

Attachment C

Submissions

From: Scott Reid [REDACTED] on behalf of Scott Reid [REDACTED] Scott Reid

Sent on: Sunday, August 3, 2025 3:09:41 AM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - D/2025/675 - 136-140 Elizabeth Street SYDNEY NSW 2000 - Attention Marie Burge

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Hi City of Sydney,

Whilst acknowledging that development will always be occurring in the city, we have just been subjected to months of intrusive noise and vibration (jack hammering by heavy excavators etc) with the demolition of 133 Castlereagh St.

Is it possible to condition any consent for the above development to provide some short periods of respite from the noise during the demolition please.

Regards,
Scott Reid
3002, 148 Elizabeth St Sydney

Important Note

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From: Bassam Aflak [redacted] on behalf of Bassam Aflak [redacted] <Bassam Aflak [redacted]>
Sent on: Monday, August 4, 2025 9:30:44 AM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: Submission - D/2025/675 - 136-140 Elizabeth Street SYDNEY NSW 2000 - Attention Marie Burge
Attachments: 250804 DA Letter of Support - 136-140 Elizabeth St Sydney (signed).pdf (523.31 KB)

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Hi Maria,

Please find attached a submission.

Regards.

Bassam Aflak
Ecove Group



T [redacted] [ecove.com.au](mailto:[redacted]@ecove.com.au)

This email may be confidential and is intended solely for the use of the individual to whom it is addressed. If you are not the intended recipient of this email, you must neither take any action based upon its contents, nor copy or show it to anyone. Kindly reply to the sender if you believe you have received this email in error.

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4 August 2025

To: City of Sydney Planning Department

Dear Sir/Madam,

Proposed Development at 136-140 Elizabeth St Sydney - Letter of Support

We are the neighbouring property owners, Retail Corporation Pty Limited, located at 128 Elizabeth St, 132 Elizabeth St, 153 Liverpool St & 155 Liverpool St Sydney.

We write to express our support for the proposed redevelopment at 136-140 Elizabeth St by The Salvation Army (Salvos) in partnership with Investa.

We believe this project will bring vital social, economic and urban benefits to the local precinct. The planned 17-storey mixed-use building including 251 studio apartments, expanded community spaces and modern amenities responds directly to Sydney's growing need for diverse, affordable accommodation options in the CBD.


The ongoing presence of the Salvos on this site is of immense value to all in the neighbourhood. The Salvation Army has been a pillar in the Sydney community, delivering services that reach the most vulnerable.

The redevelopment is a commitment to future generations. Enhanced facilities will allow the Salvos to expand their mission, ensuring effective assistance remains available for all who need it. The inclusion of modern, affordable apartments and community infrastructure ensures the site continues to serve the broad and evolving needs of our city.

The proposed art locations are well thought out and serves as a welcoming and identifying feature for the local precinct and increases street level interest.

We commend The Salvation Army and Investa for their vision. As neighbours, we support a proposal that celebrates the Salvos ongoing legacy and brings renewed life, safety and opportunity to Elizabeth Street.

Yours faithfully,
Retail Corporation Pty Limited


Bassam Aflak
Director

From: Elie Daher [redacted] on behalf of Elie Daher [redacted] <Elie Daher [redacted]>

Sent on: Tuesday, August 5, 2025 2:17:44 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - D/2025/675 - 136-140 Elizabeth Street SYDNEY NSW 2000 - Attention Marie Burge

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Formal Objection to Proposed Development

Date: 5th August 2025

RE: STRONG OBJECTION to DA – Proposed Overdevelopment at 136–140 Elizabeth Street, Sydney

Dear Council Assessment Team,

I write to express my strongest objection to the development application for the proposed 17-storey co-living development at 136–140 Elizabeth Street, directly adjacent to Hyde Park Towers. This proposal is not only grossly inappropriate for the site but also represents a flagrant disregard for the amenity, privacy, and well-being of long-standing residents in neighbouring buildings.

If approved, this development will cause irreversible harm to Hyde Park Towers. It is a textbook case of overdevelopment—squeezing an intensive, high-density, transient living facility into a site with no meaningful separation from a residential community.

1. Offensive Bulk and Massing

The proposed structure overwhelms the boundary it shares with Hyde Park Towers. The lack of proper setbacks, excessive height, and relentless vertical wall facing our building are an affront to responsible urban design. They demonstrate a blatant disregard for built form transitions, overshadowing, and spatial equity.

2. Gross Invasion of Privacy

The external walkways and communal terraces directly face our homes. No amount of louvres or 'screening' can undo the impact of over 400 strangers with a direct line of sight into private balconies and bedrooms. This unacceptable intrusion into private life sets a dangerous precedent for future development.

3. Unacceptable Noise and Disorder

Co-living, by its nature, brings higher turnover and more noise. Communal areas operating late into the night, including a rooftop terrace open until midnight, guarantee disturbances for adjacent residents. This design fails to protect the fundamental right to quiet enjoyment of one's home.

