

FROM PJ and KE BANNISTER 1202 / 2 QUAY STREET SYDNEY 2000

SUBMISSION ON STATE SIGNIFICANT DEVELOPMENT (SSD)

APPLICATION SSD 6626 - SICEEP Darling Square – a Mixed Use Residential Building within the North-East Plot, Darling Harbour

On 2 August 2013¹ so many months ago I wrote after analysing the initial development proposals of DHL for a revolutionary change to remnant government parkland at Darling Harbour no longer needed for a railway purpose and already relatively developed after the Bicentennial Redevelopment in 1988.

I identified three² (of a much larger number of) very important issues that the Department of Planning should make strong recommendations to Government upon (and certainly with a request for serious applicant reconsideration).

In the event, approval to proceed, subject to a number of conditions, was given to to develop final detailed proposals. Months later, we are now able to :

1. see a “refined” plan³ ; and
2. review and examine the **actual** behaviour of the developer in its **ACTUAL** conduct of their current activities of demolishing the Exhibition Centre, the Convention Centre and in its initial preparations to remove of the Entertainment Centre Car Park⁴.

1. What we see in the **PROPOSALS** of the developer is that :

-
- 1 And before that on 8 May 2013, when the government first openly revealed it had received an application to redevelop Darling Harbour South – although it had **ALREADY** signed a secret, binding contract for the proposal.
 - 2 (1) Transport and Traffic, (2) Aesthetic and (3) Economic and Financial **infeasibility** without massive government subsidies.
 - 3 Hardly a plan but really further proposals that will be implemented in practice by project managers, effectively, “**planning**” as they go along ie solving the problem of the moment by passing the cost on to someone, anyone, **other than** the developer to be “billed”.
 - 4 and what we **see** is very different from what, they say.

There will be unrelieved gloom and visual heaviness with the 40plus story DEEP entrenchment of what is presently a naturally lit district by day. By night it will seem threatening, like central London in the 19th century.

All additional tall buildings bring shadows to an existing neighbourhood and the area is already densely populated - higher than anywhere else in the city - Chinatown especially, but really across the whole central CBD peninsular, has really narrow streets for modern times, about which nothing can be done. The developer's plan must yield.

The introduction of 40plus story high buildings will bring to our district a literal “darkness at Noon” particularly once (as I'm sure will be LATER proposed by some developer) the adjoining SW Plot “development” is complete – whatever that is is to be. You cannot reasonably consider this proposal without foreseeing its contribution to kindred plans that, but for the way proposals are examined in our intentionally faulty planning system, will be selectively ignored. That is the way the rules are rigged.

Many residents inside existing apartments, like the pedestrians in the “trench” mentioned above, will not see the sun in winter. From Harbour and Dixon Streets it will seem like you are in the bottom of a mine looking up, and it will be always cold. No plants will thrive in Haymarket Square⁵ – except perhaps fungi. No bird will land there.

The buildings will also seem massive in their appearance relative to the areas on which they stand⁶ - out of all proportion.

2. What we see in the actual **BEHAVIOUR** of the developer, since receiving conditional approval to advance, is that :

5 Whatever the outcome of the Departmental assessment, it would at least be a comfort to the victims of this planning atrocity if not just “Haymarket Square” but all other significant landmarks within the development site too, were to be named after the leading political figures who encouraged (**and who collectively benefited fiscally from agreeing to**) this amazing, unsolicited, secretly negotiated proposal so their behaviour can be remembered as it deserves to be, thus (for example only, of course) : O'Farrell Square, Baird Boulevard, Hazzard Fountain, Stoner Avenue etc. Similar memorials to Labor party figures could appear on place markers at Barangaroo, where a similar process was followed.

6 Contrast what is proposed for the NW Plot with the neighbouring Peak Apartment block designed and built (also on on government land) over 20 years ago. What has changed in our approach to town planning and architectural values ? Did the requirements that applied, to SHFA's predecessor in days gone by, become **more** permissive ?

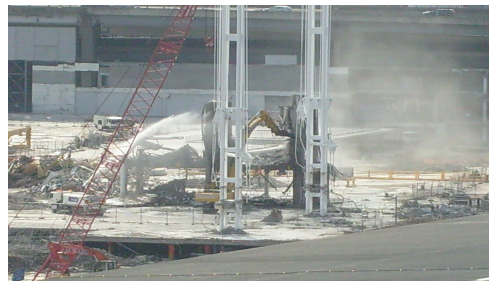
There has been intense local “consultation” (actually publicity – really, a flood of emails, meetings, presentations etc) but the professional presenters are rarely those involved in the limited investigations that were undertaken and many are ignorant of the details of the environment into which the development is to be inserted. For example, presenters struggled to point to nominated streets on overhead projections or confused one road intersection with another. It is unlikely they ever visited some of the places about which they came to tell us.

