

12 November 2025

Department of Planning Housing and Infrastructure NSW
Attention: Ms Michelle Niles, Specialist Planner, Planning Assessments

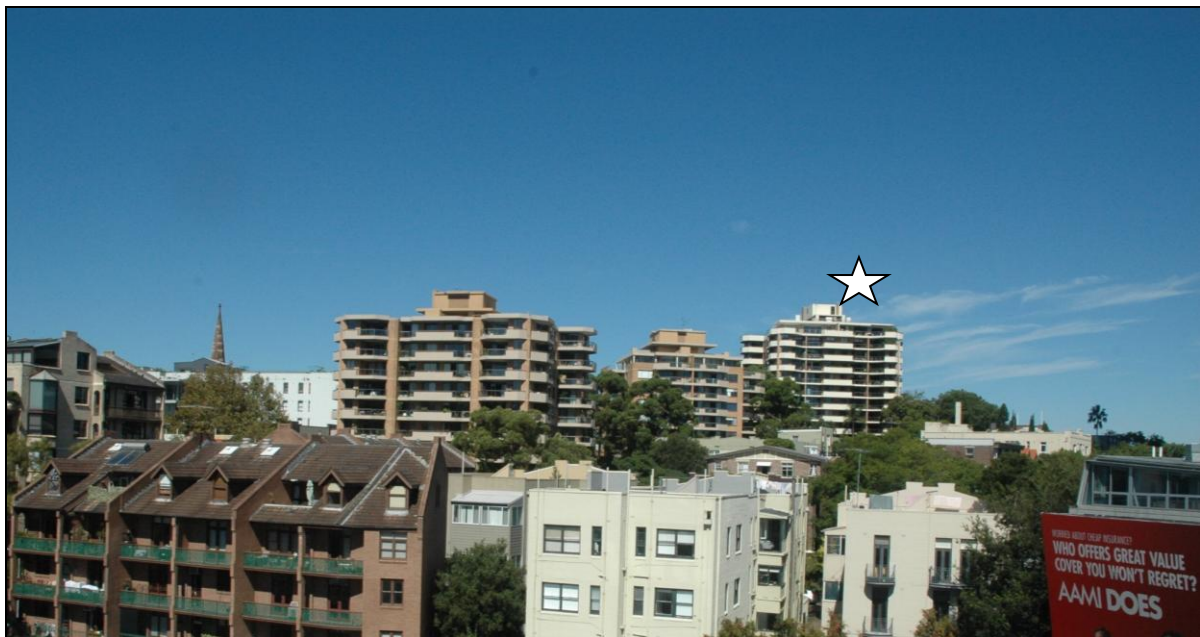
Planning Submission For: (Strata Plan 21252) 1 Tewkesbury Avenue, Darlinghurst
Proposal: Mixed use development with in-fill affordable housing, 164 - 194 William Street, Woolloomooloo

Introduction

This submission is prepared for Strata Plan ('the SP') 21252 which includes 79 apartments located within the building at 1 Tewkesbury Avenue Darlinghurst.

The location of the SP is to the south of the site, up the hill, on the opposite side of William Street and within Darlinghurst NSW 2010. The SP enjoys iconic Harbour and City views to impacted however is not referenced as affected in the Visual Impact Assessment ('VIA').

The building at 1 Tewkesbury Avenue can be seen in the following photograph taken from William Street. The building is marked with a star.



As evident in the above, many of the apartments within 1 Tewkesbury Avenue have balconies and windows which cascade outwards across the floors and are *designed to take in beautiful views of Woolloomooloo, Sydney Harbour and city landscaped and built icons.*

Iconic views of the Harbour can be accessed sitting and standing from within indoor living areas and on balconies. These are high value, enjoyed, world class views. The type intended to be considered through development proposals and assessment.

A view impact assessment has been prepared to support this Submission and is attached. This shows the existing views and is taken by a professional photographer in line with view study lens and position requirements. The proposed form is placed in the field of view, using

the available information and in the available brief submission time. These view impacts detail the potential adverse view blockage proposed.

Many of the residents have lived within the SP for many years and draw key amenity, health and happiness from these views. In this higher density urban setting, these views are very important to living and enjoyment and have been chosen by these represented homeowners.

