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The Director,
Key Sites Assessments, Planning and Assessment,
Department of Planning, Industry and Environment,
Locked Bag 5022,
PARRAMATTA NSW 2124

Dear Director,

Amended Concept Proposal for the Harbourside Shopping Centre Redevelopment

Pyrmont Action Inc., in its submission (1/2/17) on the original Concept Proposal, opposed it on the following grounds:

- It represents the privatization of a site designated in 1988 to operate as a Festival Market as part of a Darling Harbour gifted to the people;
- The proposal should be evaluated on cumulative impact grounds not in isolation of what may evolve in the development of future planning strategies in Pyrmont/Ultimo, and rejected on the grounds that it sets a building envelope precedent,
- The scale of the project
- Traffic and transport impacts
- Pedestrian/cyclist access
- Need for a retail strategy which activates ground level frontages and addresses the needs of the local communities, and provision of social infrastructure, including additional Affordable Housing (public), childcare, health, sporting and aged care, possibly through developer levies
- Heritage impact on the Pyrmont Bridge

Since 2017, a number of actions have been taken by the NSW Government which can influence the outcome of the assessment of this proposal:

- The Cockle Bay concept plans for its redevelopment have been approved
- The proposal for a 61-storey hotel/residential tower on the site of The Star has been rejected, noting that its excessive height was partly justified by citing the heights of the ICC Hotel and the proposed height of the initial Harbourside redevelopment concept plans;
- The rushed GSC Review of planning in the adjacent Pyrmont/Ultimo Peninsula which quickly followed that rejection, and the current (equally rushed) development of a Place Strategy for this area

We note that adjustments have been made to the proposal, in response to the 171 submissions from government agencies, organisations, the City of Sydney and the general public. We address them as follows:



Relocation of the tower from the north of the site to the centre of the site – Whilst the relocation to the centre of the site improves the view impacts on the adjoining hotel and 50 Murray Street, still it not only blocks some views, but increases the potential of overshadowing of apartments as far away as Pyrmont and Bunn Streets.

Setting back the tower envelope from the waterfront by 32m – This results in the tower being even closer to the S-E precinct of Pyrmont which has an entirely different architectural character.

Reduction in height of the tower by 12.6m – The attached photos of the architectural model depict very graphically the scale of the tower which is even taller than the ICC Hotel. Good planning would require any development to the north of the ICC Hotel, to be lower in height as the landscape tapers towards Sydney Harbour, and much more in harmony with the height of buildings immediately adjacent in Pyrmont. The Crown development at Barangaroo demonstrates the inappropriate (downright ugly) visual impact of a dramatic increase in height to the north of the Master Planned development to the south which blends into the background of CBD buildings when viewed from the west. And, in assessing the visual impact of the proposed 61-storey tower on the site of The Star Casino, both independent architectural assessors, rejected such a tall building so close to the northern end of the Peninsula.

It is quite clear that the RtS only looks at the relationship of both the tower and podium with the building heights prevailing to the south, east and north-east of Darling Harbour (Fig 8, RtS). There has been absolutely no acknowledgement of the complete lack of relationship with the character and forms of development in Pyrmont and Ultimo nor of the tower's impact on the amenity of those living and working in P/U, especially to the SW of the Harbourside site, through overshadowing. It also creates a dangerous precedent which can be used by the developer lobby to justify towers of similar scale in P/U, in direct contravention of Direction 1 of the *Directions for the Pyrmont Peninsula Place Strategy* (March 2020, NSW Dept of Planning). This recommends *development which complements or enhances the area*, not the destruction of P/U's character as a mixed low to medium height precinct which includes a significant heritage component, located between the extreme high-rise character of DH (a rules-free precinct) and the CBD of which DH is a part, and the heritage, low-rise character of Glebe.

Reduction in height of the northern portion of the podium envelope by 5.5m – Whilst a small section of the podium immediately next to the Pyrmont Bridge has been reduced in height, it is apparent (Figs 1 and 3, RtS) that the rest of the northern section of podium is several storeys above the height of the bridge and appears to be cantilevered over the boardwalk to the north and east. This will partly obstruct views of the harbour from 50 Murray Street even in apartments as high as level 9 and this loss cannot be compensated by provision of a green area on the roof which will be inaccessible to the public. The podium will completely block apartment views from levels 3 and 4. We continue to oppose both the height and bulk of the podium and ask that its scale not exceed that of the existing structure.



Removal of tower flange – We strongly support the removal of the flange from the concept plan but still consider the tower too high and with an excessive footprint.

Reduction in massing of envelope along the waterfront promenade – Whilst it appears that there is an increase (from the initial concept plan) in the width of the promenade in the centre of the site, it appears to be considerably narrower than as at present. Table 3, p34 RtS) depicts a wide plaza in front of the central section of the existing Harbourside complex, although it is noted that the northern and southern ends of the promenade have been widened. In effect, the existing public plaza has been reduced to a walkway, rather than a public space where people can gather. Even with the increases in width of the northern section from 11.2m to 14m and the increase of the southern section from 10.8m to 20m do not compensate for the loss of the plaza area. Indeed, the slightly wider northern section appears overwhelmed by the cantilevered and higher northern section of the podium.