4. Threat to Health, Safety, and Amenity

The scale of this build, demolition, and excavation on a narrow inner-city plot is a recipe for dust, disruption, structural risks, and a construction nightmare. The developer's lack of commitment to meaningful protection for neighbouring buildings is alarming.

5. Planning Cynicism and Lack of Respect

The developer's engagement with the community has been superficial at best. There has been no direct consultation with Hyde Park Towers despite us being most affected. The proposal relies on minimal compliance and technical loopholes rather than good-faith, community-minded design.

6. Misuse of Co-Living Policy

This is not innovative housing—it is an exploitation of co-living provisions to shoehorn an unsuitably large number of people into a building with minimal oversight. It prioritises profit over community interest and long-term sustainability.

I urge Council to send a clear message: this is not the future Sydney wants. I call on the City of Sydney to protect existing communities from unjustified and harmful development. This application must be refused outright.

Sincerely,

Elie Daher

Resident, Hyde Park Towers

148 Elizabeth Street, Sydney NSW 2000

From: Penny Qi [redacted] on behalf of Penny Qi <[redacted]> <Penny Qi [redacted]>
Sent on: Tuesday, August 12, 2025 11:07:29 AM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: Submission - D/2025/675 - 136-140 Elizabeth Street SYDNEY NSW 2000 - Attention Marie Burge
Attachments: DA_Visual Impact.pdf (63.97 KB)

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Dear City of Sydney Council,

I am the owner of Unit 1201 in Hyde Park Towers and wish to lodge a formal objection to the proposed development at 136–140 Elizabeth Street, Sydney (DA 2547394).

The proposed building will have a severe and permanent impact on my apartment and the amenity of other Hyde Park Towers residents. My concerns are informed by the DA's own Statement of Environmental Effects, architectural drawings, and overshadowing simulations. I have attached a two-page visual impact summary extracted directly from the DA to illustrate these impacts.

1. Excessively Minimal Setback

The proposed building will have only a minimal setback from my secondary balcony. In a high-density CBD setting, such close separation creates an oppressive, enclosed outlook and significantly reduces privacy for both existing residents and future occupants.

This is inconsistent with planning principles that aim to preserve daylight access, privacy, and outlook.

2. Loss of Natural Light

While my unit does not receive direct winter sunlight, it benefits from substantial indirect light reflected from open areas and surrounding buildings. The bulk and height of the proposed development will greatly reduce this, leaving my apartment noticeably darker year-round.

The developer's own simulations show a marked drop in daylight penetration in winter. Loss of indirect light — critical to high-rise amenity — is not adequately addressed in the DA.

3. Visual Impact and Outlook Loss

The proposal will completely remove my north-facing views from the secondary balcony, replacing them with a close-up building façade. These balconies are not ornamental; they are important private open spaces, often used for fresh air, quiet recreation, or working from home.

The DA's view that these are "secondary" spaces and therefore less significant is outdated and inconsistent with contemporary apartment living.

4. Construction Impacts

The scale of the proposed building will require an extended construction period, causing:

- Prolonged noise, dust, and vibration impacts for residents, especially those facing the site.
- Heavy vehicle movements and street closures, adding to traffic congestion and reducing pedestrian safety.
- Reduced air quality during demolition and construction, affecting residents' health and wellbeing.

The DA does not adequately address mitigation measures for these impacts.

Requested Action

I am not opposed to redevelopment in principle. However, I request that Council require the applicant to:

- Increase the setback from Hyde Park Towers
- Reduce building bulk and height to protect daylight access.
- Mitigate privacy and visual amenity impacts for neighbouring residents.
- Provide clear, enforceable measures to minimise noise, dust, traffic, and safety impacts during construction.

I ask that these concerns, together with the attached visual evidence, be considered when assessing the DA to ensure any redevelopment respects the rights and livability of existing residents.

Yours sincerely,

Xiao Qi

Owner – Unit 1201, Hyde Park Towers



Figure 40 View 1 – Existing

Source: Virtual Ideas



Figure 41 View 1 – Proposed

Source: Virtual Ideas



Figure 42 View 2 – Existing

Source: Virtual Ideas



Figure 43 View 2 – Proposed

Source: Virtual Ideas

This would also resemble the view from secondary balconies of North East aspect units.

From: peterluo [REDACTED] on behalf of peterluo [REDACTED] <peterluo [REDACTED]>

Sent on: Tuesday, August 12, 2025 5:56:34 PM

To: dasubmissions@cityofsydney.nsw.gov.au

CC: [REDACTED]

Subject: Submission - D/2025/675 - 136-140 Elizabeth Street SYDNEY NSW 2000 - Attention Marie Burge

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

To the Decision-Makers at the City of Sydney Council,

My name is Pan, and I am an owner at Unit 2601, 148 Elizabeth Street. I am writing to you not as a planning expert, but as a resident whose unit, and whose small piece of Sydney, is being threatened by the development at 136-140 Elizabeth Street (DA D/2025/675).