To summarise the following detailed points:

Concern is raised over impacts of the bulk and scale to the area character, the scale of non-compliances, the accuracy of all submission documents and claims, the adverse and devastating impacts views/the proposed nearly complete loss of iconic and water views and outlook. These impacts are submitted to be severe and devastating given the amenity views provide to these existing valued apartments.

The proposed development does not reflect the desired area character or compliance with expected form, design and amenity standards.

This development would not be an area asset and fails to comply with planning and design standards in relation to contextual fit, protection of view/skilful design.

The scale would create unreasonable adverse visual and solar issues in connection with the excessive height/scale.

The proposal is inconsistent with apartment design standards in terms of provision of solar access and ventilation to apartments, unit design and lack of open space/landscaping for internal and external amenity.

Excessive parking is proposed to worsen traffic and not encourage non-car transport in accordance with all planning controls/to support affordable housing.

Concern is raised in relation to the accuracy of the documents put forward for assessment.

Thank you for considering these points in the assessment.

The context, a balanced assessment

The broader area is strongly characterised by heritage (the site being surrounded by Heritage Conservation Areas – 'HCAs'), a mixture of residential and commercial forms and a cascading topography which allows buildings higher up the hill to access extensive and whole Harbour views.

The subject site is located in a key area, surrounded by many lower scale and heritage buildings. This creates a unique and locally valued area character and provides streetscape interest and experience.

Woolloomooloo is an iconic Sydney area to visit and drive through and has a considerable maritime heritage and significance. With hotels, restaurants, the renovated finger Wharf at Woolloomooloo and direct water access, this basin is highly visible from the Harbour. This is a tourist area as well as residential. It is considered that retaining the image and visual quality of this area would be important to Sydney as a global city.

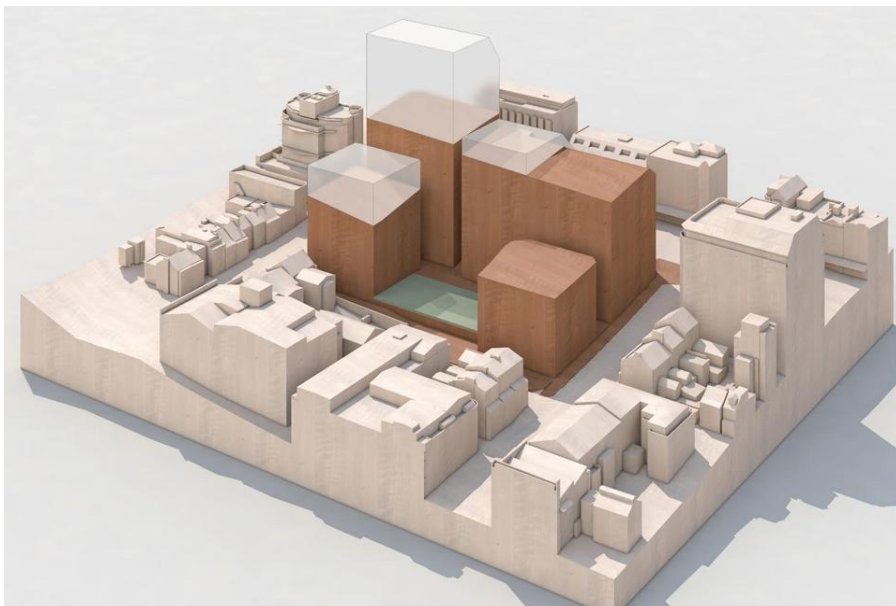
The site is located in an MU1 (Mixed Use) area which is designated under the Sydney planning frameworks to renew commercial as well as residential in order to maintain commercial and employment support for residents and the commercial corridor which extends around the Harbour, from the City to Kings Cross.

This is well located to Kings Cross Station however William Street is notoriously congested with traffic being a road thoroughfare from the City to the Eastern Suburbs and a connection to the north and south of Sydney. The existing road network, with some one-way streets and traffic signalling is often unable to support the volume of vehicle leading to extensive delays.

The DA does not present a scale consistent with detailed urban design and planning expectations for the area nor address the character objectives in terms of sympathising with local heritage, lower scales and valuable fine grain. No reasonable consideration is given to the impact of the scale and widths on the surrounding HCA.

The proposal is much higher than anything around and this is evident in the models of the scale within the documentation such as the following from the EIS. This does not show a stepping or scaling down with the topography (as suggested in the EIS) and is not considered contextually considerate or responsive. It is evident as to what the resulting impact and appearance would be from the Harbour, the area and from other properties.

