

To Whom It May Concern,

NSW Planning and Infrastructure

We are writing to register our objection to the proposed hotel and seek that it comply with building height restrictions of the surrounding area, that community feedback is incorporated into the redevelopment proposal (so that it genuinely meets the principles of community consultation and not just a public relations process) and that the proposal meets the guiding principles stated by Lend Lease and NSW Government representatives at the community forum of "Darling Harbour being a great place....."

We live [redacted] Privacy [redacted] will be significantly impacted by the loss of view and more importantly privacy and sun by the massive building that is proposed to be constructed [redacted] Privacy [redacted]

The primary issue raised during community consultation was the location and height of the proposed hotel. A number of alternative locations within the precinct were proposed by the community at the forums that would have less impact and still be within the Convention & Exhibition Centre. All suggested locations and alternatives were rejected by the Lend Lease representative. It became clear that money is in reality the only factor driving the location of the proposed hotel and there was no intention of keeping the hotel height within that of surrounding buildings or moving the location further south, away from the foreshore area.

We object to the current hotel proposal because of its location and resulting impact on the foreshore area, safety, impact on local residential area, historical impact and height limits. These are further explained below.

#### **Impact on foreshore area**

Currently the foreshore area is heavily used by locals and tourists as a place to sit, socialise, read, have ice-creams, etc. The proposed hotel will heavily encroach on and overshadow this area and significantly impact people's use and enjoyment of the area.

#### **Safety**

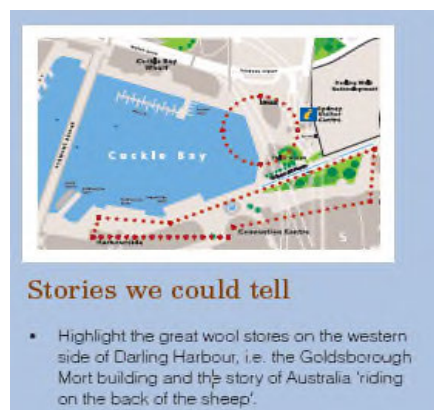
The foreshore area directly in front of the proposed hotel is already at full capacity during peak times and special events. It cannot accommodate up to 3000 extra people. The hotel would make this area around the water's edge unsafe, particularly given the number of children that frequent the area. Placing the hotel further south would disperse crowds along the entire Darling Harbour precinct and reduce the number of people in the already heavily congested area around the water's edge.

#### **Impact on local residential area**

The area immediately behind the proposed hotel is Pyrmont village residential area. Currently Pyrmont Bridge Road (between Murray street and the Anzac Bridge turnoff) resembles a car park during peak periods – including weekends. Frequently traffic jams in this area completely block Harris St preventing residents from being able to travel to/from the northern part of Pyrmont. Placing the hotel in this location would exacerbate the existing congestion problem and increase traffic into local residential streets thereby negatively impacting those residents. This northern end of Darling Harbour feeds into a residential area therefore placing the hotel in this area will significantly impact this residential area.

## Impact on area's historical significance

The only remaining buildings representative of Darling Harbour's history that can be still be seen are the historical woolstore buildings (135 Pyrmont Road and Goldsbrough). These are located directly behind the proposed hotel and would become totally obscured by the hotel. A central function of the Sydney Harbour Foreshore Authority (SHFA) as stated in their website, is the care, management and interpretation of the significant natural and cultural heritage resources that exist within its jurisdiction, including buildings. Below is a direct reference to the wool store buildings on the SHFA website.

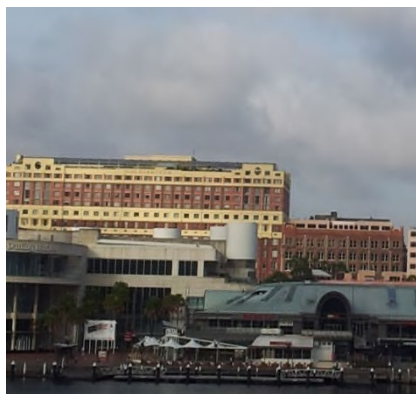


Additionally, the Darling Harbour website also states the Goldsbrough building offers “a charm reminiscent of Sydney's colourful past. Originally built in 1883, the Oaks Goldsbrough Apartments maintain and incorporate unique historical features”. It also makes reference to the “magnificent neo-classical facade”.