You are the professionals who can read the plans and see the technical specifications. You know the overshadowing diagrams and the setback calculations better than I ever will. But I know what it will feel like.

It will feel like a concrete wall stealing our sky.

This proposal is so aggressive that our new neighbours will be close enough for us to shake hands with them from our living rooms. Is this the future of Sydney living? Are we meant to live in a city where our windows look directly into another family's home, with no privacy, no breathing room, and no sunlight?

Sydney is supposed to be a world-class city, famous for its quality of life. This development is a blueprint for a world-class slum. It promotes a dark, suffocating, and frankly inhumane style of architecture that belongs in a dystopian novel, not in the heart of our beautiful city. We are people who have invested our lives here, not animals to be packed into a concrete jungle.

I appeal to you on a human level. Look beyond the documents and imagine living in the shadow of this building.

Imagine your sunlight being extinguished and your privacy erased.

This isn't just another project. It's a test of what we value.

Actually my unit will not be heavily affected as the new DA building will be much lower than mine. However as I said above, I want to speak for my lower level neighbours and the future of Sydney living.

Please, I implore you to stand up for the residents of this city and reject this DA. Defend our quality of life and do not approve this monstrous proposal.

Sincerely,

Pan

A Concerned Neighbour

Unit 2601 / 148 Elizabeth St

Sent from my Galaxy

From: Jyoti Dubey [REDACTED] on behalf of Jyoti Dubey [REDACTED] <Jyoti.Dubey@[REDACTED]>

Sent on: Tuesday, August 12, 2025 8:23:25 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - D/2025/675 - 136-140 Elizabeth Street SYDNEY NSW 2000 - Attention Marie Burge

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Dear Assessment Officer,

I am the owner of Unit 1901 at Hyde Park Towers, directly adjoining the proposed development site at 136–140 Elizabeth Street. I wish to lodge my strong objection to this Development Application in its current form, as it will cause significant, irreversible harm to the amenity, value, and liveability of my property.

1. Unacceptable Loss of Direct Sunlight

According to the proponent's own architect's Winter Solstice sunlight modelling (Appendix 2 of resident's summary), Unit 1901 will lose:

50% of direct sunlight to my primary outdoor space (balcony and living area POS)

Substantial loss of indirect light due to reduced setback and overshadowing.

This is non-compliant with the City of Sydney Development Control Plan (DCP) solar access requirements that seek to preserve a minimum of 3 hours of sunlight in at least one living area during mid-winter. The DA materially breaches this objective, harming both my quality of life and the environmental sustainability of my unit by increasing reliance on artificial lighting and heating.

2. Inadequate Setback – Oppressive Visual Impact

The proposed building will be as little as 3 metres from my primary balcony. This fails to provide adequate separation between habitable spaces in neighbouring towers, breaching the Apartment Design Guide (ADG) recommendations for:

12 metres minimum separation between balconies/living spaces of adjacent high-rise buildings (for privacy, outlook, and daylight).

This minimal separation will directly result in:

A severe sense of enclosure and visual dominance when viewed from my balcony and living room.

Loss of privacy, with direct overlooking into my indoor and outdoor living spaces.

Complete loss of my north-facing outlook, which is currently a defining amenity of my unit.

3. Significant Deterioration in Residential Amenity

The existing building has a modest height and setback. The proposed structure will be substantially taller and closer, producing:

Visual bulk and overbearing massing when viewed from my apartment.

Loss of sky views and daylight penetration.

Reduced residential amenity for all north-facing units in my vertical stack (Levels 16–22), but most severely

for mine due to direct facing alignment.

4. Outdated Assumptions in Visual Impact Argument

The developer's visual impact assessment attempts to downplay the effect by claiming my balcony is "off a bedroom" and therefore secondary. This is factually incorrect in the context of modern apartment living:

My balcony is regularly used for work, relaxation, and social gatherings.

In many apartments (including mine), secondary balconies off bedrooms serve as a critical source of daylight, ventilation, and outdoor amenity.

Reducing these spaces to "non-primary" status ignores the City's own planning goal to maximise private open space usability for health and wellbeing.

5. Planning Principle Conflicts

The DA's reduced setback, overshadowing and visual intrusion:

Breach SEPP 65 design quality principles (Daylight Access, Visual Privacy, Solar Amenity, and Bulk & Scale).

Fail to meet Apartment Design Guide separation standards.

Are inconsistent with City of Sydney DCP objectives to protect existing amenity and ensure equitable development outcomes between neighbours.

Requested Outcome

Given the severity of the amenity loss to my property and other Hyde Park Towers units, I request that Council refuse this DA in its current form.

If the proposal is to be reconsidered, it must be redesigned to:

Increase building setback to meet the 12m separation guideline from all Hyde Park Towers balconies.