In fact, all the new, and proposed developments around the foreshore of DH have (and will) create a walling off of the water and massing along the entire waterfront promenade. The sheer scale of the proposed Harbourside development will not enhance the current openness of the site, but effectively wall off the public domain and any tenuous remaining visual connections to P/U entirely.

Addition of a new central through-site link from the waterfront to Bunn Street – We support this linkage.

We will now address in more detail the issues of major concern to our members:

Overshadowing – Almost the entire focus of the analysis of overshadowing impacts (Section 2.5, pp 24-25 RtS) is its impact on the public domain within Darling Harbour. No analysis is presented regarding the overshadowing impact on private residences to the SW of the site. The Response acknowledges that there will be impacts (albeit slightly reduced in scale) on the public domain in DH especially over the key lunch time period, stating that from 2pm onwards the shadow impact of the amended proposal will fall on the water and onto the S portion of the DH waterfront. There is no analysis of the cumulative impact of the overshadowing of the water by the Harbourside development, together with that of the Cockle Bay redevelopment. The only private residential building analysed to the West and SW of the proposed development was 50 Murray Street. The rest of Pyrmont has been ignored. There is no analysis of shadow impact on Pyrmont private and public spaces in the summer months. The scale (height and bulk) of this development is likely to result in overshadowing of homes in Bunn, Murray and Pyrmont Streets in Pyrmont, particularly on winter mornings, and for this reason should be significantly reduced.

Visual Impact and View Loss – The ICC hotel already has generated a visual impact, especially when viewed from Pyrmont. Its excessive height in no way justifies the imposition of yet another, taller tower on the P/U precinct community. The rejection of an even taller (61-storey) tower on The Star Casino site was justified on the grounds of its visual impact, as well as its inconsistency with planning parameters relating to its site. The



complete absence of such parameters in DH should not give the proponent *carte blanche* to impose such a significant visual impact on its neighbours and further afield. The height of the tower should be reduced to align with the scale of buildings in Pyrmont, not the CBD.

Again, the RtS (pp 28-29) restricts its analysis of view loss to areas to the East, and DH, relating the height of the tower to those in the CBD and disregarding the scale buildings in the neighbouring precinct of Pyrmont to the West. Whilst the relocation of the tower to the centre of the site has reduced the view losses from 50 Murray Street, the height and width of the northern podium blocks views from levels 3 and 4 apartments, and partially obstructs the water views of upper levels of the apartment building. The height and scale of the podium should be reduced to ensure no loss of amenity to the adjoining apartment buildings.

Land Use – The development is described as mixed-use, incorporating residential, commercial and retail spaces. There is no mention of provision of much-needed community amenities, nor attractions which would encourage workers in P/U and elsewhere to remain in the precincts after work. Such amenities could include replacement of popular courts which were removed from DH when the Sega Centre was constructed; and an indoor cinema. We support provision of retail space, which offers an affordable range of goods, attractive not just to visitors, but to members of the P/U communities, noting that the nearest urban shopping centre (apart from the CBD) is Broadway. There is no direct public transport to Broadway from Pyrmont and none planned. In planning for the retail space, we strongly support ground level activation from the promenade and Darling Drive, particular for dining venues, rather than indoor venues.

We see no justification for the delivery of additional commercial office space in this area which was dedicated to the people of Sydney. Such provision is in contravention of the 1988 lease of the site which stipulated its uses to include retail, restaurant, tavern, entertainment and refreshments. Indeed, there may well be a significant increase in people choosing to work from home, as a result of experience of such gained during the corona virus pandemic. Removal of the commercial space provision would enable reduction of the height and scale of the podium such that it reduces negative view impacts and enables an increase in space along the foreshore.

With regard to the residential provision, we agree with the City of Sydney's view that it is *in a position to meet the NSW Government housing targets for residential dwellings without the provision of housing on the site* (RtS p 29). We fail to see how provision of residences will provide for the housing needs of the community, particularly affordable housing. Yes, there is a critical shortage of Social and public Affordable Housing, and we would support such provision in this development, but there is no evidence provided that this is the intent, and no definition of "affordable" within Section 2.7.2 of the RtS. It is unclear whether the inclusion of *a contribution to provide affordable housing which will help low-income workers in the community* (p30) refers to provision of a developer contribution towards provision of Affordable Housing, or is a genuine inclusion of such within the Harbourside development to enable *low income workers to live close to where*



they work in a sustainable, innovative and respectful existing neighbourhood. We would strongly support provision of up to 4 levels of publicly operated Affordable Housing within the proposed development. As stated above, we would support provision of a variety of privately owned apartments within a tower which is substantially reduced in height and scale.

