

164-194 William Street WOOLLOOMOOLOO NSW 2011

As owner and resident of an apartment in the Horizon building at 184 Forbes Street, Darlinghurst, I wish to lodge an objection to the proposed development at the above address.

Background

There was an extensive process of a DA lodged and subsequently amended which locals were able to review and provide comment which established a development envelope which balanced the various planning and environmental considerations.

Subsequently there was design competition in which the local people, who will be impacted and live with the proposal, were not even consulted. Evidently it appears to have concluded that the provision of a park justified the significant exceedance of the height controls.

I also wish to highlight that the 2 weeks allowed for the exhibition process is entirely unreasonable. The vast quantity of documentation requires much more time to review and digest for neighbouring residents, particularly given the long-term ramifications of the proposal.

Infill affordable Housing

The presentation of the maximum envelope assuming the 30% additional allowance as the envelope I consider to be misleading. As outlined in the Department of Planning, Housing and Infrastructure Practice Note (December 2023) this height is a maximum allowable, and is subject to consideration of factors including environmental impacts as well as the provisions of the Environmental Planning and Assessment Act.

Responding to local standards

The full extent of the in-fill affordable housing bonuses may not be achieved on all sites, due to site constraints and local impacts. The in-fill affordable housing bonuses should not be treated as an entitlement. DAs that propose in-fill affordable housing will be subject to merit assessment by the consent authority. The application of the bonuses does not affect a consent authority's responsibility to consider the requirements of relevant EPIs, a development's likely impacts or the suitability of the site for the development. In applying the in-fill affordable housing bonuses, applicants and consent authorities should be flexible in the design response of the development having regard to:

- *the Government's policy intent to deliver more affordable housing through the in-fill affordable housing provisions of the Housing SEPP, and*
- *the impact of the development on the amenity of the site and adjoining land, taking into account the building's height, scale and bulk. The in-fill affordable housing bonuses do not override any provision in any LEP or other EPI. However, local development standards should be applied flexibly and need to be balanced against the need to realise more affordable housing.*

My concern is also the affordable housing is **temporary**, it will not assist long term affordability. Moreover it is being used as a vehicle to breach planning controls and maximise developer profits for only short term gain. This is no way to achieve the best outcome for the city in the long term.

Under the guise of providing affordable housing, this proposal seeks to provide excessive height at the prime location on the site, with highly sought after views, which will provide exceptional value to the developer. This is at the cost to neighbouring properties whose view and amenity loss is significant.

The value to be realised from the location of the additional height in this location is much different to the value which would be realised in a site in a typical residential neighbourhood, where views are not a major factor. This needs much greater in depth analysis.

Urban Design

The City Council noted in its SDCP of 2012 the appropriate urban design strategy for William Street, which included:

The south side of William Street is to remain lower in scale with a consistent street height relative to the predominant heritage buildings and to protect sunlight to residential properties to the south. The north side is to continue to develop with taller buildings to the west and lower buildings to the east where the topography rises to the Kings Cross ridge.

The proposal ignores this urban design strategy founded in good urban design and streetscape principles.

Council in their planning documents established an expectation that the height of buildings on this site would be 8 stories. This is comparable to the height of the adjacent Universal Music building. The proposed building at the corner of William Street and Dowling Street is noted as 18 storeys. Twice the anticipated height in storeys.

Height of Building at the corner of William Street and Dowling Street

The incongruous and inappropriateness of the excessive height is clearly visible in the extended section through William Street and in the modelling included in the visual assessment

It has a severe and devastating impact on views to a number of surrounding buildings. These views are of the highest quality having regard to principles established in the “Tenacity” case;

The proposal results in the reduction in the amenity and quality of life for occupants in surrounding buildings and seeks to replicate the incongruous street wall scale and height of other commercial buildings without having regard to the scale of this area of William Street

The following diagrams taken from the submission documents illustrate how the additional height proposed is out of scale with the streetscape:



Picture 5: Looking north along William Street



Picture 6: North – South aspect

Deficient information submitted with the Application

- The small scale plan view of the shadows does not clearly show the impact of the shadows on the footpath and facades of the buildings on William Street opposite, particularly for mid winter. Birds eye solar diagrams are the typical standard currently expected to be able to analyse solar impacts.
- The elevations and sections do not nominate the LEP height or the envelope height carefully established through the previous DA phase and approved by Council.
- The 3D representations of the proposal focus on the low-rise buildings or are aerial views of the site. They don't adequately represent the part of the proposal which will have the most significant impact. A view looking along William Street toward the south-east corner is a glaring omission.
- I question how comprehensive the view impact is, which is being used to evaluate the impacts. Looking at this diagram, there are a number of buildings which must be affected which are not analysed.



William Street

Additional overshadowing to William Street will further exacerbate the already challenging microclimate of the street, as an inhospitable wind tunnel.