Reduce bulk and height adjacent to residential windows to minimise overshadowing.

Retain north-facing daylight access in compliance with DCP solar access provisions.

Conclusion

This proposal represents an unacceptable overdevelopment of the site, with excessive bulk, height, and proximity that will permanently reduce the amenity, sunlight, privacy, and property value of my home.

I strongly urge Council to protect existing residents' rights to light, air, and outlook by rejecting this DA in its current form.

I highly appreciate your help and understanding.

Kind Regards,

Mukesh Dubey

Owner – Unit 1901

Hyde Park Towers, 148 Elizabeth Street Sydney NSW 2000

From: Mukesh [REDACTED] on behalf of Mukesh [REDACTED] <Mukesh [REDACTED]>

Sent on: Tuesday, August 12, 2025 8:24:49 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - D/2025/675 - 136-140 Elizabeth Street SYDNEY NSW 2000 - Attention Marie Burge

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Dear Assessment Officer,

I am the owner of Unit 1901 at Hyde Park Towers, directly adjoining the proposed development site at 136–140 Elizabeth Street. I wish to lodge my strong objection to this Development Application in its current form, as it will cause significant, irreversible harm to the amenity, value, and liveability of my property.

1. Unacceptable Loss of Direct Sunlight

According to the proponent's own architect's Winter Solstice sunlight modelling (Appendix 2 of resident's summary), Unit 1901 will lose:

- 50% of direct sunlight to my primary outdoor space (balcony and living area POS)
- Substantial loss of indirect light due to reduced setback and overshadowing.

This is non-compliant with the City of Sydney Development Control Plan (DCP) solar access requirements that seek to preserve a minimum of 3 hours of sunlight in at least one living area during mid-winter. The DA materially breaches this objective, harming both my quality of life and the environmental sustainability of my unit by increasing reliance on artificial lighting and heating.

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- 12 metres minimum separation between balconies/living spaces of adjacent high-rise buildings (for privacy, outlook, and daylight).

This minimal separation will directly result in:

- A severe sense of enclosure and visual dominance when viewed from my balcony and living room.
- Loss of privacy, with direct overlooking into my indoor and outdoor living spaces.
- Complete loss of my north-facing outlook, which is currently a defining amenity of my unit.

3. Significant Deterioration in Residential Amenity

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- Visual bulk and overbearing massing when viewed from my apartment.
- Loss of sky views and daylight penetration.
- Reduced residential amenity for all north-facing units in my vertical stack (Levels 16–22), but most

severely for mine due to direct facing alignment.

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The developer's visual impact assessment attempts to downplay the effect by claiming my balcony is "off a bedroom" and therefore secondary. This is factually incorrect in the context of modern apartment living:

- My balcony is regularly used for work, relaxation, and social gatherings.
- In many apartments (including mine), secondary balconies off bedrooms serve as a critical source of daylight, ventilation, and outdoor amenity.

Reducing these spaces to "non-primary" status ignores the City's own planning goal to maximise private open space usability for health and wellbeing.

5. Planning Principle Conflicts

The DA's reduced setback, overshadowing and visual intrusion:

- Breach SEPP 65 design quality principles (Daylight Access, Visual Privacy, Solar Amenity, and Bulk & Scale).
- Fail to meet Apartment Design Guide separation standards.
- Are inconsistent with City of Sydney DCP objectives to protect existing amenity and ensure equitable development outcomes between neighbours.

Requested Outcome

Given the severity of the amenity loss to my property and other Hyde Park Towers units, I request that Council refuse this DA in its current form.

If the proposal is to be reconsidered, it must be redesigned to:

1. Increase building setback to meet the 12m separation guideline from all Hyde Park Towers balconies.
2. Reduce bulk and height adjacent to residential windows to minimise overshadowing.
3. Retain north-facing daylight access in compliance with DCP solar access provisions.

Conclusion

This proposal represents an unacceptable overdevelopment of the site, with excessive bulk, height, and proximity that will permanently reduce the amenity, sunlight, privacy, and property value of my home. I strongly urge Council to protect existing residents' rights to light, air, and outlook by rejecting this DA in its current form.

I highly appreciate your help and understanding.

Kind Regards,
Mukesh Dubey

Owner – Unit 1901
Hyde Park Towers, 148 Elizabeth Street Sydney NSW 2000

From: [REDACTED] on behalf of [REDACTED]
Sent on: Thursday, August 21, 2025 8:12:14 PM
To: City of Sydney <council@cityofsydney.nsw.gov.au>
Subject: D/2025/675, 136-140 Elizabeth Street, Sydney NSW 2000

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Dear Ms. Burge,

I would like to raise concerns and object to the following development application D/2025/675, 136-140 Elizabeth Street, Sydney NSW 2000. I would like to submit the below. Please do not make public my email address or apartment number.

Thank you for considering what I have raised below and look forward to the outcome in due course.

