

14th December 2016

To whomever it may concern,

RE: SSD 7603; Nos. 24-28 John Street and Nos. 4, 6, 8, 10, 12, 14, 16, 18, 20, 22, 24, 26 and 28 Board Street, Nos. 3, 5, 7, 11, 13, 15 and 17 Ann Street, Lidcombe 2141 NSW

I object to part of the abovementioned proposal, namely the above-ground multistorey carpark that will be constructed on Board and Ann Street. I have not included any objection to the proposed hotel in this submission. Internet hyperlinks have been included for your convenience.

1. CONCERNS

C 1 Overshadowing and reduced access to amenity - with the construction and operation of the proposed carpark on Board and Ann Street there will be dramatic overshadowing and reduction in solar access affecting my property. My property is already adjacent to the previously approved multistorey development at 36 – 44 John Street (currently under construction as of writing), which already has a significant overshadowing effect on my property. It is only logical to consider the cumulative impact of the proposed carpark (to the west) and the existing multistorey development (to the east) on my property.

The proposed carpark will decrease my solar access from current levels to a much smaller window of time. Currently, with the existing multistorey development on my eastern boundary, on the winter solstice (June 21), my property receives a little under five hours of uninterrupted access to sunlight in private open space between 9 – 3pm in good weather. With this proposed carpark, the loss of solar amenity would be exacerbated and solar access reduced to less than 3 hours. This will be further explained in **Appendix A**.

Overshadowing of my property by the proposed carpark combined with poor weather that causes reduction of sunlight (for example on cloudy and rainy days), will further reduce solar access. This small window of time for sunlight to reach my property may become even smaller if it is even available at all in these conditions. Poor weather that clears in the early afternoon would cause me to lose all or most direct sunlight (that would otherwise be available) on that day if this proposed carpark is approved.

Auburn Council's Development Control Plan 2010 (DCP) requires that the 'principal area of ground level private open space of adjoining properties is not reduced to less than 3 hours between 9am and 3pm on June 21..'. As the DCP will be considered in the review of this development proposal, a discussion of the overshadowing effect of carpark on my property and the DCP criteria has been included. The overshadowing effect has been studied and is detailed in the files named:

1. [2016-11-08 D Architectural Drawings Part6.pdf](#) ; page 2 of 9
2. [2016-11-08 D Architectural Drawings Part8.pdf](#) ; page 3 of 5

3. [2016-11-09 SSD 7603 Environmental Impact Statement DOOLEYS November 2016.pdf](#) ; page 70 of 123

on the NSW Department of Planning and Environment (NSW DPE) website for this project.

On page 2 of 9 in the 1st document and page 3 of 5 in the second document, it is clear that on June 21 my property at 2 Board Street will receive less than three hours of solar access in at least 50% of my private open space (see **Appendix A** for my interpretation of these diagrams). This does not meet the criterion D4.2 set out in the DCP.

Also in the DCP, D4.4 requires 'at least one internal living area and a minimum of 50% of the principal area of ground level private open space' have access to 'a minimum of 3 hours of direct sunlight between the hours of 9am and 3pm on June 21. My house has two living areas; one which has windows which are south facing, behind a veranda and receives no direct sunlight (i.e. cannot meet criterion) and another which has only west-facing windows. It is clear that this living area with west-facing windows would receive less than 1 hour of direct sunlight and not be able to have a minimum of 3 hours access to direct sunlight on June 21 (again explained in **Appendix A**). Thus the proposed carpark would not meet the overshadowing criteria (namely D4.2 and D4.4) of the DCP.

C 2 Residential Interface - the proposed carpark will be built much too close to my western boundary. My property would then be closely flanked on both my western and eastern boundaries by multistorey developments.

C 3 Inaccuracies in documentation - I draw your attention to the file named: [2016-11-09 SSD 7603 Environmental Impact Statement DOOLEYS November 2016.pdf](#)

Page 69 - 70 of 123 of this document covers amenity for the proposed development (section 8.4). In section 8.4.1 Overshadowing, it is stated that the 'multi-deck carpark' will throughout the day 'cast shadow internally within the site primarily over the new internal road' and that 'residential properties to the east, south and west will not be impacted'. As far as I am aware, there is no mention of the shadow cast of **outside the site** by this multilevel carpark i.e. the shadowing effect of the carpark on my property. The shadow diagrams on page 70 show my property being overshadowed from sometime before 1pm until the end of the day.