Figure 30: Proposed Built Form



Source: Urban Design Report

Impact on Views

As detailed above, many apartments and balconies within the SP have access to panoramic views, comprising land water interfaces, landscaped foreshore areas merging to the visible water in the Harbour, landscaped elements across the northern side of the waterway, the full sails of the Sydney Opera House, the cityscape/Sydney Tower/St Marys Cathedral, large visible elements of the Botanic Gardens (extensive/prominent/beautiful greenspace), the full reach of the Harbour Bridge and other interesting elements (tunnels, railway, Woolloomooloo wharf and naval areas).

Balconies have glazed sections which also allow view access through from seated positions from within the units and outside seated on balconies. Some of the panoramic views to be

blocked are detailed as follows and within the attached view impact assessment prepared by a resident.



View, standing, balcony of unit 64 (refer also to attached view assessment)



Extensive Harbour view, seated position inside unit 64, land water and iconic view



Kitchen view, unit 64



1 Tewkesbury Avenue, showing glazed balconies

These panoramic views provide key amenity to apartments and are the type of views designed to be considered and protected by the Tenacity View sharing guidelines.

The VIA provided does not identify 1 Tewkesbury Avenue in the list of impacted properties.

The VIA does at the end of the report, model the extent of the view blockage which would result from the form for apartments within the SP. These were provided as residents of the building requested assessment at the community consultation.

The photo montages in the VIA demonstrate that these views are high value land and water views and contain city scapes and iconic elements such as the Harbour bridge, the Opera House and panoramas of the harbour including Fort Denison.

It would appear that the VIA has used drone photography and so this is not the actual view. It is also noted that this report minimises the land water view blockage that this proposal would have on these highly valued and high amenity views, for the residents this view blockage would be severe and devastating in terms of their homes and experience. Our view assessment attached should be used to assess the current quality of whole views from living areas and balconies at 1 Tewkesbury Avenue.

It is not evident that any attempt at sharing is provided in line with *Tenacity* view sharing principles. It is not clear whether any design options have been considered to minimise this impact as should occur.

The feasible alternatives discussed in 2.4 of the EIS discuss options from the applicant's perspective and do not qualify how the options provided for urban design relate to *external* considerations. The previously approved Concept Envelope to be disregarded (which provided substantial additional scale), is explained away just because 60 affordable housing units would be 'lost'. These could be incorporated. Plus, the proposal does not comply with SEPP Housing standards relating to affordable housing.

The VIA is not honest or representative of the existing situation and critically, does not provide a comparison with the existing permissible heights/planning controls.

The VIA uses the approved concept DA envelope (which is to be abandoned) as the baseline for measuring impact on views, and/or alternately also uses the 'permissible envelope' under *State Environmental Planning Policy Housing 2021* ('SEPP Housing') provisions as the baseline for view impact. This is a development maximum under the state controls - within which a design should consider view sharing. The preparation and SEARs documents indicate that view sharing and urban design to sympathise with the area should have been considered with this proposal.

Comparing the previous concept, which also impacted views and was managed by Council to allow sharing demonstrates the effort made by City of Sydney Council previously to protect some view sharing as a result of the previous large concept proposal. As part of approving the already much larger concept envelope, the Council capped heights and floor space ratio ('FSR') and design work was to be undertaken.

It should be noted that the Council officer conducted the view assessment for the concept as the previous view assessment was inaccurate and could not be relied upon. To suggest that this application is built on that original inadequate view assessment is very concerning and *DPHI should conduct an independent view assessment given the non-compliant and excessive scale compared with current standards and the extent of local views to be lost by the non-compliant and inconsiderate proposal.*

Basing the VIA on the previous concept approval rather than current controls is submitted to be unreasonable and incorrect for assessment as:

