

Strata Plan 56932  
Clisdells Strata Management  
Locked Bag 30  
Rockdale DC, NSW 2215

21 August 2021

Dear sir / madam,

I am writing on behalf of the owners and residents of Strata Plan 56932, located at 158-164 Princes Highway Arncliffe.

Our Strata Plan building lies 60 metres due south of the closest existing building on the nominated development site.

Our location, on the corner of Wickham St and the Princess Highway Arncliffe, is diagonally opposite the Eden Street, Arncliffe Mixed Use Redevelopment.

A feature of the design of our building, which is purely residential, is the curved shape facing the Princes Highway which softens the public face of the building and provides curved balconies and living spaces with urban views to the north. For the western side of the building, the primary solar access is to the north in winter, which enhances the living spaces.

During the development application process for our site major revisions were required to satisfy the planners. Specifically, the height and bulk of the building was restricted to minimise the solar impact on Arncliffe Public School. The design changes altered the nature of the building from a standard development to a landmark development of 8 two bedroom and 26 three bedroom apartments. Internal apartment sizes vary from 140 square meters to 255 square metres.

From the apartments on the western (Princes Highway) side of the building, the internal layout and balconies present a view to the north of the existing social housing screened behind trees. Generally, the public housing is at or below eye level with an uninterrupted view of the sky above the development site.

As a permitted building height on the department of housing site is 70 metres (or roughly 22 stories), we consider that our building will be directly impacted by the proposed development in the following aspects:

- Overshadowing
- Loss of views

It is our view that no consideration of the impact on our site has been made in the planning process to date.

### **Overshadowing**

The Planning Secretary's Environmental Assessment Requirements states (in 7. Environmental amenity) that the applicant's Environmental Impact Statement must:

- demonstrate how the proposal achieves a high level of environmental amenity within the proposal **and on surrounding buildings**, assessing impacts associated with

**view loss**, ventilation, pedestrian movement, access to landscape and outdoor spaces, visual privacy, **lighting** and wind

- **provide a solar access analysis** of the overshadowing impacts of the development within the site, **on surrounding buildings** and public spaces (during summer and winter solstice and spring and autumn equinox) at hourly intervals between 9am and 3pm, when compared to the existing situation and a compliant development”.

On page 2 of the ESD (attachment Q of the EIS) there is a schematic of the proposed development and its situation in relation to the surrounding buildings. The schematic does not include our building, even though it is within 60 meters of the development site. A similar comment applies to the microclimate assessment diagram on page 9 of the document.

In Amended Attachment A of the EIS, shadow diagrams clearly depict overshadowing of the north and north-western faces of our building at various times of the year. We note that the primary purpose of these shadow diagrams is to address the potential overshadowing of St Xavier's Church and Primary School. While this is both admirable and desirable, by narrowly focusing on the church and school the EIS completely overlooks the broad requirement to address the impacts on the other surrounding buildings as to both solar and views.

Additionally, the four rendered drawings of the four aspects of the site only present views of the sight at a 90 degrees angle to each boundary. The view of the site from our building is from the south to the north along the longest diagonal.

With respect to our building, it would appear that, based on the 21 June reading, of the 17 apartments in the northern end and western sides of the building only 3 will not be impacted by the overshadowing. It appears that the most impacted will lose in excess of 2 hours direct sunshine on that date.

We strongly urge that, in order to meet the Planning Secretary's specific EIS request, a similar analysis to that conducted on St Xavier's be conducted on our site. We also strongly urge that an elevation rendition of the proposed development be done from a perspective taken from the middle of the westerly facing side of our building.

As presented, the EIS proposes exceeding the permitted height of 70 meters by 4.6 meters (appendix L). Additionally, it is proposed (evidenced by the schematics supplied) to grow trees on top of the building. Significantly, the proposal to exceed the maximum permitted height applies with respect to the two buildings on the southern end of the site: those most directly impacting on our building. If approved as currently presented, the overall affect would be to generate an effective height of approximately 77.5 meters with an associated increase in overshadowing on 158-164 Princes Highway. Once again, there is no indication of any consideration being given to the solar impact of the increased height on surrounding buildings and specifically 158-164 Princes Highway.