Clearly the wool stores are key historical buildings. Under the SHFA remit, they have a responsibility to ensure that the only remaining buildings of historical significance to Darling Harbour remain visible they don't

allow it to turn from this

into this



## Height limits

The proposed height of the hotel development is totally out of character with all building heights in Darling Harbour and surrounding areas.

Surrounding permissible building heights adjacent to Darling Harbour in Pyrmont is 65 Metres (which encompasses the Star City redevelopment) and in the surrounding CBD area these range from 45 metres to 80 metres. The proposed hotel tower is 150 metres in height, located within just metres from the water's edge and on the doorstep of the Pyrmont village suburb. It is drastically higher than any permissible height limits for the surrounding area including CBD buildings.

The most recent redevelopment within the Darling Harbour precinct is the 'Darling Walk' or 'Darling Quarter' development. This is located on the south eastern side of the Darling Harbour precinct (**away from the direct foreshore area**) and was completed by Lend Lease under the planning guidance of SHFA just 2 to 3 years ago.

An Environmental Assessment Design Statement completed by FJMT prior to the redevelopment outlines the redevelopment principles, objectives and concepts of the project. From this document it is noted that the concept requirements as outlined by the SHFA are:

- *of stepped campus style commercial buildings,*
- *consistent with the existing successful models of Cockle Bay and King Street Wharf,*
- *comprise of ground floor and eight (8) storeys,*
- *highest point of the architectural vaulted roof form, which occurs half way between Darling harbour Street and Tumbalong Park sides, is 4608m AHD,*
- *south eastern corner to for levels above L5 is setback to allow midwinter morning sun to penetrate the Chinese garden*
- *recommended building separations for apartments are set out in the Residential Flat Design Code (SEPP 65) in order to minimise impact from overshadowing and increase acoustic and visual privacy*
- *loss of view to residents because of the Darling Walk redevelopment will not be significantly greater than set out in the Concept Plan. The building is lower on the Tumbalong Park side. This gives a greater visual connection between the CBD and the park which includes views onto and of the park from the higher surrounding buildings*
- *the CBD skyline is visible above the development to the east, thus the important visual connection between Darling Walk precinct and the CBD is maintained*
- *proposed buildings facing Harbour Street are significantly lower than the existing buildings to the east, which enhances the CBD's connection with parkland beyond such that the proposal's impact on views from surrounding buildings is minimised*

Further, we highlight the Preliminary Environmental Assessment Report (completed by MG Planning Pty Limited in March 2011) submitted to Department of Planning on behalf of the SHFA for the redevelopment of Sydney Multifunction Convention and Entertainment Centre. This precinct is entirely encompassed within the current redevelopment proposal of Lend Lease which currently includes the proposed hotel. The report notes that the key issues in relation to the redevelopment as:

- *Built Form*
- *The key issues associated with the built form for the site will be:*
- *Building footprints and location;*
- *Height;*
- *Floor space;*
- *Functionality;*
- *Visual impacts and opportunities to improve important views to and from the site;*
- *Relationship and shadows to the public domain; and*
- *How the built form relates to surrounding buildings.*

Whilst the direct concept as proposed in this report was obviously overlooked for the concept proposed by Lend Lease, it should not waiver the fact that the issues raised are extremely important to local residents and users of the site and should not be forsaken in the interest of an extremely powerful developer as it appears to have been with the proposal of a building at 150 metres in height.

As the precinct is under the control of SHFA and not the City of Sydney Council (COSC), previous redevelopments such as the Darling Walk/Quarter must be referenced with regards to objectives and concepts and overall reasoning held within the design of the buildings. There was a heavy emphasis on the height and design of the Darling Walk/Quarter development so as not to have a detrimental impact visually on the local area, whilst the proposed hotel development has inexplicably had an entirely opposite set of parameters with the proposed erection of a building at 150 metres in height.

Such reasoning as overshadowing of Darling Harbour public spaces and water, surrounding vistas and the visual impact from the city to the west over the heritage buildings of Pyrmont appear to have been totally ignored in the initial hotel proposal.