- The concept DA is merely concept and has not resulted in any built form on site, so the iconic views actually exist and are being enjoyed by residences at present.
- Any previous approval may not eventuate and cannot be used to define the view sharing parameters for neighbouring sites.
- The concept envelope was also tested and approved by Council officers. The result of the Council assessment, now shown in the VIA proves that the Council considered view sharing and the effort that was invested in trying to retain some icons and water views for others.
- A possible building envelope under any instrument including a SEPP is a potential envelope that must consider a range of design factors, including sharing of iconic views, to ascertain what is ultimately an appropriate development envelope.
- Permissible FSR and height are indicative development potentials. This proposal does not even try to fit within the maximum envelopes or comply with apartment design guidelines for amenity and yet also destroys local amenity in this way.
- *The analysis should review the SLEP envelope controls to provide an objective analysis of the departure from planning controls which have been adopted through a public consultation process preceding their support by the Department of Planning and then the adoption of Council.*
- There is failure to honestly describe and quantify impact. *In some cases the value of the views is minimised when these are critical to existing owners. The impact is highly significant to iconic and land water element views.*
- *The proposed montages show essentially complete blockage - no sharing.*
- *The VIA does not indicate how view sharing could be improved but simply repeats the applicant's design position that the proposal has been 'skilfully designed', when it has*

not as evidenced by the severe impact on iconic views. We have not viewed anywhere in the submission where the applicant has looked at different options which might improve view sharing in line with planning controls.

- The Department should not use this document to base an informed assessment on.
- *Given the representation of actual impacts is incorrect, the submitted documents and assessment of views should not be used as justification to support such extreme Clause 4.6 Variations. Impacted residents request an equitable and informed professional assessment.*
- The VIA (or EIS) do not clearly discuss the contribution of the scale breaches on iconic water views.

In response and in the face of severe and devastating impacts to views, the *residents of the impacted SP have put together some accurate and representative view assessments of their homes to indicate to the Department, the quality, importance and availability of these iconic views to a significant range of homes. Please refer to the attached document.*

As can be seen from these, the proposed extent of effect/blockage on land water, iconic Harbour and City views would be potentially devastating in relation to the current view access and amenity gained. These are available in seated and standing positions - within many apartments.

In these circumstances, we submit the following in relation to the *Tenacity Consulting V Warringah Council (2004) NSWLEC 140* 4-step assessment process as to equity, sharing and reasonableness. Whether it is reasonable for a development proposal to take part of a shared view for its own enjoyment.

The views can be seen as iconic views. Land water interfaces, whole views, containing icons such as the Opera House, Sydney Harbour Bridge, Fort Dennison and City/North Sydney city scape. The type to be protected under these Principles.

These are sitting and standing and from nearly all rooms in the apartments and from balconies which are the key and only private open space to these homes.

The views add such amenity to existing residents and the development clearly seeks to take all the views enjoyed by others for the benefit of an excessive and non-compliant development and the future building.

This proposal does not comply with 'all planning controls'. The proposal does not comply with either the Sydney controls, the SEPP Housing controls or the ADG design standards. The non-compliances are substantial. It is not considered to be the intention of SEPP Housing controls to take all the views for the sake of one development and impact in this way on others. The SEPP requires a contextual response.

Tenacity equity assessment principles seek a robust assessment and exploration of creative and sensitive designs to allow sharing and equity.

Given that the proposal seeks a wide and extensive form and scale, with variations to FSR and height, with minimal modulation and a considerable expanse across the whole development site (with lack of outcome certainty) this approach to planning and development is not reasonable where views could be severely and detrimentally impacted.

The application is considered to conflict with the intention of the *Tenacity* principles which seek to avoid an approach of taking views away from others completely and rather to look toward creativity to consider all, balance, 'reasonableness' per controls and sharing. The proposal capitalises on views for the subject building with the height and floorspace, to the detriment of a range of surrounding properties further up the hill.

As the subject site already has larger scale allowances and provisions than the surrounding area, these should not be further exacerbated and expanded without detailed testing, having regard for these potential impacts.

Options are considered to be available, with good design to facilitate improved view sharing. A more considered and modelled/compliant design, or design alternatives could and should be explored to uphold Council's planning regime and allow reasonable development.

Council and SEAR's documents indicate the importance of properly considering and nuancing a development application with views considered. This is not evident.

The intention of the design review process is to ensure that a more considered and studied design be undertaken to prevent the potentially devastating view loss as a strategic planning review. We request that the proposal not be supported in the current form and in accordance with the promotion of the public interest.

Unreasonable Impacts in the Context of Council's Planning Controls and Objectives

The *Sydney Local Environmental Plan 2012* (the 'SLEP') contains a number of relevant planning objectives in relation to protection of amenities, views and development of the area.