If there is a real objective to enhance William Street, as a boulevard, then every effort is needed to provide a place of high pedestrian amenity.

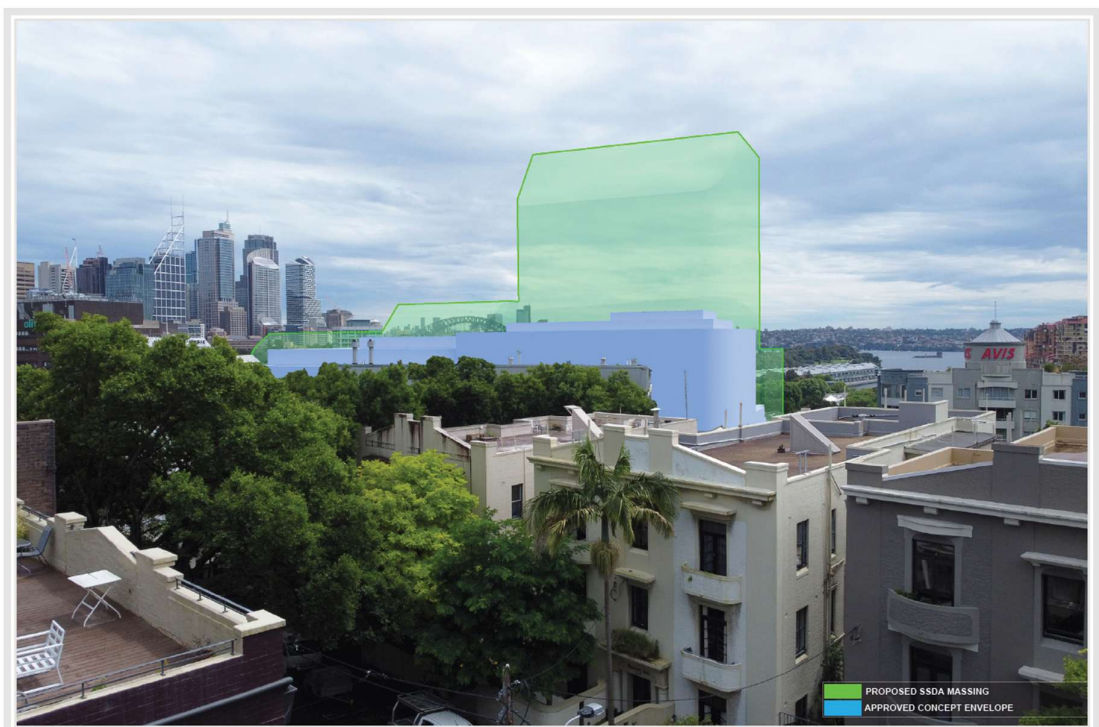
View Sharing

Extract of the Clause 4.6 Variation - Height

The VIA confirms that the additional height beyond the permitted height to the William Street East building will not result in the loss of any iconic views. The impacts are limited to small areas of distant foreshore and sky view, as well as minor portions of Potts Point and sky views rather than significant view loss to iconic views such as the Opera House or Harbour Bridge.

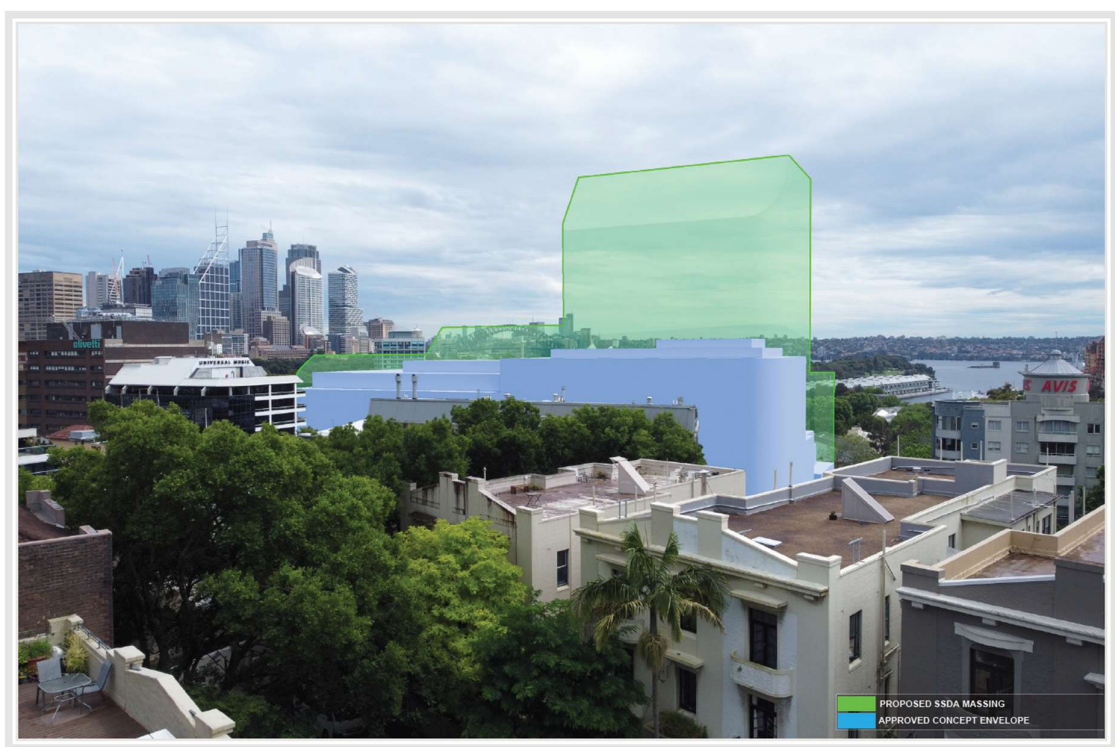
This statement appears to be incorrect as the extracts of the view analysis diagrams included below show the proposed additional height above the approved envelope does block views to the harbour bridge and the opera house (which are considered iconic) at various viewpoints.

