

6 September 2026

Department of Planning, Housing and Infrastructure

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Submitted online via the NSW Planning Portal (www.planningportal.nsw.gov.au/major-projects)

Attention: Lachlan Hutton, Housing Delivery Assessments

RE: OBJECTION TO STATE SIGNIFICANT DEVELOPMENT APPLICATION SSD-89477725 AND CONCURRENT REZONING PROPOSAL – MIXED-USE DEVELOPMENT, 51-55 PARRAMATTA ROAD, FIVE DOCK

To whom it may concern,

I am writing to formally and strongly object to State Significant Development Application SSD-89477725, submitted by TOGA Five Dock No 2 Pty Ltd, for a mixed-use development at 51-55, 61 Parramatta Road and 33, 35-41, 43 Queens Road, Five Dock, and to the concurrent proposal to amend the Canada Bay Local Environmental Plan (2013) to enable it.

I am a directly affected nearby resident. My home is situated directly opposite the development site, and I will be one of the residents most directly impacted by the scale, construction and ongoing operation of this project. I have reviewed the Notice of Exhibition, the Environmental Impact Statement (EIS) and its technical appendices, and my position is unequivocal: I do not want this development, in any form, to proceed. I am not raising the matters below as items to be managed through conditions of consent — I am raising them as evidence of why this application and the rezoning that would enable it should be refused outright. I ask the Department to record my objection as a request for outright refusal, not for approval subject to further studies or conditions.

1. Excessive height, bulk and scale, and loss of solar access

The application seeks to amend the Height of Buildings control under the LEP from 12m to part 2.5m, 39m, 59m and 95m, and to increase the Floor Space Ratio from 1:1 to 4.30:1 — an increase of more than 300%. This would permit three towers of 15 to 27 storeys (Buildings 1-3) plus a part 8/9 storey building, on land currently zoned R3 Medium Density Residential. A building of this height directly opposite my property will overshadow my backyard and living areas for much of the day, block sunrise light that I currently rely on, and increase my household energy costs. I am seeking to install solar panels to manage rising energy costs, but a tower of up to 95m opposite my home would make this investment pointless by removing my access to useful sunlight. The EIS's overshadowing diagrams and Sustainability (ESD) report do not, in the material publicly exhibited, adequately demonstrate that reasonable solar access to my specific property will be retained.

No condition of consent can restore sunlight once a tower of this height is built opposite my home. This is not a design detail that can be fixed after approval — it is the direct, permanent consequence of the height

and floor space ratio being sought, and on its own is sufficient reason for this application and the rezoning to be refused.

The Department's own Secretary's Environmental Assessment Requirements (SEARs) for this project required the applicant to “provide a solar access analysis of the overshadowing impacts of the development within the site, on surrounding properties and public spaces (during winter solstice) at hourly intervals between 9am and 3pm, comparing the proposed development, existing situation and where applicable, a development with no bonuses applied.” The applicant's response to this requirement (Appendix K) consists of plan-view shadow diagrams only, with no elevational or sun-eye-view diagrams for any individual property, and repeats the same generic conclusion — that “all affected residential properties retain at least two hours solar access” — across every scenario modelled, including scenarios where adjoining sites are further developed. A plan-view diagram and a blanket assertion of “two hours” does not tell me, or the Department, whether my living-room windows, backyard or any future roof solar panels will actually receive useful sunlight. An application seeking more than double the permitted height in places has not met its own SEARs requirement to demonstrate that impact with the necessary rigour, and should not be approved on the strength of that evidence.

2. Council itself has already refused a near-identical proposal for this site

This is not the first time a development of this scale has been put forward for this site. City of Canada Bay Council's own records show that on 29 October 2024 Council resolved to refuse a related planning proposal (PP-2024-1193) covering the same land, and Council's formal advice on this SSDA states in terms that “the SSDA proposal is similar to PP-2024-1193 that was refused by Council.” Council's stated reasons for refusing that earlier proposal included unjustified departures from the Parramatta Road Corridor Urban Transformation Strategy (PRCUTS) and inconsistency with Planning Direction 1.5; the introduction of out-of-centre retail floorspace that would undermine the planned Kings Bay commercial centre; a new road off Parramatta Road that had not been approved by Transport for NSW and was contrary to clause 2.119 of the LEP; height and density inconsistent with the PRCUTS Planning and Design Guidelines; public open space that did not meet Council's own size and location criteria; and inadequate tree canopy without a proportional increase in public open space.