Some of the recent demolition activities have **actually** polluted the surrounding district. Genuine requests for detail from the consultants about environmental monitoring have been ignored – I believe because there had been no serious attempt at monitoring air quality impacts during demolition by the developer. Is what is to come, now, in the demolition of the Entertainment Car Park, to be as in the following pictures ie the same as what **actually occurred** at the sites of the Exhibition and Convention Centres.



This is what the demolition site actually looked like **early** in the commencement of demolition.

But, this is what it looked like with dispersal from two sources simultaneously, and with dousing.



Mounds of uncovered dust await loading on a still day.



A longish plume, but not a rare sight in this period.

The dust cloud hangs together as it reaches and passes beyond Darling Walk. The **source** of the dust is out of shot.



The pollution is heavy beyond the trees (then still in situ within the site boundary) but clearly supplying no shelter from the penetrating dust cloud continuing to move eastwards.

Even rain doesn't help – why douse ?



Nearly finished. A long shot (from 440m away) general view yet far (200 m away) from where the next demolition will occur.



What can the developer's neighbours ask the planning authority to insist the government do ?

Will the Department of Planning and Infrastructure investigators insist that the EPA (no “tame cat” contractors ⁷) will measure emissions systematically which will be so much closer to inhabited areas with quite large resident populations, including children ?

These photos by the way are taken from some 440 m away. The centre of the Car Park demolition will be 200m from the same spot – TWICE as close ! The edge of the Entertainment Centre Car Park however will be only 140 m from the middle of the North Face of The Peak Apartment building's north facing windows.

⁷ A year ago I approached two firms specialising in **asbestos** emission measurement, prepared to pay for before and after readings from my balcony, because the developers hadn't any data of their own to share, only to be told (also evasively once I mentioned who the developer was and where the site was) they would find it difficult to produce sound background readings. Why were they so timid ? Has there been any EPA measurement of what the photos show, but not just powdered concrete ?

Huge amounts of money (which would have registered as a DISBENEFIT had there been a scientific cost benefit study of the initial proposal put before government – or had government the nerve to have asked for one to be supplied – before it signed its long term, binding contract with the developer) are costs **saved** by the developer transferring unameliorated impacts (poisoned air, traffic delays, noise etc) into the neighbourhood in this way.

Noise is a disbenefit too. Incredibly, it has started already ! On SUNDAY 30 November 2014, long before 8AM, I was awakened inside an apartment bedroom on the **EAST** side of 2 Quay Street by demolition works in Darling Drive. I went to remonstrate after 8AM and on arriving at the demolition site I noticed the noise wasn't just the removal of a footway over Darling Drive but Deep Excavation works IN Darling Drive. By 20 past 8 I had returned home after complaining, dismayed. By 8:30 the whole site was silent as the grave. I was too tired to return and tell them to keep going – we were already awake now. The last shot of the series is the day after.



From my window before 8 AM on the Sunday morning.

Source of the noise of the “Early Works”





Transport marshalled in Darling Drive waiting to remove the demolished pedestrian overbridge, now severely reduced in capacity having become the developers chief access to the site.

Behind the Overpass on the far (Western) side of the of the Car Park – Note the “Deep Excavation” Warning Sign alongside the active excavator.



The Real Culprit – hard at work.

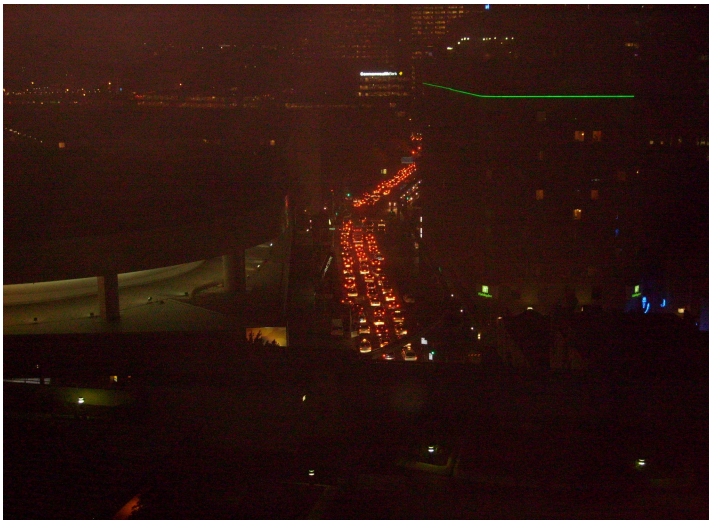
An idea of the distance of the noise from my building





The next day – a Monday. Same time of day, just 24 hours later.

Traffic impacts cannot easily be discussed with the developer's PR representatives who sometimes struggle to even accurately identify existing key streets, intersections and already congested areas when asked. Accordingly, will the Department of Planning and Infrastructure, perhaps aided by the TransportNSW specialists, insist that the traffic impacts **expected by the developer** – that for which he has supposed to have planned ⁸ – based on their own “expert” advice **NOT BE EXCEEDED**, thus transferring what would otherwise be extensive developer costs to its neighbours - and be prepared to inform the government of the steps the developer must take (probably very costly steps) to leave their victims no worse off ?