Consideration of the SREP 26 City West should also be taken into account, which extensively outlines building form and design. Part 1 of this document (Ultimo-Pyrmont Precinct) contains the following:

*'Urban Design Building heights are to reflect and emphasise the topography of the Precinct by increasing in height as distance increases from the nearest waterfront. Building heights should allow a reasonable sharing of distant views from buildings by their occupants.'*

*The heights and scale of buildings are to form a transition between the high-rise buildings in the city and low-rise buildings in the suburbs adjoining the Precinct. The heights and scale of new buildings are to respect existing buildings in the locality, particularly heritage items and buildings in conversation areas.*

*Buildings fronting the public domain should have appropriate height, bulk, finish and street alignment so as to enhance its quality by respecting its character.'*

The SREP No 26 is a well-constructed instrument that provides protections and guidelines for the general public and to allow the general public a general safeguard against over and excessive development. Such an instrument should not be simply ignored in the pursuit of a grab for cash.

Concerns regarding transparency are highlighted by lack of information provided to residents. We contacted SICEEP in December to request information and received an email response stating that there was no information available at that time however they would keep us informed. In January we sent various email requests to SICEEP for information regarding community consultation process and they failed to respond to any of these. It was only by chance that we became aware of the forums. In speaking with other residents we discovered they were also unable to obtain information from SICEEP. This indicates an attempt to minimise resident involvement. This is also reflective of the fact despite the area being used by the broader Sydney community, there has been no widespread communication to inform them of the proposed development.

International architectural magazines have also highlighted a "Lend Lease stranglehold on NSW Government contracts".

The proposed plans show the highrise tower could be placed further north which would minimise view loss of residents. The decision to keep the tower as far south as possible again demonstrates a total disregard for impacted residents in order to minimise impact on the Novotel building.

We also seek to retain the current walkway which provides a safe and easily accessible passage way for residents and car park patrons. Removal of this walkway is irresponsible as the alternative is to make people walk over tram lines and traffic lanes. Not only is this unsafe, it will also create extreme congestion in the carpark lift and bring the traffic to a standstill as people continuously stroll across the road.

We additionally refer to recent newspaper articles and refer to an article in SMH 14 September 2013 which quoted Carol Giuseppi (NSW Director for Tourism Accommodation Australia) "it's time for us all to face reality – there is a delicate balancing act in this city between hotel supply and demand. The recent Horwath report showed that with rising costs, profit margins for three to five star metropolitan hotels have failed to grow in the past five years despite higher room occupancies. **The NSW government can avoid the mistakes of its predecessors – who took it upon themselves to artificially stimulate what were unfeasible hotel developments.**"

Also it must be noted that the argument that the city requires additional rooms is usurped by the following announcement published in SMH 17 October 2013, stating 'the state Planning Department has approved a \$160 million redevelopment and upgrade of the Sussex Street hotel (Four Points by Sheraton). A third tower will be built, comprising 230 rooms, new conference facilities and a 5,000 square metre, seven storey office tower. The upgrade will take the number of rooms at the hotel to more than 900.' **We distinctively note that the height of this additional tower while being on the city side of Darling Harbour is substantially lower than the proposed hotel on the Pyrmont side of Darling Harbour.**

**Further, the Department of Lands Building is proposed to be redeveloped into a five star hotel.**

**Finally, the proposal that this new Darling Harbour hotel, while backing onto a residential local, will incorporate a 'lighthouse' glow at the top is a horrendous thought for those residents who require sleep at night.**

It was extremely disappointing to see in the recent Sydney International Convention, Exhibition and Entertainment Precinct Assessment Report that hundreds of objections were disregarded because of the "scale and significance of the project". It is dishonest to advise people that they have an avenue for voicing their views through the submission process if there is zero intent to take those submissions on board. To date the "consultation" process appears to have been purely a PR exercise, without any genuine intent in factoring in resident feedback and concerns. We hope that there is some level of integrity and respect for the people of Sydney in the process relating to the hotel and that submissions will actually be taken on board. The Darling Harbour precinct belongs to all of Sydney not to bureaucrats.

The people of NSW deserve equal focus on economic and community interests. The current hotel proposal is purely focused on economics and completely ignores the people impact. It is incumbent on the Department to ensure that the proposed hotel adheres to building height restrictions applicable to the rest of Darling Harbour and surrounding areas, and there is minimal impact on the foreshore area and the enjoyment of this area by locals, visitors and tourists.

Kind Regards