Every one of these reasons applies with equal or greater force to the current application. I do not accept that a proposal Council itself found unacceptable on planning grounds only months earlier should now be approved simply because it has been resubmitted to the Department as a State Significant Development. Council's own advice also notes that a further, future development of up to 45m height is contemplated on the eastern boundary of the same landholding — meaning the cumulative impact on my property and my street is likely to get worse, not better, if this application is approved and used to establish a precedent for the site.

3. Loss of privacy

Buildings of this height and proximity, with balconies and windows facing directly toward my property, will result in direct overlooking into my backyard, and living areas, permanently and substantially reducing my family's privacy. Screening, setbacks or window placement cannot fully undo the loss of privacy that comes from having a 15-27 storey building constructed directly opposite a single-storey home. This is a further, independent reason the application should be refused.

The applicant's own Visual Impact Assessment rates the risk to private dwellings as “Low”, but on its own terms this rating is based on desktop review of real estate floorplates and photographs, not an inspection of neighbouring homes, and its analysis is directed at protecting scenic public viewpoints rather than

assessing the everyday privacy of residents living opposite the site. A “low” rating reached this way does not establish whether apartments, balconies and communal areas will look directly into my backyard or living areas. This is a further gap in the evidence, not a detail that can be resolved after approval.

4. Traffic congestion and loss of on-street parking

The applicant's own Transport Impact Assessment (Appendix EE) provides basement parking for 502 spaces to serve a development of 143 build-to-sell units, 533 build-to-rent units and 190 co-living units, plus a full-line supermarket, but does not include detailed modelling of the potential for parking demand to spill over into surrounding residential streets such as Queens Road and the streets around it. On-street parking on my street is already at capacity and difficult for residents due to surrounding businesses on Parramatta Road. Without proper analysis, there is a real risk that residents, visitors, retail and supermarket customers will park in my street, worsening an already difficult situation.

A resident parking scheme or similar after-the-fact measure would not fix this — it would simply formalise the fact that a development of this scale does not belong on this site. The only way to prevent permanent loss of on-street parking and ongoing congestion on my street is for this application, at this scale, not to proceed.

5. Increased traffic noise and pollution

The Noise and Vibration Impact Assessment (Appendix FF) confirms façade traffic noise of 68-70 dB(A) at the more exposed buildings, and the Transport Impact Assessment does not clearly quantify the additional daily vehicle trips this scale of development (over 860 dwellings) will generate on local roads. Beyond the applicant's own building occupants, the resulting increase in traffic volume, idling and vehicle movements on Parramatta Road and Queens Road will materially and permanently worsen noise and air quality for existing residents living opposite and alongside the site, including my household. This is a lasting, operational impact of the development itself, not a construction-phase issue that ends once building work finishes, and it is not something any condition can reverse once the development is built and occupied.

6. Construction dust and pollution

The Air Quality Assessment (Appendix U) itself classifies demolition, earthworks, construction and vehicle track-out activities as a medium risk of dust soiling and human health impacts for nearby residences, noting that some residences are as close as 20-24m from the site boundary. Given the scale and multi-year duration of this project, I do not consider generic mitigation measures an acceptable answer. Monitoring only records the harm after it happens; it does not prevent my family from breathing construction dust for years. The only way to protect my household from this impact is for the application not to be approved.

7. Excavation and structural risk to my home

The Geotechnical Investigation (Appendix AAA) confirms that Building 1 will have three basement levels and Buildings 2-4 two basement levels, involving excavation into Ashfield Shale using rock breaking and ripping equipment. The report itself identifies a “zone of influence” around the excavation and specifically requires pre- and post-construction dilapidation surveys for older residential buildings on Queens Road and Parramatta Road, and flags that the proposed shoring (soldier pile) system may cause excessive groundwater inflow requiring further assessment.

