

Pitt Street South Over Station Development - summary of objection issues

Introduction

- Have significant concerns and object to development application in its current form;
- Shocked to see no effort made by Applicant to address fundamental non-compliance issues and conditions imposed by the concept development approval;
- Does not comply with planning controls and is a gross overdevelopment which will cause considerable negative impacts on neighbouring properties;
- Living amenity of adjacent apartment building greatly affected through loss of solar light and privacy with substantial overshadowing of living areas to the majority of residents;
- Despite the Secretary's Environmental Assessment Requirements clearly outlining the applicant was to address all Environmental Planning Instruments including State Environmental Planning Policy No 65, Sydney Local Environmental Plan 2012 and the Apartment Design Guide and demonstrate consistency with SSD 8876 concept approval, the applicant has clearly not addressed these requirements or concluded they simply will not comply;
- Note inconvenient timing of exhibition during June (EOFY) being busiest time of year.

Overshadowing & solar access

- Applicant admitted will not comply with section 3B of the Apartment Design Guide despite being a requirement;
- Huge, unacceptable overshadowing effect on Princeton;
- According to Applicant's Shadow Analysis Report 6 out of 116 apartments (5.2%) will receive the required access to direct sun as per ADG;
- 48 people's homes will be hugely affected. A reduction in number of apartments with sun exposure (per 1m² of living room area between 9am to 3pm on 21 June) from 54 apartments to 6 apartments (41.4% reduction);
- Under ADG a proposed building of this nature should not reduce solar access to more than 20% of neighbouring homes. The applicant's proposal is more than double the maximum allowed under ADG;
- ADG Objective 3B-2 provides that if a proposal will significantly reduce solar access of neighbours, building separation should be increased beyond the ADG minimums. Applicant has ignored this requirement;
- ADG Objective 3B-2 also provides that overshadowing should be minimised to south by increased upper level setbacks. This has not been done. Applicant's response to this requirement is that the building steps down from east to west in accordance with sun access plane so they can ignore this requirement;
- Practical effect will include artificial heating and lighting costs increasing thus increasing our carbon footprint and reducing sustainability;
- Applicant has made irrelevant assertions that development would comply with ADG if metrics changed (to include all habitable rooms and change of times to 8am - 4pm) demonstrating lack of regard to design rules and SEARS requirements;
- Proposal must be amended to ensure neighbours do not lose winter sun;
- Development will also negate the opportunity for Princeton to install solar panels as an alternative source of power generation, which was being considered prior to this application;
- Clearly does not comply with ADG and consent condition A24(c) that design must seek to maximise retention of solar access to living room of Princeton apartments between 9am - 3pm at midwinter.

Separation

- Does not comply with requirement of part 2F Apartment Design Guide which is a requirement of SEARS and concept consent;
- Minimum separation under ADG is:
 - Up to 4 storeys - 12m between habitable rooms, 9m between habitable and non-habitable rooms. The proposed separation is 0 which is non-compliant;
 - 5-8 storeys - 18m between habitable rooms, 12m between habitable and non-habitable rooms. The proposed separation is 0 up to level 6 which is non-compliant;
 - Above 9 storeys - 24 metres required as habitable rooms are on the north boundary of Princeton and south boundary of proposed development floor plans. Proposed separation of 12m is non-compliant.
- Where existing, approved building in place a development must comply with minimum separation requirements which the applicant has failed to do;
- ADG states that separation between buildings contributes to the urban form of an area and the amenity within apartments and open space areas;
- ADG states this is a separation requirement, not a setback provision therefore the full minimum separation distances must be enforced;
- Inadequate separation also increases the risk of fires spreading and undesirable acoustic impacts.

