RL 120 metres, roughly 73.5 metres, about six times the current control. That's what makes the 20 storey tower and 7 storey extension possible in the first place.

What's missing from the proposed amendments is any floor space ratio cap to go with the height increase. Without one, there's no real ceiling on how much floor space could end up being built at this height in future, regardless of how the current scheme is presented.

The site currently holds 43 dwellings in low to medium-rise buildings. A height increase of this size isn't a minor tweak to fit a well-designed building. This is a fundamental change to what can be built on this land.

2. Loss of existing affordable housing and displacement of retirement living residents

The site currently has 43 dwellings, comprising 12 apartments and 31 retirement living units in Xavier Terrace. The proposal demolishes Xavier Terrace and the Citadel Apartments entirely, displacing this existing population, including older and more vulnerable residents, from their homes.

In return, the applicant is offering 77 affordable dwellings, but only for 15 years, not in perpetuity. There's no commitment that they'll stay affordable, or stay with a community housing provider, after that. Displacing 31 existing retirement residents in exchange for affordable housing that expires after 15 years isn't a genuine or lasting gain for the area.

Any approval should require the affordable and co-living housing to be secured for substantially longer than 15 years, and the Department should be satisfied about where and how the existing Xavier Terrace residents will be housed during and after construction.

3. Overshadowing is measured against a lowered bar

The applicant's own Overshadowing Report looked at 97 neighbouring properties and found that 18 of them will fall short of the recommended 3 hour minimum solar access on 21 June. Instead of treating that as a problem, the EIS swaps in a lower 2 hour benchmark that it claims applies more generally across Sydney, and calls the impact acceptable on that basis. This swap should not be allowed.

The loss of solar access to those 18 properties should be assessed properly against the 3 hour standard, and the design pushed back with bigger setbacks to reduce the number of properties affected, not waved through against a benchmark that's been lowered to fit the outcome.

4. Wind impacts depend on a long list of mitigation measures that don't exist yet

The Pedestrian Wind Environment Study found that, without mitigation, several ground floor and podium areas including the bridge connection to Phillip Lane and a number of balconies will exceed accepted comfort and safety criteria. The applicant says this will be fixed by installing an extensive list of planters, wind screens and balustrades, some up to 2 metres high.

These wind mitigation measures need to be binding conditions of any consent, not just recommendations sitting in a table. Post construction wind testing should also be required, to confirm the treatments actually work before those spaces are opened to the public.

5. Traffic figures look low for a development this size, and rezoning will add to further parking pressure in Milsons Point and Lavender Bay

The Transport Impact Assessment claims the development will generate a net increase of only 24 vehicle trips in the AM peak and 20 in the PM peak. This appears grossly unrealistic despite the site accommodating up to 165 dwellings, plus retail and co-living. That estimate doesn't stand up for a development of this scale, and it should be independently reviewed.

The proposal also cuts existing off-street church parking from 54 to 22 spaces, while the residential and co-living components together only provide 130 spaces for up to 165 dwellings. That shortfall matters because of what the rezoning does to parking permit eligibility in my area.

The site falls within North Sydney Council's Resident Parking Scheme Area 6, Zone A, which covers Arthur Street, Blue Street, Blues Point Road, Gas Lane, Harbourview Crescent, Hunter Crescent, Lavender Crescent, Lavender Street, MacKenzie Street, Middlemiss Street, Miller Street, Pacific Highway, Walker Street and William Street.

Lavender Street and Harbourview Crescent are both Milsons Point streets, and residents there, myself included, already compete for limited on-street parking in this same permit area, along with visitors and tradespeople servicing the area.

Rezoning the whole site to R4 High Density Residential, instead of keeping the current SP2/R3/R4 mix, means every future resident of the development would be eligible to apply for an Area 6, Zone A permit, whether or not they actually have an off-street space. With only 130 spaces proposed for up to 165 dwellings, and church parking cut from 54 to 22 spaces, it's likely a good number of new permit applications will land in an area that's already stretched. This isn't a marginal or theoretical impact. This will directly reduce the on-street parking that I, and my neighbours, visitors and tradespeople in the area, currently rely on.