My home is an older, structurally sensitive house in exactly this category, and I do not accept that a dilapidation survey, monitoring regime or compensation process is an adequate substitute for preventing the risk in the first place. A survey only documents damage after it has occurred; it does not stop three

levels of basement excavation and rock breaking from taking place metres from my foundations. I object to this excavation occurring next to my home at all, and I ask that the application be refused on this basis.

8. Excessive construction noise and extended working hours

The Noise and Vibration Impact Assessment predicts construction noise of up to 83 dB(A) at Queens Road residences during excavation with hydraulic hammers — above the “highly noise affected” threshold of 75 dB(A). The Preliminary Construction Management Plan (Appendix QQ) also proposes a six-month trial of extended construction hours, to 10pm on weekdays and 5pm on Saturdays, in addition to standard hours of 7am-6pm weekdays and 7am-3pm Saturdays. I reject outright any extension of construction hours beyond the standard hours permitted for residential areas, and I do not accept that acoustic testing or consultation with a nearby school makes this acceptable. I have young children in my household, and years of construction noise at these levels, for these hours, will be a serious and unreasonable impact on our health, sleep and quality of life for as long as the project takes to build. This impact exists because the project itself is being proposed, and it ends only if the project does not proceed.

9. Construction traffic and pedestrian/child safety

The Preliminary Construction Management Plan indicates that peak construction will involve up to 35 heavy vehicles per day (70 two-way movements), with temporary heavy vehicle access via Queens Road during Phase 2 of construction. The Transport Impact Assessment's own crash history review records **seven crashes** on Parramatta Road and **seven crashes** at the Queens Road/Harris Road intersection between 2020 and 2024, close to the site and near Rosebank College, which the applicant's own transport documents acknowledge sits immediately beside the site. I have young children who will attend Rosebank College that is right beside the proposed development, and I am not willing to accept traffic controllers, spotters or hoardings as a substitute for actual safety. Every additional heavy vehicle movement and every additional car generated by a development of this scale is a further, permanent risk to my children and other local families on an already dangerous stretch of road, on routes children use to walk to and from school. This risk continues for the life of the construction period and then permanently once the development is occupied, and it is a further reason the application should not be approved.

10. Servicing capacity and inconsistent project figures

Sydney Water's own agency response on this application describes the proposal as delivering “approximately 674 dwelling units”, whereas the version of the scheme now on public exhibition comprises 866 residential units (143 build-to-sell, 533 build-to-rent and 190 co-living units) — a difference of almost 200 dwellings. Sydney Water also confirms that further investigation is still required to determine whether adequate drinking water, wastewater and recycled water servicing can actually be provided, and warns that failing to properly provide this information “may impede proper planning requirements for the proposed development and for the broader area.” An application of this scale should not be progressed, let alone approved, while the referral agency responsible for water and sewer servicing has assessed a materially smaller, outdated version of the scheme and has not confirmed that essential infrastructure can support it.

11. Overall conclusion — I object to this development proceeding at all

Taken together, this application seeks a wholesale, permanent change to the planning controls for this site — increasing the permitted building height nearly eightfold in places and the floor space ratio by over 300% — to enable a scale of development that is fundamentally inconsistent with the existing low and medium density character of the surrounding streets, and that will have serious, permanent impacts on the amenity, safety, privacy and structural integrity of neighbouring properties, including my own.

To be unambiguous: my objection is to this development proceeding at all, not merely to particular aspects of its current design. I do not consider that further studies, revised drawings, monitoring regimes or conditions of consent can adequately address the cumulative impact set out above — most of these impacts (loss of sunlight, loss of privacy, permanent traffic and parking impacts, and the risk to my home from deep excavation) are the direct and unavoidable result of building something of this scale on this site, and no amount of conditioning the consent will remove them. This is not only my own view as an affected neighbour: it is consistent with City of Canada Bay Council's own assessment of an equivalent proposal for the same site only months ago, which Council itself refused. I am asking the Department to refuse SSD-89477725 and the associated rezoning proposal in full, and I do not support any approval of this application, whether immediate or subject to future conditions, amendments or further assessment.

Thank you for considering my submission. Please contact me using the details above if you require any further information.