I am of the view that this questions of the validity and comprehensiveness of the Clause 4.6 variation documents and am concerned that inadequate information is being provided to enable proper evaluation.



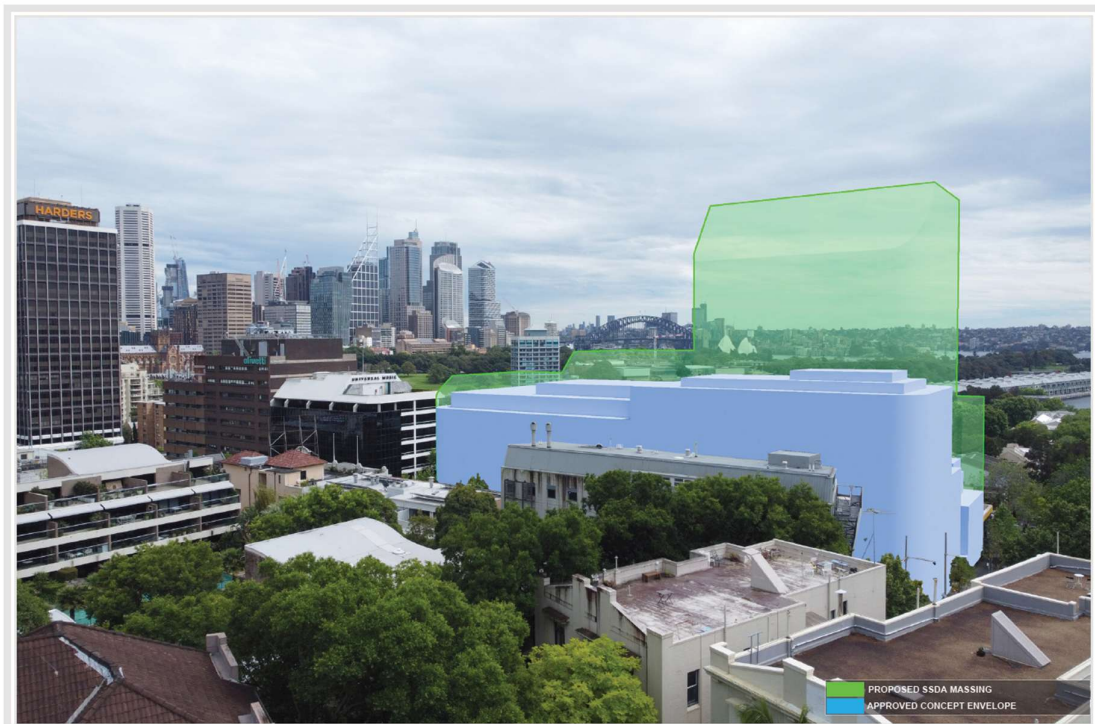
Photomontage of Proposed Alternative Massing by FJC Studio Architects.

