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Mr Matthew Rosal,
Senior Planner, Key Sites Assessment,
Department of Planning and Environment,
320 Pitt Street,
SYDNEY. NSW. 2000

Dear Matthew,

Ritz Carlton MOD 13, Pyrmont

Members of Pyrmont Action, having considered the Environmental Assessment Report, strongly oppose the construction of the Ritz Carlton hotel and residential tower on the current site leased by The Star Casino and Entertainment Complex from the Independent Liquor & Gaming Authority, on the grounds of its inappropriate scale compared with the scale of the relatively recent developments in the Pyrmont Peninsula.

Project Rationale: Whilst we appreciate that this proposed development might benefit the proponent, given that the Government's approval of the appalling Packer casino development at Barangaroo has brought competition into the gambling industry, we see little benefit to the local Pyrmont community (possibly apart from the proposed Neighbourhood Centre) from the establishment of an extraordinary precedent touted by the proponent as the rationale for its scale. In addition, the proponent, in summary pages IV and V of the EAR repeatedly refers to the proposal's location and context as being in Darling Harbour – NOT Pyrmont! We note that nearby Darling Harbour which now effectively walls off Ultimo and sections of Pyrmont from city views and light now accommodates a ~40-storey hotel and it is further proposed to construct an even taller residential tower on the site of Harbourside (still awaiting a Response to Submissions on its DA lodged around 18 months ago), both of which can accommodate visiting gamblers and provide residences for wealthy investors/residents. It is unlikely that either a redeveloped Harbourside or the proposed Ritz Carlton will do anything to increase housing supply for Australian residents on limited incomes who are currently struggling to either buy or rent a home.

SEARs: This proposal is NOT a modification but should be assessed as a new development application. It is noted (p4, EAR) the SEARs require the proponent to "demonstrate that the Proposal has limited environmental impacts beyond those already assessed for Project Approval MP 08_0098 and any subsequent modifications to that approval". This requirement is in accordance with the requirements of the remnant *Environmental Planning and Assessment Act 1979* Part 3A provisions. The tower's height (61 storeys) alone represents a dramatic increase over that of the approved MP and subsequent modifications. Whilst the EAR argues that such a departure is justified primarily by the quality of the design which can set a standard for future developments in Pyrmont, the MOD should be rejected on the grounds that it does not meet this particular SEAR, given that its scale is totally out of context in its locality and will dominate visually the Pyrmont foreshore. Traffic impacts alone will be far from "limited" in their environmental effects. A further impact will be experienced by residents of the terrace houses in Union Square. The EAR only refers to the shadowing of Union Square itself, but the rear of the terrace houses in the Square which face north will also have their access to winter sunlight curtailed. Analysis of the shadow diagrams also reveals that shadowing of residences will occur as far away as 102 Miller Street in Pyrmont. We have also received reports of glare and reflection cast on east facing apartments in Pyrmont from the high glass walls of the buildings at



Barangaroo. When the evening western sun hits these buildings, residents have to pull down their blinds. There will be similar glare and reflection from the proposed glittering glass tower which will impact negatively on many east facing apartment buildings in Pyrmont, and, perhaps, beyond. Private views will also be destroyed including at 16 homes at 2 Jones Bay Road. The loss of views and light will significantly affect residential amenity.

Setting a Precedent: In perusing the EAR, we have been alarmed to read (page 135) that “the Pyrmont Peninsula...continues to undergo renewal and would be broadly considered as an area in transition, with future redevelopment opportunities likely to be informed by large scale redevelopment occurring within the immediate and broader context of the site.” (our emphasis) Whilst this might be music to the ears of developers, it evokes anxiety and deep concern among members of the community who live in what they thought were Master Planned precincts with development parameters set by Local Environment Plans with clear height, building footprint and FSRs set by the DCPs for the peninsula. We keep being advised by the City of Sydney that development in Pyrmont is complete to justify its failure to provide or plan for any further social infrastructure yet we are now told that our local precinct is only just beginning to transition to an ultra-high rise future. We acknowledge (regretfully) that Darling Harbour development occurs in a rules free planning environment, but we understand that when originally approved, the height of the early Star development was not to exceed the height of the highest chimney of the Pyrmont Power Station which it replaced. The thousands of new residents and investors have bought property in Pyrmont on that basis. The current LEP provides appropriate standards for assessing this development application and the context in which it would be situated and it doesn't provide for 61 storey towers. Successive governments have whittled away most constraints by declaring sites as of State Significance or other descriptors (eg Part 3A) which are able to be planned in a similarly rules free environment but to propose that Pyrmont will “transition” to such a rules free planning environment that will allow 60 storey towers anywhere in the Peninsula is beyond alarming.