Planning Aims:

1.2 Aims of Plan

- (1) This Plan aims to make local environmental planning provisions for land in the City of Sydney in accordance with the relevant standard environmental planning instrument under section 3.20 of the Act.*
- (2) The particular aims of this Plan are as follows—*
 - (aa) to protect and promote the use and development of land for arts and cultural activity, including music and other performance arts,*
 - (a) to reinforce the role of the City of Sydney as the primary centre for Metropolitan Sydney,*
 - (b) to support the City of Sydney as an important location for business, educational and cultural activities and tourism.*
 - (c) to promote ecologically sustainable development,*
 - (d) to encourage the economic growth of the City of Sydney by—*
 - (i) providing for development at densities that permit employment to increase, and*
 - (ii) retaining and enhancing land used for employment purposes that are significant for the Sydney region.*
 - (e) to encourage the growth and diversity of the residential population of the City of Sydney by providing for a range of appropriately located housing, including affordable housing,*
 - (f) to enable a range of services and infrastructure that meets the needs of residents, workers and visitors,*
 - (g) to ensure that the pattern of land use and density in the City of Sydney reflects the existing and future capacity of the transport network and facilitates walking, cycling and the use of public transport.*
 - (h) to enhance the amenity and quality of life of local communities.*
 - (i) to provide for a range of existing and future mixed-use centres and to promote the economic strength of those centres.*
 - (j) to achieve a high quality urban form by ensuring that new development exhibits design excellence and reflects the existing or desired future character of particular localities.*
 - (k) to conserve the environmental heritage of the City of Sydney.*

(l) to protect, and to enhance the enjoyment of, the natural environment of the City of Sydney, its harbour setting and its recreation areas.

The proposal is considered inconsistent with the underlined objectives. The proposal does not enhance the amenity or quality of life for existing residents. The proposed incongruent scale (with potential impacts) is not considered to deliver a high-quality outcome for existing developments or respect the existing or desired character.

The proposal is not considered to achieve a high quality urban form by ensuring that new development exhibits design excellence and reflects the existing or desired future character of particular localities.

The amount of parking, constrained access points, ratio of residential and overall density is not considered to ensure that the traffic, pedestrian, cycling and public transport network is facilitated or managed.

The proposal is viewed to be over scaled when considered next to the lower density heritage surrounds and the proposal is not considered to promote heritage conservation for the Woolloomooloo neighbourhood.

As detailed, the proposal is not considered to protect or enhance the enjoyment of the natural environment, Harbour setting from the perspective of existing long-standing residents.

The minimal commercial floor space proposed does not promote the economy or the objectives of the mixed use zone as discussed below.

Zone MU1 Mixed Use - Objectives of zone:

1 Objectives of zone

- To encourage a diversity of business, retail, office and light industrial land uses that generate employment opportunities.
- To ensure that new development provides diverse and active street frontages to attract pedestrian traffic and to contribute to vibrant, diverse and functional streets and public spaces.
- To minimise conflict between land uses within this zone and land uses within adjoining zones.
- To encourage business, retail, community and other non-residential land uses on the ground floor of buildings.
- To ensure land uses support the viability of nearby centres.
- To integrate suitable business, office, residential, retail and other land uses in accessible locations that maximise public transport patronage and encourage walking and cycling

A minimal 5.2% of gross floor area is proposed for retail when the *zoning intentions are to renew the area as a mixed use precinct*. The proposal is considered to renew this area in accordance with the zoning.

A site of this size and density should provide increased support services and employment opportunities for residents of the site and the surrounds. This can be achieved by notable commercial floor space or perhaps a community centre. Given the non-compliances proposed, the development is not considered to give much back to the community in terms of design, commercial uses, traffic reduction or high amenity community open space.

Given the potential excavated parking element and limit on retail and commercial floor space, it is not considered that the proposal is geared to 'maximise public transport patronage' (in a constrained traffic area) or to encourage walking or cycling.

Parking provision is excessive and does not seek to minimise car issues. Relying on an accessible area for affordable housing this development should do more to reduce private car transport and the financial and environmental costs associated.