Camera 46 w DJI_0847 c.jpg



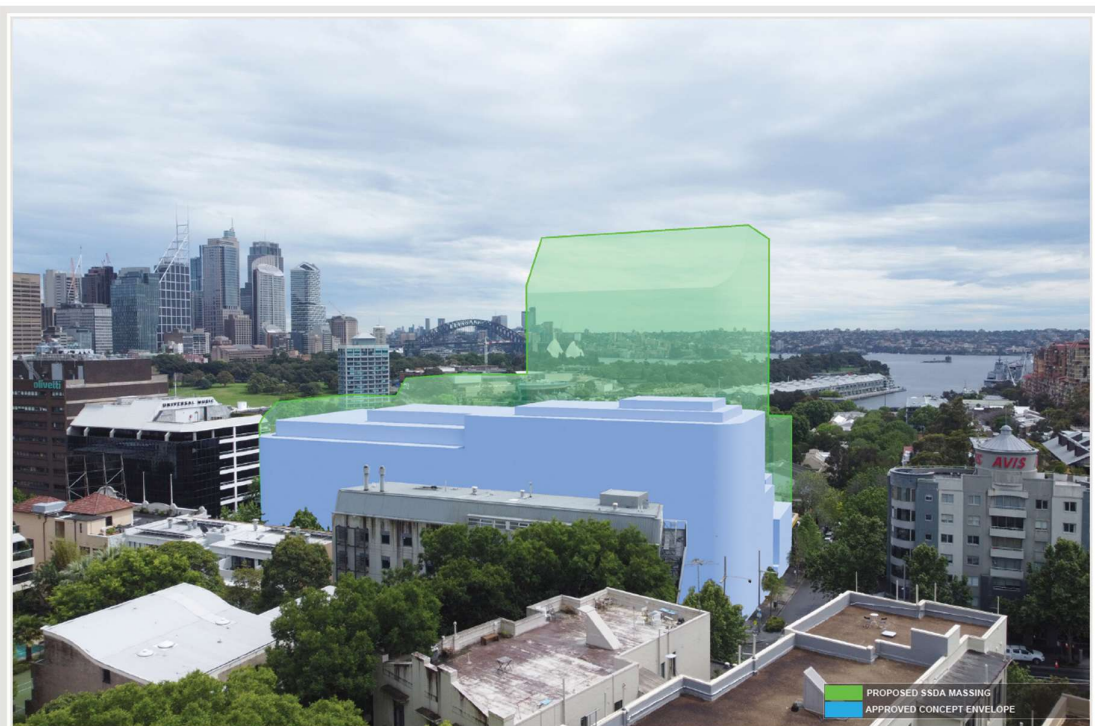
Photomontage of Proposed Alternative Massing by FJC Studio Architects.

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Photomontage of Proposed Alternative Massing by FJC Studio Architects.

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Photomontage of Proposed Alternative Massing by FJC Studio Architects.

Camera 50 w DJI_0892 c.jpg



I am aware that at the Horizon building there are a number of apartments on levels 3 to 8, which will lose harbour views completely, and other apartments which will have their view significantly impacted. Given the views are of Sydney Harbour, Sydney Skyline, Sydney Harbour Bridge and Sydney Opera House they are considered of significant value.

This will significantly and irrevocably adversely impact on the amenity, enjoyment of existing views and the well-being of the owners of the affected apartments. Many of these owners are retired/elderly and this will impact on their quality of life.

Completely taking away someone's view to enable a view to be obtained by another property can hardly be considered "view sharing".

Architectural design

Of fundamental importance is the treatment of the roof of the building as this will be highly visible from the surrounding buildings.

The reference scheme included significant areas of green roof which would have provided a much better outlook for buildings looking over and down on the proposed development.

This latest design includes substantial angled roof elements which will reflect light rather than absorb, and large expanses of paved roof terraces.

The introduction of the gap between buildings is positive, however, it is of minimum 6m width and includes window projections which significantly reduces any potential view through.

I feel the architecture to William Street to be repetitive and monumental, certainly not excellent. The taller building does not acknowledge the general streetscape scale, nor provide an appropriate

transition or relate to the context of the streetscape and surrounding buildings. It is expressed as a further repletion of the typical façade.

The proposed awning is not continuous which will provide poor protection for pedestrians.

Whilst the park is a nice feature element, it will mainly benefit the immediate buildings.

Public Interest

I do not believe this proposal is in the public interest.

The provision of temporary affordable housing, which results in the significant loss of amenity to neighbouring residents and the construction of a building which is significantly out of scale with the immediate and broader context is not in the public interest.

We support the redevelopment of the site as a catalyst for the improvement of William Street, however it is of critical importance that this large site achieve long term design excellence for William Street and the surrounding area without resulting in devastating impacts on neighbouring residents, rather than exploiting a temporary fix to much bigger issues and,

Conclusion

It is clear from the documentation presented that this is one of the sites that is not capable of achieving the maximum 30% increase in height and FSR, having regard to:

- Undesirable impact on the streetscape on the south-east corner;
- Inappropriate scale to adjoining properties on the south-east corner;
- Impact on loss of “iconic views” to neighbouring properties due to height and bulk on the south-east corner;
- Favouring developer interests and profiteering at the expense of local residents.
- It assumes achieving the maximum height is “an as of right” without considering the appropriateness or impact of the proposal;
- The proposed exceeds the 30% allowable and is excessive given its adverse impacts on adjoining properties, which cannot be considered to be justifiable in terms of a Clause 4.6 Variation.

Thank-you for your attention to this matter.