

19 June 2019

Mr Karl Fetterplace
karl.fetterplace@planning.nsw.gov.au
c/o Director – Key Site Assessments

Dear Sir

**RE: CONCEPT DEVELOPMENT APPLICATION (STAGED DEVELOPMENT) FOR
ALTERATIONS AND ADDITIONS (SSD 7693)
MULPHA AUSTRALIA LTD, INTERCONTINENTAL HOTEL**

I am a resident of The Astor apartment building, which is located at 123-125 Macquarie Street, in the block adjacent to the proposed development site. I strongly object to this proposal due to the following considerations:

1. Central Sydney Development Control Plan 2012 (DCP 2012) defines the northern end of Macquarie Street as the “Macquarie St Special Character Area”:
 - a. It contemplates a consistent height and alignment of street wall buildings, with taller towers set back 30 metres, in order not to impact on the scale of Macquarie Street, and to emphasise the edge of the city. SSD 7693 provides a building envelope with a setback of only 10 metres.
 - b. It seeks to “maintain and enhance vistas to the harbour and Sydney Opera House to the north, and to Hyde Park to the south”. SSD 7693 would, in fact, encourage the opposite, and set a precedent for all other heritage buildings in the vicinity to build up or face similar loss of views at some future point.
 - c. The impact only occurs because the proposal does not comply with the requirement of DCP 2012 for a 30 metre setback, and while there are no public benefits from this breach, there is indeed a public disbenefit in terms of heritage impacts.

2. The Revised Urban Design Statement clearly recognises the heritage significance of the Macquarie St Special Character Area, noting it as:

- a “collection of culturally valuable buildings”;
- which “establish a cohesive context of historic buildings that are comparatively low in scale”;
- has a “grand civic sensibility”; and
- is of “great architectural and cultural value with many buildings in the area being listed as having state and national significance”.

It is therefore disappointing, and inconsistent, for SSD 7693 to propose a building envelope that does not comply with existing setbacks, and that will overwhelm and detract both from the heritage buildings on which the proposed building envelope sits, and more generally, the heritage streetscapes in the Macquarie Street Special Character Area. To that end, it is vital that existing setback controls in place are complied with to maintain and conserve the important heritage features, and to promote its cultural significance.

3. The proposal forces those in The Astor to surrender their existing views to the occupants of the new development. The View Impact Analysis incorrectly states that floors below Level 8 of The Astor will not be affected by the proposed building envelope. My apartment is situated on Level 7, and my views will be directly and adversely impacted by SSD 7693. The loss of these views is also not negligible, as they are my last remaining views of Circular Quay. I am happy to provide access to anyone to confirm this. The inaccuracy of this assessment is concerning, and raises the question of what other inaccuracies may be contained in the application. Further, the impact breaches the principle of “view sharing” established by case law. 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 eaten away by this proposed development is inequitable.

4. SSD 7693 also proposes public access to a new deck at the roof level of the InterContinental. The Astor’s rooftop is its only outdoor common area for residents, as apartments do not have balconies. It is available for use to residents 24 hours a day, and is intended principally as a private open space. The new proposal would remove this amenity and allow the general public to directly overlook into this space and onto residents in the privacy of their own home.

5. I note there are currently four other development applications for nearby heritage items proposed, on exhibition or under assessment, namely:

- i. 4 Macquarie Street, alterations and additions to Botanic House;
- ii. 89 Macquarie Street, Royal Automobile Club of Australia; and
- iii. 93-98 Macquarie Street, alterations and additions to Sir Stamford at Circular Quay Hotel;
- iv. 117 Macquarie Street, Intercontinental Hotel and Transport House.

- Some of these have the scope to impinge on residents' use and enjoyment of their apartments, cause them to suffer loss of views, or worse, cause significant destruction of property value. In this context, were SSD 7693 to be approved, the potential cumulative impact to The Astor is alarming and substantial.
- To be clear, The Astor is contained within the Macquarie St Special Character Area because it is of high heritage significance. Owners that were once willing to commit resources towards the preservation and maintenance of buildings of cultural and heritage significance, such as The Astor, may become reluctant to do so, if they about be subjected to development projects which defy DCP 2012, ruin the local heritage streetscape, face substantial loss of view, or worse. This will directly lead to a degradation and eventual loss of character of the Area. The Macquarie St Special Character Area, and its well-maintained heritage buildings, is a cherished and unique part of the City of Sydney, and its preservation should be something the Council actively fosters. To approve SSD 7693 would be a shame as it would be the beginning of a step in the opposite direction.

In light of the considerations above, I believe that this development proposal is not acceptable and I request that this application not be approved.

Yours faithfully