2. POSSIBLE IMPROVEMENTS

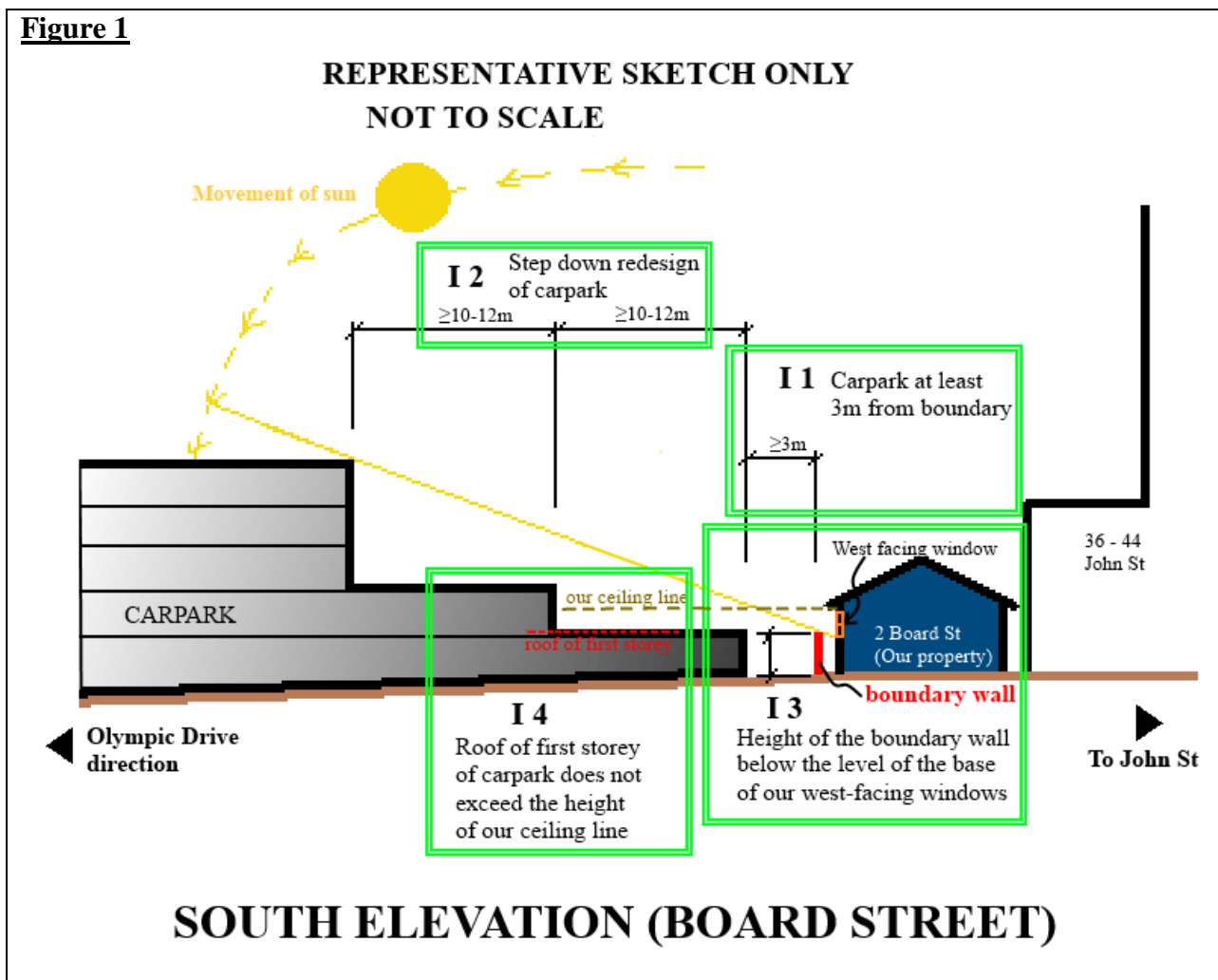
For the improvements mentioned below, please see Figure 1 for a representative view. I feel that all these changes are necessary to reduce overshadowing and to increase my solar access.

- I 1** Instead of building so close to the boundary, setback the proposed multilevel carpark **at least 3 metres** from our common boundary.
- I 2** Instead of the current design with no stepping down, change the design of the carpark such that there is a **step-down**, with the higher storeys being closer to Olympic Drive than those closer to my property. In Figure 1, I have shown a situation where I would increase my solar access. The eastern wall of the first storey could be spaced at least 10 – 12 metres from the eastern wall of the second storey. The eastern wall of the second storey could be spaced at least 10 – 12 metres from the eastern wall of the remainder of the storeys.
- I 3** Instead of the proposed boundary wall being built much higher than my single storey dwelling, build the boundary wall at or below the level of the *base* of the west-facing windows on my property.
- I 4** Ensure that the roof of the first storey of the carpark is no higher than the level of our ceiling of the west-facing rooms on my property.