Before any approval is granted, the Department should require North Sydney Council to assess the current utilisation and headroom of Area 6, Zone A permits, and any consent should be conditioned so that dwellings without an allocated off-street space aren't eligible for an Area 6, Zone A permit. Without that condition, the shortfall this development creates will be worn by existing residents in the area, not by the applicant.

It's also worth noting this isn't the only major development putting pressure on parking in this part of the LGA. SSD 86797708, at 64–66 Lavender Street and 3–7 Middlemiss Street, Lavender Bay, is going through the same SSD process and adding further demand on the same Area 6 permits.

6. The rezoning shrinks the mapped heritage curtilage at the same time height controls are being stripped away

The site includes the heritage listed St Francis Xavier Church and former School Hall, and sits within or next to the Lavender Bay Heritage Conservation Area. The concurrent Planning Proposal doesn't just increase height, it also redraws the heritage map to adopt a smaller curtilage around these items.

It concerns me that a heritage impact assessment prepared for the applicant, based on the applicant's own reduced curtilage, is being used to justify both a six fold height increase and a narrower area of heritage protection at the same time. Whatever the architectural merits of the design, a 20 storey tower and 7 storey extension next to a heritage conservation area will change the low rise character of this part of Lavender Bay for good. Any reduction to the mapped heritage curtilage should be independently reviewed separately from the applicant's own heritage consultant before it's adopted.

7. Community engagement has been thin on the ground

According to the EIS, engagement so far has amounted to a letterbox drop to around 859 addresses, an online survey with 11 responses, an email/phone line that received 7 emails and 1 call, and two drop-in sessions attended by around 120 people, of whom 15 filled out a feedback form.

For a proposal that rezones an entire site, roughly sextuples the permitted height, and demolishes 43 existing dwellings including a retirement living building, that's not much engagement. The Department should require the applicant to run further in person consultation that's genuinely open to the wider community, not just the parish, before any determination is made.

8. Construction impacts and the conditions I would like to see included

The development is proposed to be built in two stages, with excavation for a five level basement followed by a single level basement, over a multi year construction program. The EIS leaves construction hours and site management to a Construction Management Plan that hasn't been prepared yet.

If this application proceeds in any form, I'd ask that the following be made enforceable conditions of consent:

- Building height and scale be reduced, and setbacks increased, so the transition to the low rise Lavender Bay Conservation Area is genuinely softened, not just dressed up with design articulation.
- The affordable and co-living housing be secured for substantially longer than 15 years, with clear arrangements in place for existing Xavier Terrace residents.
- The overshadowing impact on the 18 affected properties be reassessed against the 3 hour solar access benchmark, with design changes to reduce the number of properties affected.
- All wind mitigation measures be binding conditions of consent, with mandatory post-construction testing and rectification if needed.
- The traffic generation estimate be independently reviewed, current Area 6, Zone A permit usage be assessed by North Sydney Council, and dwellings without an allocated off street space be excluded from Area 6, Zone A permit eligibility.
- Any reduction to the mapped heritage curtilage be independently reviewed before it's adopted.
- No construction or demolition work be permitted on Sundays.
- The applicant be required to clean the exterior of nearby residential buildings, including windows, after excavation and demolition works, to remove residual construction dust.

Conclusion

For the reasons set out above, most of which come straight from the applicant's own EIS, I object to State Significant Development Application SSD 88702457 and the concurrent Planning Proposal in their current form.

I'm asking that they be refused or substantially amended, with genuine community consultation and independent review of the height, heritage, overshadowing, wind, traffic and parking impacts before any decision is made.

Resident of 61 Lavender Street, Milsons Point