

To: Assessment Team, Major Projects

NSW Department of Planning, Housing and Infrastructure

Re: SSD-76220734 — *Indigo by Moran*, 156–164 Ocean St / 81–81A Lagoon St / 8 Octavia St, Narrabeen

From: Gunter Swoboda, Psychologist (AHPRA-registered), on behalf of an adjacent resident and family

Date: 31 October 2025

Dear Assessment Team,

I represent the adjoining household next to the proposed seniors' housing development above. The NSW Major Projects page confirms the application (SSD-76220734), public exhibition dates (October 23–November 5, 2025), project scale, and contact details. Please confirm that this submission has been received and recorded against the file.

Summary and relief sought

My client and his family are already experiencing significant psychological distress arising from the anticipated loss of winter sunlight to habitable rooms and private open space, and from the prospect of prolonged construction noise and vibration. These impacts are foreseeable and avoidable with proper design, neighbour interface, and staged construction controls. I request corrective consultation, fuller impact analysis, enforceable conditions, and design changes that reduce height and increase setbacks where overshadowing is unreasonable. If unresolved, the proposal should be refused in the public interest.

Consultation duty and decision-making framework

The Department's Community Participation Plan requires open, inclusive engagement and a transparent account of how community views inform decisions. My client received no targeted outreach or neighbour-specific impact material. Please require direct engagement with immediately abutting households and publish how their feedback is addressed.

Under EP&A Act s 4.15, you must consider environmental impacts, applicable policies, site suitability, submissions, and the public interest. Amenity factors relevant here include solar access, overshadowing, privacy, noise, vibration, transport, air quality, and construction management.

Clinical impacts: psychological distress and foreseeable harm

I have assessed my client for adjustment-related distress tied to two concrete environmental changes: loss of daylight in living areas and workspaces, and intrusive construction noise during regular work-from-home days. In clinical practice, daylight reduction, persistent noise, and loss of control over the immediate environment are well-known stressors that degrade sleep, mood, concentration, and family functioning, particularly when exposure is sustained and timing is unpredictable. Given the development's scale and excavation program, these impacts are credible, foreseeable, and preventable through design revision and robust conditions.

To minimise harm, the consent (if granted) should:

- preserve reasonable winter solar access to the neighbour's living rooms and principal open space, and
- schedule and monitor construction so that high-noise activities avoid the two known work-from-home days, with respite windows and stop-work triggers.

Solar access, overshadowing, privacy and view-sharing

Provide complete winter-solstice shadow diagrams at 9 am, 12 pm and 3 pm **on adjoining properties** and test them against Northern Beaches DCP solar-access objectives (sunlight to living rooms and principal open space; avoid unreasonable overshadowing). If impacts are unreasonable, require height reduction, step-downs to the boundary, greater setbacks, and building separation consistent with the area's low-rise coastal character. Apply relevant Apartment Design Guide principles on orientation, separation and overshadowing as contextual best practice. For any view impacts, apply the *Tenacity* planning principle to assess reasonableness and feasible alternatives; this frames decision-making without creating a "right to a view."

Seniors-housing design obligations (Housing SEPP)

For seniors housing, the consent authority must consider the **Seniors Housing Design Guide**. Please document compliance on neighbour interface, bulk and scale, setbacks, separation, landscaping, overshadowing, and privacy. Where the guide's objectives are not met, the design requires redesign to reduce impacts at the boundary.

Construction noise and vibration (home office two days per week)

Condition the development with a **Construction Noise and Vibration Management Plan** that:

- adopts the EPA **Interim Construction Noise Guideline** standard hours and sets receiver-specific **L_{Aeq},15min** predictions at my client's façade, with scheduled respite and community notice;
- includes real-time boundary monitoring with a public dashboard; and
- applies NSW **Assessing Vibration: a Technical Guideline** for human comfort (BS 6472 basis) and **DIN 4150-3** for structural protection, with pre-/post-condition surveys and automatic stop-work if triggers are exceeded.

Operational noise

Before occupation, require an acoustic assessment that sets **Noise Policy for Industry (2017)** project-noise trigger levels at the neighbour's boundary for mechanical plant, exhausts, basement entries and service bays, followed by post-installation compliance testing and any necessary barriers or enclosures. For the home office, ensure internal amenity consistent with common study/office targets drawn from AS/NZS 2107 practice.

Transport and construction logistics

Require a **Transport Impact Assessment** that applies Transport for NSW's **Guide to Transport Impact Assessment** (2025) with updated trip-generation methods, SIDRA queue modelling for Lagoon St/Ocean St, cumulative holiday/weekend peaks, and a **Construction Traffic Management Plan** that nominates haul routes, caps heavy-vehicle movements in peak periods, and protects pedestrians and cyclists.

Air quality, dust, erosion and sediment

Require an **Air Quality/Dust Management Plan** referencing the NSW Local Government Air Quality Toolkit, and a site-specific **Erosion and Sediment Control Plan** consistent with the “Blue Book” to minimise dust and sediment during excavation and construction, with high-wind stop-work triggers.

Property value

Loss of property value alone is not a determinative factor in planning. Any economic concern should be framed in terms of measurable planning impacts, such as overshadowing, noise, privacy, and traffic. Please assess accordingly under s 4.15.

Requested actions

1. **Correct consultation:** Direct the proponent to engage immediately with all abutting households, provide plain-language neighbour-specific summaries for overshadowing, privacy, noise, vibration, and construction staging, and allow time for response consistent with the CPP.
2. **Solar access:** Require compliant winter-solstice shadow diagrams on adjoining lots. Where unreasonable overshadowing is demonstrated, require height reduction, step-downs, setbacks, separation, and landscape buffers.
3. **Psychological harm mitigation:** Condition the CNVMP to avoid high-noise work on the household’s two work-from-home days, include respite windows, real-time monitoring, and stop-work triggers for exceedances; adopt the vibration criteria noted above with pre-/post-condition surveys.
4. **Operations:** Set NPfI-based project-noise trigger levels at the boundary and require post-installation compliance testing of all mechanical plant and car-park entries.
5. **Transport and dust:** Require a GTIA-compliant TIA and CTMP; adopt air-quality and Blue Book erosion controls with on-site monitoring and high-wind shut-down.
6. **Public interest:** If impacts remain unresolved, refuse the application. If 50+ unique objections are received or Council objects, refer determination to the Independent Planning Commission.

I am available to provide a de-identified clinical note on the household's distress and sleep disruption to support tailored conditions. Please publish this submission with the exhibition documents and notify us when the proponent's Response to Submissions is available.

Yours faithfully,

Gunter Swoboda, MAPS

Psychologist