

19 June 2019

Mr David McNamara
Director
Key Sites Assessments
Planning Services, Department of Planning and Environment
GPO Box 39
Sydney NSW 2001

Dear Sir

Concept Development Application (Staged Development) for Alterations and Additions to the InterContinental Hotel and Transport House, Sydney (SSD 7693) – Amended Proposal

Thank you for the opportunity to make a submission on the amendments to the above Concept Development Application.

The Astor is a heritage listed residential apartment building constructed in 1923. It contains 52 apartments and is situated on the western side of Macquarie Street between Bent Street and Phillip Lane.

Despite the amendments that have been made to the Concept Development Application, the Board of The Astor Pty Limited still has concerns that the failure of the building envelope to comply with mandated setbacks results in an unacceptable adverse visual impact on the heritage buildings in the area - heritage architecture and streetscapes are overwhelmed, views are lost and existing smaller scale buildings are "hemmed in".

These issues are addressed in more detail below.

Setbacks

Given that the proposed works are located in a Heritage Conservation Area, it is vital that existing setback controls in place are complied with to maintain the important heritage features and streetscape.

Specifically, the proposed development should comply with the 30 metre front setback control from Macquarie Street in the Special Character Area.

To not comply with existing setbacks will overwhelm and detract both from the heritage buildings on which the proposed building envelope sits, and generally, the heritage streetscapes in the Macquarie Street Special Character Area.

Views Analysis

We note that the letter dated 5 October 2018 from BBC Consulting Partners responding to requests for further information contains a section on the Views Impact from The Astor.

Firstly, we wish to emphasise that it was not the Astor (through its Administrator) that denied access to apartments on levels 8 and 9. The owners of those apartments refused permission for access so as to protect their privacy.

We note that under the heading "Step 4 – Assess the Reasonableness of the Proposal Causing the Impact", the consultant refers to the following principle:

"A development that complies with all planning controls would be considered more reasonable than one that breaches them. Where an impact on views arises as result of non-compliance with one or more planning controls, even a moderate impact may be considered unreasonable."

The fact that the report considers the loss of views as being reasonable because the applicant is applying for a variation so as not to comply with planning controls (being the required setback from Macquarie Street) is disingenuous and unacceptable.

The Board of The Astor is firmly of the view that even though there would be a minor impact on water views from some apartments, this is unacceptable as:

1. The impact only occurs because the proposal does not comply with the requirement of the Development Control Plan for a 30 metre setback from Macquarie Street. There is no public benefit from the reduced setback – and arguably there is a public detriment in terms of adverse heritage impacts.
2. The InterContinental has already taken away iconic views of the Harbour Bridge from The Astor. To continue to allow for views from The Astor to be "nibbled" away by this proposed development is inequitable.

Yours faithfully