Here was what appeared in my May 2013 objection to respond with “here and now” evidence to refute the pages and pages of “nonsense' traffic analysis – the situation is worse 18 months later and will continue to deteriorate as nearby works on DHL South and other developments bring all traffic to a complete halt. Note that the traffic lights are **green !**.

Much is made of “view sharing”. To speak of articulation (implying junction/continuity etc) is laughable. It is hard to believe that any attempt has been made to effectively join things together, so as to either “blend or avoid”.

⁸ he claims

Boxes⁹ have been just inserted into otherwise, or formerly, useful spaces that will now need to be (or have previously been) demolished – first logically, and then, actually – to accommodate (with the least possible lateral gap) ugly structures incompatible with their settings, while diminishing the amenity of all currently inhabiting the district, whether residents, visitors or businesses. Proposing is equated with justifying.

Here, I have no pictures to show, because Lend Lease haven't built anything yet. However for an appropriate comparison for both scale and beauty you need look no further than the nearby Frank Gehry designed UTS Business School which is built “to the footpath” **BUT - ISN'T 40 STORIES HIGH.**

There is no comparison in impact nor in aesthetics, and the Gehry site (the old Dairy Garage) was very confined. By comparison, the Lend Lease site is unconstrained – entirely because they propose to remove everything that is in the way of their banker driven, overdeveloped proposal.



UTS by Frank Gehry North Side



UTS by Frank Gehry South Side

9 Literally “boxes”, that correspond with the **absolute maximum space available** after the most recent planning determinations without colliding with something else.

Will the Department of Planning and Infrastructure insist on genuine, beneficial articulation as that term is understood IN TERMS OF RELATIVE IMPACT on those whose current environment will be forever degraded ?

If we are to continue developing Darling Harbour South in this way, what sort of signal does agreeing to the developer's application imply ? There are many other ideas being touted. The Imax Theatre waits patiently for the dust to settle over this increasingly hotly debated area. By accepting (and not severely reprimanding the proponent) the Department of Planning and Infrastructure would, if it does nothing, have tacitly encouraged even more wild schemes – why not just encourage unlimited development ?

This development cannot be stopped. Unevaluated impacts (chiefly extra costs) absent from a never completed cost benefit study, impossible traffic loads on unexpandable streets at extra cost to the taxpayer as it meanders to completion under secret contractual arrangements etc have doomed it, and its unhappy neighbours, to go ahead. What would I like to see the Department of Planning to do ? At least, two things.

1. Make the set backs from the street **THE SAME** ¹⁰ as those of the Peak Apartment block about which nothing can now be done but which are generous compared with what is being proposed. Less, is to treat a large long standing existing community less favourably than a greedy developer - and forever worse off.
2. Reduce the number of car parks, but for a different reason than restraining the height of the biggest buildings. The streets cannot accept heavier flows, because nothing much can be done about traffic originating **outside** the district. Its growth will continue and traffic originating within the district is now **AT** its limit, as we shall see during construction.

¹⁰ By the **SAME** I mean the same relative impact. When the Peak Apartment block was erected on top of the old Market Building neighbours on higher ground to the south faced a building (the Market) over which the sun shone. The high tower was like a pencil about which the moving sun slowly strolled through the day.

Finally, I commend to the Departmental assessors the work of my neighbours, the Peak Apartment Block Objectors, for their trenchant and completely justifiable criticism of SSD 6626 which I believe have been separately submitted to the Department.

The industrialist, Henry Ford, told the truth when asked how he would go about identifying the causes of war. He said look and see who benefits financially. His prescription applies to a wide field of investigations - corporate sabotage, public corruption, the distribution of the burdens of change among the various groups affected in a community – and, to wars. In this case, a (locally) anonymous partnership (of property developers, financiers, constructors and government) will gain financially by having to needlessly rebuild government owned buildings and gain access to the last big chunk of central city land – the citizen, whether as taxpayers who fund the money costs of the project or as neighbours, will bear the cost impacts of its construction which are a heavy social toll, too. It is as though we here in Haymarket were invaded – and just had to put up with it.

CONCLUSION AND SUMMARY FOR D of P&I WINDOW

I oppose the proposal as currently formulated because:

- there is NO genuine building articulation or view sharing;
- to agree with the proposal will impose massive impacts on the neighbourhood once further (but announced) plans for other developments in the district are brought forward (but which are outside the scope of the current application) – clever lawyers exploiting the frailties of the existing planning regulations to allow outside developer interests to crush local resistance;
- of overshadowing of so much of the area, peoples' homes, public open spaces and public streets compared to any current standard; and
- of insufficient building set back from the street of the NE block towers.

Pete Bannister 1202 / 2 Quay Street

Sydney 15 December 2014