Traffic and Parking – We note the provision of an additional 11 parking spaces to total 306 spaces within the basement of the podium, incorporating 3 levels of parking, and that the existing spaces below the Novotel Hotel car park will be retained for retail/commercial car parking. We also note that entry to the residential carpark will be via the loading dock entrance off Darling Drive.

Analysis of traffic impact is based on *a more recent traffic survey completed in January 2020*. Such analysis can hardly have validity as this period was atypical in that it was held (a) in the school holidays; (b) during a period when tourism and outdoor activity was adversely affected by smoke from the bushfires, the extreme heatwave, followed by flooding rains; then (c) the slowdown in all activity associated with the corona virus. As in our 2017 submission, we continue to urge a traffic study which examines the cumulative impact on traffic in the Pyrmont Peninsula of not just this development, but that associated with the development of the Pyrmont Peninsula Place Strategy being undertaken by the Department of Planning, and the development of the Master Plan for Blackwattle Bay being undertaken by Infrastructure NSW.

With regard to public transport, whilst we note the improvement in frequency of light rail service to approx. 8 minutes for the whole day, it is our experience that the carriages are still packed with passengers, thus demonstrating unmet demand for improved public transport to service DH, Pyrmont and Ultimo. We strongly support the provision of a Metro Station in Pyrmont, in a central location to enable it to serve Darling Harbour, The Star, and the new Sydney Fish Markets and Blackwattle Bay redevelopment.

Design Principles – Once again, the design principles outlined in 3.2 p41, only consider the development's scale and relationship to its immediate context, ie DH and the CBD. We reject completely the statement that *the new residential tower.... responds to the surrounding context of tall buildings and appropriately manages building separation, view sharing and overshadowing considerations*. Currently, there are no tall buildings of a similar scale and height of the proposed development located on the Pyrmont Peninsula and we strongly reject any suggestion that the proposed Harbourside tower and podium *improve public amenities and provide a public domain with social, green infrastructure for human comfort*.

In 2017, we rejected the proposed development outright. Since that time, we are prepared to accept a compromise proposal which:

- Is reduced in height and scale to complement the scale and character of the built environment of Pyrmont;
- Does not compromise existing views



- Does not overshadow properties in SW and W Pyrmont, nor the waters of Cockle Bay
- Does not generate adverse visual impacts from Pyrmont and Sydney Harbour
- Avoids setting a height principle for future developments in Pyrmont, including any developments at The Star Casino
- Includes 4 levels of publicly managed Affordable Housing
- Does not include commercial space
- Is supported by provision of adequate public transport
- Includes provision of social infrastructure, including public courts and an indoor cinema

The overwhelming message contained in this much-delayed Response to Submissions is that the impact of the proposed Harbourside redevelopment on the Pyrmont community is irrelevant and not even worthy of assessment. We have noted the extensive consultation with government departments, the adjacent hotel operators and the Strata Committee of 50 Murray Street. We also note the workshops conducted with Prof Peter Webber and the Department staff. This would have been an ideal mechanism for community engagement and we are still very prepared to work with the Department and proponent to achieve an outcome which enhances, rather than detracts from the amenity enjoyed by the residents and workers of, and visitors to the Pyrmont peninsula.

Whilst we have provided this submission within the time-frame permitted, we strongly recommend a delay in the whole assessment process, including more time for public consultation, as the exhibition period coincides with the social isolation of the public on account of the corona virus. Mirvac has waited for three years to unveil its amended concept plan, a few more months to enable full community participation should not have a significant impact on its timetable.

Yours sincerely,

Elizabeth Elenius, Convenor





Fig 1 – Height Impact viewed from West

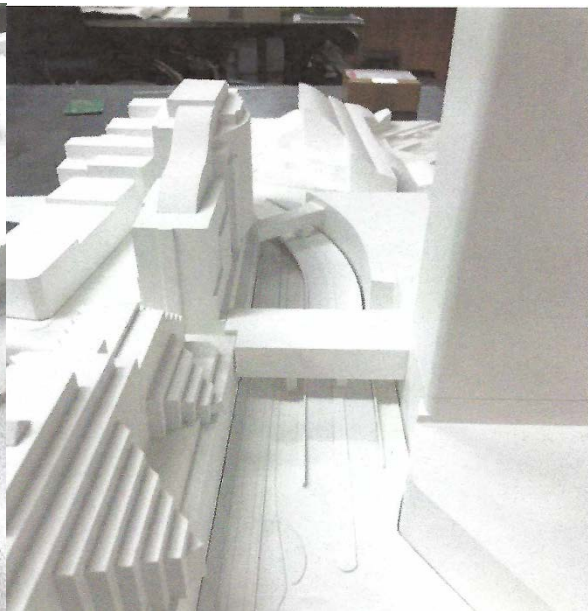


Fig 2 – Height comparison with 50 Murray St