Dear City of Sydney Council,

RE: Development Application D/2025/675

Site: 136-140 Elizabeth Street, Sydney NSW 2000

I am an owner of an apartment in the adjoining site at 148 Elizabeth Street, Sydney NSW 2000. I thank the City of Sydney Council for the opportunity to respond to the proposed development.

From review of the documents made available, my apartment will be detrimentally impacted if the development was to proceed. Accordingly, I object to this development based on my concerns as detailed below.

I refer to the lodged document **Overshadowing Study (Appendix F)**. Using the terminology from this report, my apartment would be described as a 'North-East Facing Apartment'. Based on the results contained in this report, should the proposed development proceed, my apartment will suffer a 50% reduction in direct sunlight and a reduction in indirect natural light from the proposed new building. As the proposed development will directly face the main outlook of my apartment, such reduction in sunlight will therefore adversely affect both balconies (and therefore both bedrooms), living area and kitchen areas of the apartment. As Council would be aware the impacted residential apartments of 148 Elizabeth Street obtain a considerable amount of their natural light (both direct / indirect) via it entering through open areas and reflections from existing neighbouring surfaces.

With reference to **Visual Impact Renders and Methodology Report (Annexure GG)** it is evident that adverse visual impacts will occur to a significant number of residential apartments at 148 Elizabeth Street (including my apartment). These visual impacts will occur to both balconies of these apartments. For my apartment, based on the proposed visual impacts provided in the above report, the following views will be totally lost:

1. Loss of view of iconic Hyde Park (Sydney's oldest park).
2. Loss of view of the iconic site being St Mary's Cathedral.
3. Loss of view of the iconic site being the Hyde Park ANZAC Memorial.
4. Loss of distant iconic water views of Sydney Harbour.

It is noted that the above views will be lost totally from the apartment, in which they are currently seen from the main balcony and the kitchen window. From the second bedroom and secondary balcony existing views of 1, 2, and 3 will be lost (view 4 is not currently visible from these locations). There is no ability for any 'view sharing'.

In assessing the view impact of the proposed development, I respectfully submit that Council considers the principles established in *Tenacity Consulting v Warringah* [2004] NSWLEC 140. In applying the four-step test in this decision, my assessment is as follows:

Step 1 (Assessment of View) – as outlined above the removal of significant / iconic sites such as Hyde Park, St. Mary's Cathedral, ANZAC Memorial, and Sydney Harbour. Should Council attend multiple North-East facing apartments at 148 Elizabeth Street, such views can be substantiated.

Step 2 (Reasonableness to keep views) – 148 Elizabeth Street (i.e. Hyde Park Towers residential apartments) was approved by Council over ~25 years ago. At the time of approval, apartments (which are now impacted by the proposed development) were built to face north with both balconies facing north and the majority of windows. At

that point in time, the current existing site for the proposed development (136-140 Elizabeth Street) would have been in existence. It is reasonable to determine that Council would have considered this adjoining property when approving the residential development of 148 Elizabeth Street. It is unsound to conclude that their approval would have considered (and found it reasonable) that a future development of the current site, which if proceeds will result in residential apartments facing an adjoining building which at some points will only be setback by 3 metres.

Step 3 (Extent of impact) – as confirmed in the above referenced report, the current established views will be lost forever. This would amount to a devastating loss.

Step 4 (Reasonableness of proposal) – this would require assessment of Council if the development complies with all planning controls. However as raised throughout there are concerns with possible loss of sunlight, view impacts and overall building height.

Upon review of the **Building Code of Australia report (Appendix EE)** it is confirmed that the building height of the proposed development will be 56.35m, and per the application will cost ~\$105,068,700.00. It is not clear from the lodged application why or if a competitive design process has been undertaken. My interpretation of the *Sydney Local Environment Plan 2012*, is that pursuant to cl.6.21D, development consent must not be granted unless a competitive design process has been held regarding the proposed development, if (notably):

- The development will have a height greater than 55m on land in Central Sydney;
- The development having an estimated development cost of more than \$100,000,000.

As outlined above, it is submitted that the proposed development will have significant adverse impacts on adjoining buildings therefore it would not be unreasonable or unnecessary to require a competitive design process to be undertaken (if not already completed).

Thank you again for allowing me the opportunity to raise my objections based on my above concerns.

I look forward to hearing the outcome of the development proposal assessment in due course.

Yours sincerely

■■■■■■■■■■

Owner of apartment 1■■■■5/148 Elizabeth Street, Sydney NSW 2000

From: Philip Archer and Nicolas Mulder [REDACTED] on behalf of Philip Archer and Nicolas Mulde [REDACTED]
Sent on: Sunday, August 24, 2025 1:19:47 PM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: Submission - D/2025/675 - 136-140 Elizabeth Street SYDNEY NSW 2000 - Attention Marie Burge
Attachments: 2025-08-24 Letter to Council.pdf (105.82 KB)

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Dear Ms Burge

Please see **attached** submission.

