

We object to the proposed development of DigiCo because of the adverse effects we assume it will have on ourselves and our neighbours (including a childcare centre) in the Ultimo Heritage Conservation Area including:

- increased air pollution
- visual distress
- reduced morning sun in winter.

We say 'assume' because it is very difficult to ascertain the impacts on us when we are invisible in just about every consultant report. Pollution receptors are placed on the extremities of the conservation area not within the area, viewpoints seem to have been deliberately chosen for their lack of view and once again only from the extremities of the conservation area, and no overshadowing diagrams are included in the solar access report.

The Ultimo Heritage Conservation Area is directly opposite DigiCo and has the longest occupied frontage with DigiCo. The heritage area slopes up from Harris Street to a high point along Bulwara Rd but there are no viewpoints from our houses along the ridge or indications of solar access for our properties.

Surprisingly, even the heritage consultants deem there will be 'no impact' on the heritage area – did they even visit the area? Do they not care about the impacts of air pollution on the residents and heritage-listed buildings, or the extra visual distress this proposal will create?

No community consultation

Perhaps our invisibility is why no-one on our street received any of the community consultation postcards that were supposedly delivered to us. It's strange that the Department of Housing, Planning and Infrastructure's letter was received by us and all our neighbours, but the community consultation consultants could not find any of our letterboxes even though their reports show us within the consultation area.

It's also notable that the terraces on the western side of our street have not been included in the consultation area despite being in the Ultimo Heritage Conservation Area, being on the highest point of the ridge, and including a childcare centre.

Similarly, the consultants say they emailed Ultimo Village Voice (our local community advocacy group) yet no email was ever received by them.

The consultants claim they did community consultation but they did not. When the consultants received only one response, did they not think it was strange and check their methods?

Increased air pollution

Currently when DigiCo uses its diesel generators, we are very adversely affected by their pollution. We are accosted by strong diesel fumes, we cough, and we have to close all our windows even in summer.

We, and our neighbours, complain about this pollution (to DigiCo, the EPA and City of Sydney) ... but we have never been informed of any regulatory action against DigiCo or any mitigation

attempts by DigiCo. With DigiCo wanting to more than double its capacity, we can only assume the pollution would also more than double.

We say assume because the residents of the Ultimo Heritage Conservation Area are (once again) invisible to the consultants who addressed air pollution. Despite being in the direct firing line for the emissions from the generator exhaust flues, there is not one air quality receptor within the conservation area. Surely our conservation area should be the location for several 'sensitive receptors' as defined by the EPA's approved methods for modelling and assessing air pollutants?

There are receptors on the extremities of the conservation area where the intense traffic of Harris Street or the Western Distributor hide the impacts of DigiCo but there are no receptors on the tree-lined, residential Bulwara Road, home to a childcare centre and five of the 11 heritage-listed buildings in the area ... or in our backyards where the impacts would be even more obvious.

How can the outcomes of this report be taken seriously when the consultants have avoided putting even one receptor in our area? There are receptors next to main roads, on the roof of the ICC, on the other side of Tumbalong Park but nothing within our conservation area or in the middle of other neighbouring residential developments such as Bullecourt, New Life and Goldsborough Mort apartments. It seems residents – many of whom are in the area 24-hours a day – are not worthy of concern.

Scenario 2 'realistic' operations are far from realistic. This scenario states that two generators emit from two stacks (one east, one west) during testing processes for 198 hours per year (conveniently under the 200-hour EPA threshold). We've never seen this happen – whenever we are subjected to the generator's use, it is a line of stacks emitting pollution (see photo from our home). Also, the stacks selected to assess 'realistic operations' are next to the Western Distributor which is already a heavy polluter.



The assessment doesn't consider the occasions when AusGrid tells DigiCo to use generators for many hours when there is peak demand (we were told this happens by the operations manager at DigiCo). This happened regularly last summer and, with climate change, is likely to happen at increased frequency and duration. This isn't two generators running for a short time, it's many generators for many hours (i.e. the worst-case scenario not the realistic scenario). And it would definitely take operations past the 200-hour EPA threshold.

The Non-Technical Summary in the Air Quality Impact Assessment states:

Under the justified worst-case emergency back-up generator operational scenario with all generators operating at the same time at full (100 %) load, a number of additional exceedances of the air quality criteria for a number of pollutants are predicted.

The number of **additional** exceedances per year are up to 856 – that's 2–3 per day every day of the year! We, the residents of the Ultimo Heritage Conservation Area and the children in the childcare centre, are the victims of these exceedances.

Who knows how many exceedances we are already exposed to. Why are there no additional NO₂ exceedances in the heritage conservation zone? Is it because the sensors are on main roads and are therefore exceeded all the time anyway? Even more reason for sensors in the middle of the conservation area – perhaps the childcare centre would be a good location?

(An interesting observation is that the receptor outside the Ultimo Public School would supposedly only have 58 additional one-hour NO₂ exceedances, whereas the two receptors 50–60m either side of the school on the same street would have 2 to 3 times that number – 164 and 113 additional exceedances.)

Apparent unwillingness to effectively mitigate

DigiCo appears to have no intention to effectively mitigate its pollution. Hidden in Appendix F of the Air Quality Impact Assessment are 18 pages of **additional** mitigation measures that could be undertaken ... yet all are dismissed or are evaluated as ‘may be considered’. Why are these measures not required or in the main part of the report? And why is DigiCo not required to mitigate as much as possible to save the health of the community?