SLEP 2012 Clause 4.3 Height of Buildings – Development Standard – Objectives:

(1) The objectives of this clause are as follows—

- (a) to **ensure the height of development is appropriate to the condition of the site and its context,***
- (b) to ensure appropriate height transitions between new development and heritage items and buildings in heritage conservation areas or special character areas,***
- (c) to promote the sharing of views outside Central Sydney,***
- (d) to ensure appropriate height transitions from Central Sydney and Green Square Town Centre to adjoining areas,*

The height is not considered appropriate to the site or context as detailed above and pushes well over reasonable maximums. The highest element is so much higher than any other building close by. This height *does not provide the transitioning intended by the local detailed design DCP controls, or to protect views, heritage, light sun or the amenity of the area.*

The extreme height difference would create a visibly incongruous and overbearing relationship with direct and prevailing lower scales, and this would seem clear in the range of 3D images provided.

SLEP 2012 Clause 4.4 Floor Space Ratio – Development Standards – Objectives of Scale:

- (a) to provide sufficient floor space to meet anticipated development needs for the foreseeable future,*
- (b) to **regulate the density of development, built form and land use intensity and to control the generation of vehicle and pedestrian traffic,***
- (c) to provide for an **intensity of development that is commensurate with the capacity of existing and planned infrastructure,***
- (d) to **ensure that new development reflects the desired character of the locality in which it is located and minimises adverse impacts on the amenity of that locality.***

The proposed development is not considered to reflect the desired character of the locality. It seeks an FSR uplift from an already higher FSR and without considerable assessment of the lower FSRs in the direct vicinity and with *adverse impacts to views, solar access, visual amenity and area/Harbour/Woolloomooloo character.*

The increased density *provides excess parking to requirements and does not align with the City of Sydney 'maximum' controls. Therefore, the proposal is not considered to manage vehicle and pedestrian traffic.* Residents have raised traffic issues already experience day to day in the context of the density, basement parking and constrained access points.

State Environmental Planning Policy Housing + Apartment Design Guide ('ADG') Points (Height, Scale and Design/Amenity Expectations)

Residents do not object to housing or affordable housing however this proposal seeks to maximise and push outside of the reasonable state controls.

The intention of the state controls is to provide responsive housing which is appropriate for the area, protects amenities and undergoes a merit assessment with local area character considered. SEPP Housing is not intended be used to create large and inconsiderate developments. Developments which exceed bonuses and which drastically detrimentally impact the living environment of existing communities without a balanced and reasonable approach.

The following issues are raised with the proposed application to use floor space and height bonuses:

Floor space

In the description of the proposed development in the EIS, Section 2 provides a summary of floor space which provides floor space numbers which do not calculate to a total 33,036m². The accuracy of the information is questioned. Based on the GFA figures provided by Urbis, the 15% affordable housing requirement may not be met and therefore the bonuses are not qualified.

Height

Based on RL's and proposed building height in metres nominated by Urbis in the Clause 4.6 Variation to Development Standards report, the following table highlights the *significant breaches of both the Sydney Local Environmental Plan 2012 and the Housing SEPP* which affords a 30% bonus in FSR and height for the provision of a minimum of 15% affordable housing.

Building	RL proposed	Proposed height (m)	SLEP max height	Variation (m/%)	SEPP max height	Variation (m/%)
NE (Dowling)	51.68	31.2m	22m	9.2m/ 41.8%	28.6m	2.6m/9.1%
	51.68	34.6m	22m	12.6m/57.3%	28.6m	6m/21%
	53.88	35.8m	22m	13.8m/62.7%	28.6m	7.2/25.2%
SE (William)	85.82	66.3m	35m	31.3m/89.4%	45.5m	20.8m/45.7%
	86.47	70.8m	35m	35.8m/102.3%	45.5m	25.3m/55.6%
	85.82	60.2m	35m	25.2m/72%	45.5m	14.7m/32.3%

The *location of the breaches is significant in terms of visual prominence in the streetscape and in terms of the potential contribution to the view loss/view sharing perspective* of residents primarily located to the southeast across William Street.

The extent of the breaches is *unreasonable, not justified and is not considered to provide for a better planning outcome* as is the test under Clause 4.6 (addressed below).

SEPP Housing Chapter 4 Clause 20 requires infill affordable housing to reflect and respond to area character in order to seek the bonuses available.

'1) Development consent must not be granted to development for the purposes of dual occupancies, manor houses or multi dwelling housing (terraces) under this division unless the

consent authority has considered the Low Rise Housing Diversity Design Guide, to the extent to which the guide is not inconsistent with this policy.