Regards

Nicolas Mulder
[REDACTED]

24 August 2025

Marie Burge
Senior Planner
City of Sydney
Town Hall House
Sydney NSW 2000

Dear Ms Burge,

Submission - D/2025/675 - 136-140 Elizabeth Street SYDNEY NSW 2000

I am writing to comment on the above application, which is currently on exhibition. I am an owner-occupier in the neighbouring building 'Aspire' at 11 Alberta Street, Sydney NSW 2000. I was not consulted by Ethos Urban, which prepared the Consultation Outcomes Report accompanying the development application.

While I am not opposed to development in the area, nor even the (increased) size and external design of the proposed development, I have grave concerns regarding the development as 'co-living housing' or (as referred to in the relevant statutory instruments) a boarding house. The area surrounded by Liverpool Street, Wentworth Avenue, Goulburn Street and Elizabeth Street is a quiet residential neighbourhood (even though it is technically in the 2000 postcode) and the development of a boarding house in the area will have a detrimental impact on neighbouring residents.

My primary concern is excessive noise. Communal spaces in boarding houses become akin to bars or clubs, featuring both music and loud voices (particularly when people are intoxicated). It is presumably for that reason that s 4.4.1.7(1)(d) of the Sydney Development Control Plan 2012 requires, "*For boarding houses located within residential areas or where adjoining sites contain residential activities this use of open space should be restricted to before 10pm*". This provision is applicable to this development, as the immediately adjoining building at 148 Elizabeth Street is a residential apartment building. However, the Plan of Management accompanying the development application allows some open communal spaces to operate until *10:30 pm on weeknights* and all open communal spaces to operate until *midnight* on weekends. In that regard, the proposed development does not comply with the Sydney DCP 2012.

However, my concern about noise extends beyond the noise emanating from the open communal spaces. There will also be increased noise from the street as a result of the increased pedestrian traffic (particularly as residents return home late at night). Worse, I fear that, after the communal spaces in the building close at night, gatherings will relocate to the street or the 'pocket park' located just across Nithsdale Street (which is to be redeveloped as part of the approved development at 169-183 Liverpool Street). I used to live near a number of boarding houses, and my sleep was disrupted by the noise of parties; intoxicated residents returning home late at night; and people gathering in the park next door to my apartment, having climbed the fence after the park had closed.

I also observed binge drinking, public intoxication, smoking, drug use (particularly marijuana, which has an offensive smell), urinating, vomiting, littering (including broken bottles and cigarette butts) and damage to property. There was, in short, a general loss of neighbourhood amenity caused by presence of the boarding houses.

The Plan of Management accompanying this development application fails “to ensure that [the boarding house] operates with minimal impact on adjoining owners” or “include details of ... measures to minimise unreasonable impact to the habitable areas of adjoining properties, including the management of communal open spaces”, as required by s 4.4.1.7(1) of the Sydney DCP 2012. For example, in addition to the hours of operation described above, the ‘general etiquette’ rules in s 4.1 concern the impacts on “another occupier, the building owner, the building manager or any other person in the building” but not neighbours and local residents; the ‘drug and alcohol’ rules in s 4.6 do not apply outside of the building; and the ‘smoking and vaping’ rules in s 4.5 will, in fact, push this behaviour out onto the street and into the ‘pocket park’.

The Noise and Vibration Impact Assessment Report is also deficient. While it focusses primarily on noise intrusion, rather than noise emission, it gives cursory mention to noise emission at section 6. Its conclusions regarding ‘patron noise’ (at section 6.1.3) are based on unjustified assumptions; namely, that “[u]se of the indoor and outdoor communal spaces is anticipated to be for ‘low intensity’ activities, with small numbers of residents gathering informally” and “large events or use of amplified music in these spaces will be minimal”. The Plan of Management contains no limit on the number of guests each resident may invite, nor any prohibition on amplified music, which might make good these assumptions.

The Noise and Vibration Impact Assessment Report also specifies (at table 5-1) a lower glazing performance for indoor communal spaces than any other room type, demonstrating its lack of concern for noise emissions.

For those reasons, I submit that the development application should be rejected and the development should be reimagined as a traditional strata apartment building or build-to-rent.

Alternatively, if approved, the development must be subject to conditions of consent:

1. restricting the hours of operation of the open communal spaces to no later than 10:00 pm every day (in line with s 4.4.1.7(1)(d) of the Sydney DCP 2012) and, preferably, 9:00 pm on weeknights;
2. mandating a minimum glazing performance of Rw 37 for the windows of the indoor communal spaces (being the same glazing performance as is specified for the West-facing co-living rooms on levels 2-7), or, alternatively, requesting an acoustic report addressing noise emissions, including details of any acoustic control measures that will be incorporated into the proposal, pursuant to s 4.4.1.6(3) of the Sydney DCP 2012;
3. mandating a minimum lease term of 12 months (which would not pose an issue for people who work or study in the city, who Ethos Urban suggest are the target demographic, but which would reduce negative behaviours associated with short-term occupants with limited ties to, a lack of accountability to, and a lack of respect for the local community); and
4. deferring commencement of the consent until a satisfactory Plan of Management is submitted, which plan ensures that the boarding house operates with minimal impact on adjoining owners, including by:
 - a. limiting the number of guests each resident may invite;
 - b. prohibiting amplified music in open communal spaces at any time; and
 - c. expressly regulating behaviour towards neighbours and local residents, and behaviour outside of the building.