Implementing these changes will:

- Decrease the effect of the overshadowing of the higher storeys of the carpark on my property as they will be located further away, towards Olympic Drive.
- Increase the amount of access to sunlight in my private open space (particularly front and back yards) as well as west-facing windows than currently proposed. This would give my family more time for residential activities such as laundry and gardening.
- Not thoroughly restrict my view of the sky through my west-facing windows and increase access to sunlight through these windows on June 21 above what is currently proposed.

Figure 1



3. CLOSING REMARKS

My family and I have lived at the property for over two decades. As our property is considered to be in a residential zone and not a mixed development or commercial zone, we would expect to be able to enjoy some quality of life and enjoyment through our use of land.

We are already adjacent to a very tall multistorey development on our eastern boundary. This proposed multistorey carpark would flank us on our western boundary. We do not want to be surrounded by multistorey developments and high walls. It feels like we are being made to choose between being forced out by powerful developers or being blocked in by multistorey developments that would dramatically reduce our solar access and overshadow us.

Dooleys Catholic Club has approached us regarding the sale of our property and there have been discussions with a real estate agent. We get the feeling that they are no longer interested.

Consider how you might feel if you were put in our position. Opening the shutters and blinds to see only a blank wall through your windows is disconcerting, as you can imagine. There is no view of the sky, or clouds, trees, birds or people from the windows. This is what has already happened to us on our eastern boundary with the development of the thirteen storey high-rise. Now with the multistorey carpark being proposed, we fear that this will be the case on our western boundary as well. We will be flanked on both sides by multistorey developments and for most of the daytime, blanketed by shadow.

You only need to look as far as John Street, the street adjacent to Board Street to see this; in the afternoon on a sunny day, areas of the street are covered by shadow due to the multistorey developments. These areas are mostly commercial – businesses that do not really have a need for a lot of sunlight. However, in terms of zoning, our property is still considered residential and not commercial. For years, our family has lived on the property. We still hang our washing up on the Hills Hoist. We still maintain the garden. We still have parties, family gatherings, barbeques and other celebrations in the backyard. It is not as if our house is a warehouse for storing objects; our family lives here, we have windows and gardens. Friends and relatives often visit us. We very much value the sunlight that we still receive.

We hope that you understand our position and that our submission is fairly considered in the review process. We appreciate you taking the time to read our submission.

Kind regards,

Owner of 2 Board St

References

1. Auburn Council (2010) Auburn Council Development Control Plan.

APPENDIX A

Interpretation of shadow diagrams on

[2016-11-08 D_Architectural Drawings Part6.pdf](#) ; page 2 of 9

and

[2016-11-08 D_Architectural Drawings Part8.pdf](#) ; page 3 of 5

The corresponding shadow diagrams on in both abovementioned files are extremely similar and thus I drew the same conclusion from both regarding my access to sunlight.

Note: on these diagrams, the demarcation between 1 Ann St (not my property) and 2 Board St (my property) is not clear.

In diagram 1, showing June 21 at 9am, the currently proposed carpark has no overshadowing impact on my property. At this time, overshadowing is because of 36 – 44 John Street.

In diagram 2, showing June 21 at 10am, the carpark has no overshadowing impact on my property. At 10am, there is direct sunlight on my property but this is not at least 50% of my private open space (i.e. most of the sunlight falls on the roof and not the backyard). As such, for the time between 9 and 10am, there is no time that satisfies the Auburn Council DCP requirement for private open space.

In diagram 3, showing 11am, the carpark has no overshadowing effect on my property; there is direct sunlight over all of my property. At some time between 10am and 11pm, the criterion of 50% of private open space receiving sunlight would have been satisfied. We can consider this as a little under an hour.

In diagram 4, showing 12pm, the carpark has a small overshadowing effect on my property, but continues to satisfy the 50% of private open space criteria. We can count 11am – 12pm as a full hour of meeting the criterion. Total so far = A little under 2 hours.

Looking at diagrams 3 and 4, we can see that as the sun moves towards the west from overhead during 11am – 12pm, my west-facing windows will receive less than an hour of sunlight, as at 12pm they would be overshadowed.

In diagram 5, showing 1pm, there is a significant overshadowing effect on my property. More than half my private open space is shadowed (closer to 66%). Sometime between 12pm and 1pm, the sun would have moved such that the overshadowing effect would not meet the criteria. Thus this would be under an hour of sunlight.

Total sunlight so far = A little under 2 hours + less than 1 hour = LESS THAN 3 HOURS.
There is no way that this would add up to 3 hours or more of sunlight.

Diagram 6 shows 2pm, where the carpark completely overshadows my property. Since diagram 5 showing 1pm did not meet the criterion, we cannot count any time in period 1-2pm as meeting the criterion. Total sunlight so far = less than 3 hours.

Using a similar argument, we can see that diagrams 7 and 8, where there is complete overshadowing, we conclude that the total sunlight = less than 3 hours.