## **Views**

Appendix H, Visual Assessment, of the EIS, in describing the surrounding developments fails to mention the site at 158-164 Princes Highway. This site is 60 meters due south of the proposed development. The proposed development lies in the northern sightline of 19 of the 34 apartments in our building, the majority of which currently enjoy views to the north across the roof tops of the buildings on the proposed development site.

Whilst it is to be expected that the permitted development to 70 meters will cause some considerable loss of views, the alignment of the four buildings on the site has created the

effect of a solid wall blocking all of our owners' views to the north across the development site from the sites south western corner to its north eastern corner.

The below two photos show the outlook from unit no 22 which is located on level 1.

In the first photo, the existing view is of an uninterrupted view of sky.

In the second photo the proposed building form has been blocked out in blue colouring, revealing the almost total loss of views of the sky.



As you can see, when looking to the north the district views will be almost totally obscured by the development in its current proposed form.

Within our building there are at least 8 units that will be similarly affected.

Although there are what appear to be four discrete buildings proposed for the site, the alignment of those buildings creates a virtual unbroken wall across the site when viewed from the south.

We note that proposed building A is presented as a triangular shape to allow sunlight to penetrate the common open spaces in the centre of the site. We suggest that a similar approach be adopted to Building D so as to create a view portal from the south of the site either between buildings A and D or buildings D and C. The gap does not need to be large, just sufficient to break up the impression of a solid wall of buildings when the site is viewed from the south.

We further note that to date there has been no objection to the proposed increase in the Floor Space Ratio (FSR) for the site. The FSR increase has enabled the developer to place more dwellings on the site. This has the effect, given the limitation on building height of increasing the bulk of each of the buildings.

Given the permitted height of the buildings, and as evidenced by the above photos, from all affected units on our site there will be a total loss of views of sky above the proposed buildings. This will adversely impact the lighting in our building. Because of this, we consider it essential that the creation of a 'view portal' be given serious consideration.

We re-emphasise that the lack of acknowledgment of our building in the EIS documents and that this represents a serious failure of the EIS document to address the Planning Secretary's specific requirements on the impact of the proposed development on surrounding buildings.

## **Summary**

The overshadowing of the building at 158-164 Princes Highway Arncliffe, when combined with the complete loss of northerly views over the development site from 158-164 Princes Highway indicate to the Strata Committee of SP 56932 that the EIS has failed to adequately address the Planning Secretary's specific Environmental Assessment Requirements with respect to the amenity of neighbouring buildings.

We consider that the communication and engagement activities for the project have, to date, been inadequate. For a project of this magnitude, to only have 4 hours of direct public consultation (two hours each on two successive days with 14 days notice) is clearly inadequate. Additionally, when the notice of the consultations was provided it referred those who could not attend to visit the Billbergia website. When I visited on 10 May, the sole information regarding the development was notice of the two public consultation sessions. No further information was provided. That only 16 people attended the public consultation does not indicate a lack of interest but rather a lack of forethought with regards to the consultation process. (I, for example, was involved in childcare activities on both scheduled drop-in event times.) This current part of the consultation process has, belatedly, provided the first real opportunity to engage actively with what is being proposed.

While this comment may appear unfair, the public consultation process up to this stage leaves the impression it has been conducted on the basis of another box ticking exercise on a development prior to it being waived through.

The owners of SP 56932 consider that our Strata and its residents will be adversely affected with the development proposal as presented and that, contrary to the requirements of the EIS, consideration of the impact on our building has been ignored and or overlooked.

As such, we respectfully submit that before the development proposal is granted approval, the competent authority request that the EIS be revisited to ensure that the overshadowing of and loss of views in our strata are appropriately considered as required by the Planning Secretary's specific Environmental Assessment Requirements and the issues raised above addressed in an amended EIS.

Robert Hodge  
Chairman SP 56932  
Email: [randrjhodge@bigpond.com](mailto:randrjhodge@bigpond.com)  
Mobile: 0448009113