In addition:

5. the roads and footpaths in the area surrounded by Liverpool Street, Wentworth Avenue, Goulburn Street and Elizabeth Street will need to be alcohol-free zones and the ‘pocket park’ will need to be an alcohol-prohibited area; and
6. smoking will need to be prohibited in the ‘pocket park’.

These six measures would alleviate most of the adverse impact of the proposed development on neighbouring residents.

Please do not hesitate to contact me if you wish to discuss any of the above matters.

Yours sincerely,

Nicolas Mulder

From: Kim Yu [REDACTED] on behalf of Kim Yu [REDACTED] <Kim Yu [REDACTED]>
Sent on: Tuesday, August 26, 2025 9:57:10 PM
To: City of Sydney <council@cityofsydney.nsw.gov.au>
Subject: Feedback for DA of 136-140 Elizabeth Street Sydney NSW 2000
Attachments: DA Feedback Elizabeth St.docx (20.02 KB)

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

D/2025/675

Address

136-140 Elizabeth Street SYDNEY NSW 2000

Applicant

INVESTA 140E DEVCO PTY LTD

Description

Demolition of existing building, excavation and construction of a 17-storey mixed use building comprising 2 storeys of community floor space and 15 storeys of co-living residential uses (251 rooms).

City of Sydney contact

Marie Burge

Dear Ms Burge

The attached Feedback is for your attention please and kindly note that we do not wish to have our address and mobile number disclosed to the public.

Regards

Kim and Peggy Yu

D/2025/675

Address

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Demolition of existing building, excavation and construction of a 17-storey mixed use building comprising 2 storeys of community floor space and 15 storeys of co-living residential uses (251 rooms).

City of Sydney contact

Marie Burge

To: City of Sydney Planning Team

Subject: Development Application D/2025/675 – 136-140 Elizabeth Street, Sydney

Dear Planning Team,

We are writing to formally object to the Development Application (DA) submitted by Investa in partnership with The Salvation Army (TSA) for a co-living development at 136-140 Elizabeth Street, Sydney. While the initiative seeks to promote housing diversity, it raises serious concerns regarding planning compliance, amenity impacts, public safety, and broader reputational risks for the city.

1. Privacy and Solar Access

- The proposed minimal setbacks from north-facing units—as little as 3 metres to balconies—compromise the privacy of existing Hyde Park Towers (HPT) residents.
- The development will reduce direct sunlight and solar access for north-facing residents, contrary to the principles of equitable amenity outlined in the Sydney DCP 2012.

2. View Loss and Setback Non-Compliance

- The loss of northern and eastern views is substantial, particularly due to the reduced setback on Nithsdale Street (5.2m proposed vs. 6m required).
- The proposal fails to comply with setback requirements on Clarke Street (2m vs. 8m) and Nithsdale Street, despite clear DCP guidance.

Setback and Height Compliance Summary (Table 10 of SEE, p52)

Frontage	Permissible Height	Proposed Height	Compliant?	Min. Setback	Proposed Setback	Compliant?
Elizabeth Street	20–35m	30.3m	✓	8m	8m	✓
Clarke Street	20–35m	47m	X	8m	2m	X
Nithsdale Street	20–35m	21m	✓	6m*	5.2m	X

3. Noise and Amenity

- Communal living areas operating until midnight on Fridays and Saturdays are disruptive, particularly for HPT shift workers and weekend professionals.
- The proposal does not address noise impacts on public holidays, which should be considered in the Plan of Management.

4. Impact on Resale Value

- The Environmental Statement (p78) asserts no adverse impact on surrounding developments. However, the inclusion of “vulnerable” residents—defined as individuals facing social disadvantage, illness, or homelessness—contradicts earlier assurances at a consultation meeting for HPT owners that the building would be leased exclusively to professionals and students.
- This shift may influence buyer confidence and perceived property values in adjacent buildings.

5. Safety and Social Cohesion

- Mixing students, professionals, and vulnerable individuals in a co-living model raises concerns about conflict, exclusion, and safety.
- The Plan of Management (p13, section 5.8) anticipates incidents, requiring a complaints and incidents register accessible to Sydney City Council, NSW Police, and other authorities—suggesting a risk of disruption.
- The Singapore co-living model excludes homeless individuals, underscoring the need for clearer resident criteria and safeguards.