(2) Subsection (1) does not apply to development to which Chapter 4 applies.

(3) *Development consent must not be granted to development under this division unless the consent authority has considered whether the design of the residential development is compatible with—*

(a) the desirable elements of the character of the local area, or

(b) for precincts undergoing transition—the desired future character of the precinct.’

As noted in the above sections, the development is not deemed to be responsive in terms of the desirable elements of the local area (as detailed within this submission).

The proposal is at a drastically different and distinct scale to anything in the surrounding area and would not be an attractive or appropriate precedent to set for this Harbourside area.

The proposal does not meet local controls or the desired future character of the zoning.

We understand that the City of Sydney has responded to the DA indicating a range of reasons the proposal would not be supported in relation to amenity, design, character and technical aspects.

Additionally, the proposal does not seem to provide high quality affordable housing and seeks *variations to key apartment design, open space, landscaping and amenity controls*. This is *at the same time seeking a Clause 4.6 variation to vary bonussed scale standards*. This is *unreasonable given the extent of the adverse impacts to the area and other neighbours*.

The form bonuses provided by SEPP Housing to promote affordable housing need to be considered in line with other impacts and the context. In this case, the proposal provides unclear details as to compliance with the bonuses and detrimentally impacts hundreds of properties and should not be supported.

Scale and Bulk

The design is not considered to respond sensitively to the finer grain street walls in the surrounding HCA. These are relevant in terms of the heritage context and maximising pedestrian experience.

The proposed building wall heights fronting William Street, especially the larger south eastern building present a considerable length. This is considered likely to contribute to the overall impact on view loss.

Utilising the descending contour of the site to facilitate the higher buildings might not create the same impacts on view sharing.

We submit that the opportunity could exist to use the lower contours to accommodate the higher buildings and push the pocket park to the William and Dowling Street/southeast portion of the site to facilitate equitable and direct public access. This could form a respectful approach to the HCAs and enable commercial/retail offerings fronting William Street and the park. This could promote accessibility and crime safety. The park is not considered to

provide a high amenity outcome for others and is not considered to be the type of public benefit suitable to balance the scale and form excesses.

Consideration of alternatives would enable buildings on site to have views both towards the harbour or alternately over the park. This could potentially assist in addressing iconic view sharing so all parties have equitable access to these views – looking at ‘skilful design’ solutions to use the terms of *Tenacity*.

It is submitted that the proposed additional height and building bulk above even the SEPP bonus provisions does not provide planning merit. There are considered to be only adverse impacts caused.

Clause 4.6 Variation/s

The Variations to height and FSR do not demonstrate why the SEPP controls are unreasonable or unnecessary or present a balanced view of impacts or the achievement of better outcomes.

The proposed variations result in:

- An excessive bulk and scale that does not sympathise with the low to mid-rise scale of HCA development and does not transition appropriately, contrary to SLEP objective CI 4.3(b).
- An excessive bulk and scale within the visual catchment of the site with adversely dominant street wall heights contrary to CI 4.3(a).
- Destruction of iconic views (see below) contrary to CI 4.3(c)
- Adverse solar, scale and view impacts.
- Potentially adverse impacts to the visual quality of Sydney Harbour given the different scale.
- Inconsistency with the test of compatibility with the area under SEPP Housing.

City of Sydney is well on its way to meeting housing targets, including its own target around affordable housing. This needs to be done in a balanced outcome appropriate way.

There is no planning basis for exceedance of the already generous FSR and height controls under then the SEPP, other than to maximise yield for profit purposes. The clause 4.6 variations should not be supported from a planning perspective. Compliance is not unreasonable and the adverse impacts to the area and on others are compelling.

Design Quality of Apartment Development

Design principles indicate that bulk and scale, desirable elements of streetscapes, aesthetics, careful access points and amenity should consider the neighbourhood. Not just the development site.

The ADG also contains chapters relating to the site context, orientation, scaling as well as internal amenity factors.

Aside from the contrasting contextual response, some of the internal amenity of the units are compromised. The design may not lead to the ideal privacy, ventilation, open space,

landscaped amenity or acoustic comfort for future building residents and a poor living quality for affordable housing.