Loss of view and amenity

- Proposed development in current form would cause significant loss of views and amenity to Princeton;
- A large proportion of units would lose all views to northern aspect;
- No consideration made for numerous lower apartment floors in Princeton having no separation between plant and equipment floors on development;
- Princeton communal areas including the outdoor bbq area and gym negatively affected by being immediately adjacent to plant and equipment floors of development;
- Substantial loss of views from Greenland building including eastern aspect views to Hyde Park;
- Fails to meet consent condition A24(d) requiring design must consider retention of view to St. Mary's Cathedral from Century Tower. This has been ignored and these views will be removed entirely.

Overshadowing of Hyde Park

- Applicant's Shadow Analysis Report confirms significant overshadowing to Hyde Park throughout the year;
- Hyde Park is an extremely precious inner city open space that is used greatly by residents and visitors;
- This park must be protected as it is increasingly common for cbd residential buildings to have no private open space;
- Remaining access to sunlight must be protected especially in the vicinity of the ANZAC memorial, which the proposed development casts all of the additional shadowing;
- To allow incidental overshadowing would set a dangerous precedent for the majority of the park to be in shadow;
- Represents additional non-compliance with Sydney Local Environmental Plan 2012;
- It will cause considerable detrimental impact on public amenity;

- Shadow Analysis Report demonstrates bias in parts (concludes overshadowing foreseeable and reasonable). Independent study should be undertaken.

Privacy

- Princetown is a major residential development therefore privacy is very important;
- Applicant's proposed louvres along southern façade do not extend across living room windows therefore fail to address any privacy concerns which are generally greater in living areas than bedrooms with a higher threshold for liveable space.

Sustainability

- Loss of solar access and daylight will increase reliance on artificial lighting and heating in winter leading to increased power costs and reduced sustainability;
- Reduced separation will negate access to cooling north-easterly breezes leading to a greater reliance on artificial cooling in summer and reduced sustainability;
- Shocking that new apartments in proposed development are not sustainable:
 - Only 50% achieving ADG solar access requirement of 2 hours of mid-winter sun between 9am - 3pm in living rooms;
 - More than 15% apartments receive no solar access during mid-winter;
 - Due to inherent unsuitability of site to high rise, residential development with small, tightly-packed apartments.

Build form, heritage & history

- The proposed development is surrounded by heritage buildings such as the Edinburgh Castle Hotel, Castlereagh Street fire station and the Sydney Water Board building;
- Design represents a basic uninspired tower with only effort made to compliment the heritage nature of the location being the unsightly colour scheme which appears dated in comparison to modern developments;
- Tall vertical columns, minimal glass and vertical balustrades blocking windows make it look like a prison block;
- Understand why marketed to international students, but shouldn't be as in prestige location;
- Importance heritage site shouldn't be used to experiment with a new build to rent model in the Australian market;
- We have modern, aesthetically pleasing developments in The Castle and Greenland nearby;
- At a proposed 39 storeys the development dwarfs the 3 storey Edinburgh Castle Hotel removing any visual historical impact the hotel offers;
- Princeton building has considerable architectural merit. A large building mass in such close proximity would substantially detract from its quality and impact;
- The impacts on the heritage significance of the surrounding buildings will be adverse and entirely unnecessary;
- We should resist the development of high rise slums full of small apartments.

Summary of Conditions of SSD 8876 concept approval that have not been met

- Applicant failed to meet SSD 8876 concept approval conditions in relation to solar access to Princeton, loss of residential views, loss of residential privacy, ADG building separation, overshadowing Hyde Park, and arguably also heritage impacts.

What we want

- A suitable, sustainable development in accordance with ADG and all applicable planning controls;
- The Sydney Metro Pitt Street South Over Station Development Design Guidelines and Sydney Metro Design Excellence Strategy to be followed;
- At very least the application should be determined by an independent body to ensure it is considered on its merits and in accordance with applicable planning controls;
- All requirements to be followed including separation limits, protection of solar access, privacy and amenity to be properly respected, no overshadowing of Hyde Park;
- Sensible approach to inner city planning to protect our beautiful city, sustainability in development and the protection of rare public open spaces.