6. Reputational Risk to Sydney

- Establishing a high-density, socially complex development directly adjacent to Hyde Park—a cherished public space frequented by families, tourists, and locals—and the Downing Centre Court, places the city under an intensified public spotlight. This

location not only amplifies visibility but also increases the likelihood of reputational scrutiny. In such a prominent and symbolic setting, any misstep could undermine public trust and detract from the city’s image. Strategic foresight is essential to ensure that development enhances, rather than compromises, the integrity of these civic landmarks. A more prudent approach would be to pilot this model outside the CBD with larger, more dignified accommodation for vulnerable residents, rather than units of under 14sqm.

7. Accountability and Transparency

- There is a concerning lack of clarity around how incoming residents will be informed about the composition of the vulnerable population within the development. Full transparency is critical to fostering community cohesion and preventing future conflict or misunderstanding.
- Although the proposal highlights the inclusion of “multi-purpose community floor space to accommodate the evolving needs of TSA”(p78 of SEE), the DA lacks critical detail regarding the maximum number of vulnerable individuals to be housed, as well as a robust contingency plan should the co-living model fail. There is no clarity around which entity—Investa, TSA, or a relevant government authority—would bear responsibility in the event of such a failure, nor are there any defined mechanisms to manage the potential consequences. This absence of clear accountability and risk management protocols raises significant concerns about the long-term governance, sustainability, and resilience of the development.

Conclusion

This proposal, while well-intentioned, presents serious planning, social, and reputational challenges. We urge Council to request Investa and TSA to revise the application to better align with DCP controls, community expectations, and urban integrity.

Yours sincerely,
Kim and Peggy Yu

[Redacted] Please withhold this information)

Mobile [Redacted] lease withhold this information)

26 August 2025

From: Alan Shen [redacted] on behalf of Alan Shen [redacted] <Alan Shen [redacted]>

Sent on: Wednesday, August 27, 2025 9:49:00 PM

To: dasubmissions@cityofsydney.nsw.gov.au

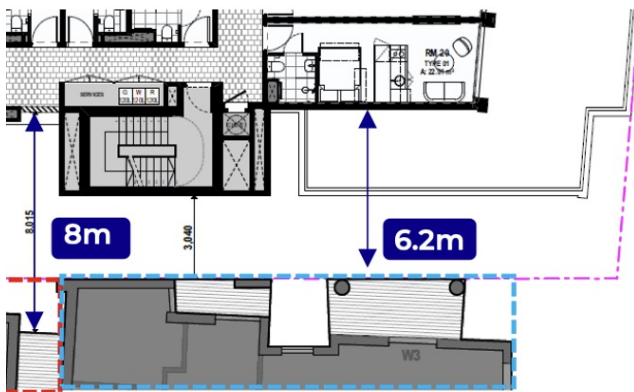
Subject: Submission - D/2025/675 - 136-140 Elizabeth Street SYDNEY NSW 2000 - Attention Marie Burge

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Dear Marie and Development Application Review team,

As a resident and current owner of unit #1306 in Hyde Park Towers (148 Elizabeth St), I strongly object to the current development application. As you may already be aware, the development has extremely limited setbacks to key amenities in my unit, particularly against my north-facing balconies and windows. This issue is not limited to my unit but affects many other units with north-facing balconies in the low to middle-rise buildings - many of whom have also written to you after my personal efforts to make affected residents more aware of the key impacts.

For further reference this is the proposed development against the north side of the unit coming straight from the DA documents (Statement of environmental effects)



Evidently, as north-facing balconies, these are primary sources of natural light (both direct and indirect), views, and ventilation for the unit. By permitting the development in its current form, the functionality of both balconies is significantly diminished due to these impacts.

While I recognise that the direct sunlight impacts during winter solstice falls within the council's guidelines, having the new building set back 3 metres will severely impact the amount of natural light coming from the north in the unit. Whilst the amount of direct sunlight is limited during winter solstice, much of the natural light also comes indirectly from the openness of the area.

I note that in the statement of environmental impact, the 3m setback on one of my balconies is justified using the concept of Tenacity where "views from bedrooms are considered less significant than views from living rooms". The justification for this design heavily relies on an invalid assumption that bedrooms are solely used for overnight sleeping. Personally, I use the affected bedroom as my home office, and natural light, ventilation, and views are crucial for its comfort.

As an initial suggestion, the existing structure on the development site seems to have been shaped around the balconies and other facilities within Hyde Park Towers especially on the lower floors, can the new development simply follow the same footprint? Why does the new development have to render our balconies virtually useless just for the purpose of building a large structure on such a small non heritage site?

To wrap up I'm generally supportive of more affordable rental housing in the inner city, but this particular development doesn't adequately consider the impact on existing properties. I believe this site is too small for such a large development. There should be available sites elsewhere that could support projects of this scale.

If you think that would be helpful, I'd be more than happy to help you gather interested residents for an in-person meeting or consultation. You can also call me on [REDACTED] to chat further.

Regards,
Alan Shen
Owner Unit 1306