Inaccuracies Presented

The proposal does not address in a balanced way. *A number of the SEARs requirements are not addressed objectively.* Justifications for non-compliances are specific to the development and do not undertake a balanced review of broader impacts. The VIA does not contain all relevant properties, does not contain representative view shots, contains errors which have been picked up by residents and does not address the impacts in a balanced way. *A high level of environmental amenity for any surrounding residential or other sensitive land uses must be demonstrated* (SEARs Point 7).

The engagement documents do not include discussions of some groups nor discuss the issues raised in a balanced way. The community consultation sessions provided a biased and very quick run through of the plans, without detail or plans to view for any length of time. It was a closed session where residents could not speak or interact. It is considered that some of the claims made in the community consultation document are misleading in terms of what has been raised. Some residents have been completely missed from the list of affected properties.

Statutory context is not clearly addressed given that the applicant seeks to refer to an envelope DA which is to be set aside.

The proposal is inaccurate in relation to how the built form and urban design responds to the context (as detailed above). SEARs require a *detailed assessment of the impacts*. The proposed documents appear to minimise impacts and focus on the development.

The Social Impact Assessment which was required by SEARs is not balanced and is considered to misrepresent impacts and community views. This document is prepared by the same consultants who have prepared most of the documents. The document suggests a range of 'positive' impacts and these views are not shared by others. The content of the public submissions directed to DPHI will provide a more accurate view of the feelings of the neighbourhood and the view and amenity losses to be created. Residents would like to submit that whilst they support housing and affordable housing, they are definitely not in support of the proposed detrimental scale and cost to their own amenities/sharing.

Design quality is to be addressed. Design excellence to be detailed. The proposal is not considered to align with the mandates of design excellence given the visual, view, scale, solar, parking, internal and landscaped amenity, scale and area character impacts. *The proposal does not provide design alternatives to improve view sharing.* This is not in context with urban design principles, and *the current proposal should not be supported without further review.*

As expressed by local residents, and as experienced generally by visitors to the area, William Street is very congested and traffic delays are frequently experienced.

A strategic and balanced assessment should be made as to the appropriateness of this primarily residential density in this location given the traffic and congested situation within a

difficult part of the local road network, the amount of parking provided and the use of narrow lanes to service this proposal. If more of these developments are proposed, all the more reason to take a strategic view to ensure ongoing efficiency of the City.

Summary

The proposed impacts are considered inconsistent with planning objectives and controls and should not be supported for the following reasons:

- The proposal has the potential to *unreasonably block existing high value and important iconic/land/water views enjoyed by residents of SP 21252*. This potential impact would be *severe and devastating to these key, valuable views*.
- These are the *type of views intended to be protected or allowed to be equitably shared under planning principles*.
- The views are available across living, kitchen, and key open space areas of a large proportion of homes and are expansive and critical for residential amenity.
- The proposal seeks *excessive and non-compliant height and form*. The outcome put forward is not considered responsive to all layers of relevant planning controls and objectives, is not site responsive or balanced, and would be *detrimental to scale, views, character, traffic flow and light*.
- The submission documents are not balanced when looking to increased density on a site by site basis. *The discussion has not accurately or robustly assessed or detailed a number of important views impacted to address with planning guidelines, SEARs or view sharing Planning Principles*.
- The *excess scale outlined and projected is not considered at all reasonable* under these circumstances, *given potential view impacts*.
- It is submitted that a *compliant proposal, which aligns with ADG and Design Excellence/Urban Design considerations could be made to allow equitable access to important views*. This could allow view sharing equity and allow a development for the property owner.
- *We request that the current application not be supported given the inaccuracies within the documents and the misleading assessments made.*
- *That an independent and informative view impact assessment be undertaken.*
- Community submissions should be considered as the Social Impact Analysis as the impacts are far greater than suggested in the applicant's reporting.
- The proposal should be modified to be *reasonable with respect to view sharing and the protection of shared amenities between properties and to maintain the iconic character of harbourside Woolloomooloo*. This area is valued by residents and visitors. *A suitable and sensitive contextual response would serve the public interest and ensure consistency with state and local planning objectives for high quality living suited to context.*
- *Residents request that the impacts on adjoining homes be considered.*

Thank you for considering these points and we welcome questions, site inspections or further discussion/information.

Yours sincerely,



Natalie Richter, Consultant Planner for SP 21252 (Bachelor of Town Planning, UNSW)

Attachments: Photographs/view study prepared by residents