Congestion: A further concern is the increased traffic this large-scale development will inevitably generate. Despite the amelioration measures outlined in the EAR, there will be further congestion in already congested roads. The impact will be felt, not just in the immediate vicinity, but at intersections such as Harris St/Pyrmont Bridge Road and at the infamous Pyrmont Interchange. With regard to the developments now proposed for the Bays Precinct, including the new Sydney Fish Markets at Blackwattle Bay, Hanson's concrete batching plant, Ports' Multi-Purpose Facility at Glebe Island, and the marshalling yards for Westconnex and the Metro developments at White Bay, RMS has already stated that traffic on the Anzac Bridge can't become further congested because it has already reached its maximum capacity!!! Pyrmont Action has proposed in various submissions on the Darling Harbour developments that the ICC and Mirvac work with the Star to construct a tunnel under the intersection of Darling Drive, Murray St and Pyrmont Bridge Road to provide a seamless route between Darling Harbour and The Star facilities, so far with no success. If the Government approves the Ritz Carlton development, it should work with these organizations to provide some relief from the chronic congestion experienced in many of Pyrmont's roads, which also impacts negatively on the reliability of our erratic bus services.

Public Transport: We have been urging improvement in public transport serving Pyrmont and Ultimo for many years, to no avail. With all reports indicating a strong and increasing demand for public transport and especially more rail transport, we strongly support provision of a station to serve the Pyrmont community (still the area of highest urban density in Australia) when plans for the Sydney Metro West are finalized. This is also strongly supported by the proponent, and



essential, if the project is approved, to alleviate congestion on our local roads. In the meantime, we recommend the introduction of a more reliable, and frequent, bus service between Pyrmont and the CBD to assist not only the Pyrmont community, but the Star workers and patrons.

Safety and Security – The area around the Star continues to experience high levels of both criminal and anti-social behavior, and it is now one of the few venues open 24 hours per day in or near the CBD. The current nightclub has, in the past, been the site of at least one murder, in the past 18 years, yet it is proposed to expand the casino's nightclub by 1,691 square metres, despite the experience at former 24-hour venues such as in King's Cross which demonstrate that such venues fuel violence and anti-social behavior, including deaths. Such expansion should be rejected.

Neighbourhood Centre: We have welcomed the recent efforts of the Star management to engage with the Pyrmont community, and, in the absence of any commitment by the City of Sydney to provide us with badly needed additional community facilities in Pyrmont, the proposed Neighbourhood Centre could assist in this regard. However, it is clear that, if community members/organisations (non profit) are required to pay for use, the Centre will predominantly serve patrons, visitors and residents of the Star and the Ritz Carlton development. Indeed, the Plan of Management indicates that SEGL will "drive and maximise occupancy through promotional materials" and will be required to "be financially responsible and managed as a commercially viable facility" (p7). There is no guarantee that it will provide community space for the locals in the future. If the Minister approves the Ritz Carlton development, it must be on the basis that local community access is affordable and available to them in the long term.

If, against strong community opposition, this development is approved by the Minister, it must be on the condition that it is NOT an exemplar for further large-scale development in Pyrmont. In fact, the Minister must allay our fears in this regard before the next NSW election in March. Given the privatisation of so much public housing in The Rocks, including the iconic brutalist Sirius building, public tenants in particular must be reassured that they won't be evicted from their homes in Pyrmont to appease the development lobby. And we also need reassurance that the backflip by Property NSW (formerly SHFA) which has reneged on the longstanding agreement to transfer public parkland in Pyrmont to the City of Sydney, will not see these foreshore parks similarly slated for tower developments in the future.

In summary, Pyrmont Action Inc members oppose MOD 13 for the following reasons:

- *There is little public good rationale for the Ritz Carlton tower*
- *The project has substantial environmental impacts and therefore does not meet the SEARs requirements.*
- *The project is NOT a modification and should be assessed via the DA assessment process*
- *It sets an excessive height precedent for any future development in Pyrmont contrary to controls set by LEPs and DCPs.*
- *The development will add to the already cumulative excessive traffic congestion foreshadowed in new developments associated with the Bays Precinct.*
- *Public transport would need to be greatly improved to meet additional demand arising from this project*
- *There should be no expansion of the current nightclub to reduce potential for anti-social behaviour and crime*



- *The Neighbourhood Centre may alleviate the current shortfall in provision of community facilities, if its premises are accessible and affordable for local residents and workers in the long-term.*
- *The NSW Government must guarantee that Pyrmont properties currently in Government ownership (including public housing and parkland) are protected in perpetuity from lease or sale to private developers and that developments such as proposed in MOD13 are not exemplars for any future developments in Pyrmont in terms of scale.*

Yours sincerely,

Elizabeth Elenius, Convenor

cc Alex Greenwich MP, Minister for Planning & Environment, NSW Premier, Minister for Transport, Cllr Clover Moore, Lord Mayor