Less-polluting generation systems are dismissed as uneconomic. Filtering the exhaust is given little credence. Increased stack heights and velocities (and vertical flues instead of the horizontal flues that force air pollution directly across the Ultimo Heritage Conservation Area) are a ‘maybe’ despite a low cost, as are alerts and alarms for the community so we know when we are about to be accosted by increased air pollution.

Visual distress

The Visual Impact Assessment has no illustration of the view from the west (the Ultimo Heritage Conservation Area) despite it being the main area that will have a view of it. All the illustrations are from the east even though no one will ever see it from there, as east of DigiCo is the back of the ICC where there are no windows.

The ‘key viewpoints’ seem to all have been chosen for their lack of view. ‘Key viewpoints’ from the Ultimo Heritage Conservation Area are from the extreme edges, the lowest point and within the trees of two parks (viewpoint 14 even says ‘DigiCo ... is not visible from this viewpoint’ – how can it be a ‘key viewpoint’ if there is no view?). The analysis of viewpoint 15 from the bottom of Quarry Lane states that the ‘duration of the view would be brief as it would be viewed from vehicles and by pedestrians’ – what about the constant view for residents who live all around this lane?

The magnitude of impact from the roof of the ICC (for the occasional person who wanders across it) is rated as ‘moderate’ whereas the magnitude of impact for Quarry Lane is ‘low’ even though the residents all around the lane will see it constantly.

There are no viewpoints from any of the 11 Part 1 Heritage Items within the Ultimo Heritage Conservation Area. Obviously, they are not ‘key’. The Heritage Impact Statement says there will be no visual impact ‘because of the height and the setback of the proposed works’. How do they know this when there are no views provided from Ada Place or Bulwara Rd heritage-listed residences? There are no views considered from our terraces – from our backyards, our verandahs or our windows. The heritage conservation area is on a hill, so the views are very different from Ada Place compared to Bulwara Rd and from different floors within the terraces on these streets.

Here is the view from our first floor – what are we going to see if the proposal goes ahead?
From the architectural plans, we believe the height of the DigiCo roof will be along the line of the glass louvre – a substantial impact on our view and our solar access (see below).



The 10-page section on ‘View loss’ does not include the Ultimo Heritage Conservation Area at all. There are many examples from New Life apartments and Bullecourt apartments but nothing about the views from our terraces. From what we can determine, we will lose much more sky than almost all those apartments, yet we are not even mentioned. Invisible again!

Under ‘View loss’ in the conclusion of the Visual Impact Assessment there is once again no mention of us, the residents that may lose the most view. The only mention of us states:

Where partially visible from the conservation area, the extension would result in a small increase in building mass; however, it would present as a visually compatible urban element.

As residents of the conservation area, we are very concerned the increased size will be fully visible from the terraces along Bulwara Road and Ada Place, will have a sizeable impact on our visual amenity, and will not be compatible with our heritage conservation area. Why else would the developers not include a view from our residences?

Reduced morning sun in winter (increased overshadowing)

It is difficult to determine the impact of overshadowing on the Ultimo Heritage Conservation Area but we are fairly sure there will be increased overshadowing in the mornings for at least half the year in winter, late autumn and early spring – the time of year when it is most important for us to get some sun (and free heating) into our homes and courtyards. The reason it is difficult to determine the impact of the overshadowing is because there is no overshadowing diagrams provided in the Solar Access Report.

From the architectural drawings, we estimate our view will be of a roofline increased in height by 8–10m (to the same height as the lift well currently in the middle of the DigiCo roof – we can see the eastern most part of this box so will be able to see anything in line with it and possibly much that is behind it). For us, the sun rises directly behind DigiCo. That substantial rise in height means we will not see the sun until much later – we will be overshadowed.

The sections in the architectural plans include an 'Indicative height plane defined by overshadowing impact & sun path to the heritage conservation area' which purports to show there will be no overshadowing, but it doesn't show which part of the conservation area, at what time of day or when during the year. We believe this is misleading.

Both the State Design Review Panel (SDRP) and the City of Sydney have requested no extra overshadowing of the Ultimo Heritage Conservation Area and the developers have said this requirement has been met. The 'Expert opinion: solar access' by Walsh analysis states that:

Terraces to the west are the most susceptible to overshadowing ... but ... these are not overshadowed by the new proposal.

We would like this clearly demonstrated, not just stated.

The SDRP requested views from the sun **and** overshadowing diagrams. But the report only has 'views from the sun' which they explain 'by definition does not show any shadows' (section 3.2.4). Section 4.1 says:

Using the DA plans, we have then followed the control in 4.2 and produced a detailed overshadowing analysis which can be seen in Appendix D.

There is no overshadowing analysis in Appendix D (it contains neighbouring drawings relied upon) and therefore the consultant has not provided overshadowing diagrams as requested.

Actions requested

Firstly, we would like to see honest and transparent community consultation with the residents of the Ultimo Heritage Conservation Area, so the developers can demonstrate how there will be no adverse effects from the proposed DigiCo development.

If there are adverse effects, we would like the development proposal to be rejected.

If no adverse effects are demonstrated, we would like conditions to ensure:

- no overshadowing of the Ultimo Heritage Conservation Area (this would require redesign)
- no increased air pollution
- no exceedances of pollution thresholds
- monitoring of air quality in the middle of the Ultimo Heritage Conservation Area, not on the extremities of the area, and regular reporting to the community
- a real-time alarm system to notify residents by SMS if an air pollution incident occurs.

Regards,

Resident of a heritage-listed terrace on Bulwara Rd Ultimo