

As a nearby resident (for 25 years), I object to the above s96 modifications.

However, I do not object to changes that would not add to overshadowing or the visual prominence of rooftop extensions.

Public submissions on the Stage 1 development application objected (among other things) to the increase in overshadowing and visual prominence of rooftop extensions.

As I pointed out in my Stage 1 submission to the Department, the proponent did not consult all affected owners as required by the Secretary's Environmental Assessment Requirements (SEARs). The Environmental Impact Statement (EIS) did not acknowledge the existence of Bridgeport and The Astor, the two nearby residential buildings, but instead gave attention to more distant landowners (see page 17 of the Stage 1 EIS). In fact the EIS did not anywhere even mention Bridgeport or The Astor, and it makes no mention of any consultation whatsoever with the local community (see section 6.10 of the Stage 1 EIS).

The Department's State Significant Development Assessment Report also failed to mention the existence of Bridgeport and The Astor. The Department failed to bring my complaint on consultation to the attention of the Secretary, whose delegate therefore decided the Stage 1 application without considering the non-compliance with her requirements. I am concerned that environmental assessment continues to proceed without compliance with the SEARs concerning local community and nearby owners, who have legitimate concerns regarding overshadowing (as described in the SEARs), the prominence of rooftop extensions, and the intensification of use (especially at night).

### **Overshadowing**

The SEARs for Stage 1 state:

#### **3. Amenity**

The EIS shall demonstrate how the proposal will achieve a high level of environmental amenity, in particular overshadowing implications on the public realm from the vertical additions to the Education Building.

It follows that the s96 application must consider the overshadowing implications of the further 1.34m vertical addition to the Education Building. The application document does not do so.

### **The ladder**

The application

Detailed building surveys and subsequent investigations undertaken as part of the detailed design process for the Stage 2 SSDA revealed that the upper most structure is in fact the top of an existing ladder, which reaches a maximum height of RL 60.03.

However, the Stage 1 EIS contains a photograph showing the ladder (see below). Therefore the applicant cannot have been unaware that it was the "upper most structure".

Moreover, the Sydney Local Environmental Plan (SLEP) defines building height as follows:



*building height* (or *height of building*) means the vertical distance between ground level (existing) and the highest point of the building, including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like.

A ladder falls within the phrase “the like”. The SLEP limits the height of the vertical addition to the existing building height. My understanding of SLEP clause 4.6 is that there is no scope for the applicant to ask for an exception to the development standard, and the applicant is not doing so.

### **Visual impact, reflectivity, façade illumination**

The visual analysis supporting the s96 application merely restates the stage 1 visual analysis with amended photos. It does not analyse the impact of the additional 1.34 height of the Education Building. The statement that additional 1.34m is only an increase of 2% in the building height is misleading, because the change in the proportions of existing and new construction is twice this. The vertical extension would be much less subservient to the existing building, and impact its heritage values.

The additional 1.34m extension will also be very significant for residents of Bridgeport, which is directly opposite the Lands Building. Some units in Bridgeport would suffer a lot more from the illumination and reflectivity of the façade.

John Freeman

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