

The Secretary
NSW Department of Planning, Industry and Environment
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Submission: SSD 10376 Sydney Metro Pitt Street (South) Over Station Development – Stage 2 and SSD 8876 MOD 2

This submission should be taken as an objection to both SSD-10376 and the modification SSD-8876 MOD 2.

I wish to note that I have been unable to lodge my submission online due to Planning Portal failures which have been acknowledged by the Planning Officer James Groundwater. I had to wait until the last day of the deadline (30 June 2020) to be told that I can lodge a submission by emailing James directly. I am sure there are numerous other people who have failed to lodge submissions due to this error.

Members of my family live in Princeton Apartments at 308 Pitt Street which is next door to the proposed development.

This application is inconsistent with the SSD 8876 conditions of consent. Those conditions provided that the built form was to be designed to minimise solar impacts to the living rooms of Princeton Apartments and to achieve compliance with the requirements of SEP 65 and accompanying Apartment Design Guidelines. It has failed spectacularly on all counts. If it were not for the references to the above in the application (and accompanying acknowledgements of failure) you would think the applicant wasn't aware of these requirements.

Building separation must be 24m between habitable rooms. This is a requirement of ADG and non-negotiable. The notion that as Princeton is built to the boundary, which is a compliant, entirely approved development, should make this a setback requirement from the boundary and not a separation requirement is unfounded. The ADG is clear in this regard. 12m separation is insufficient and is the cause of the myriad of issues with this development.

The modification application seeks to decrease the separation to 11.55m so the applicant does even intend to comply with its own incorrect assessment of the ADG. And this does not take into account the further reduction in separation caused by any operable windows protruding beyond the development's boundary towards Princeton.

Separation is inconsistent with ADG and the SSD 8876 conditions of consent. This submission could stop here however the extent of non-compliance goes far beyond this fundamental error.

According to the applicant's Shadow Analysis Report which was buried deep within the application paperwork, ADG has again been breached. This is both for the overshadowing of Princeton and the availability of solar access to the new apartments. To fail on multiple counts is terrible, especially as the applicant champions sustainability as a fundamental feature of the development. Sustainable development with 234 apartments with insufficient access to natural light and the complete overshadowing of its neighbour's natural light? I was looking forward to hearing about the plans at Princeton to develop a solar panel program to reduce its carbon footprint and increase sustainability but these have been devastated by this application. Instead we will have more reliance on external provision of artificial heating and lighting in winter and artificial cooling in summer. I have been a health professional for my entire career and this proposal raises mental health issues in relation to serious reduction of amenity and reduced living conditions in the heart of a global city.

I understand that currently 54 out of 116 apartments in Princeton receive the required 2 hours of solar access in mid-winter under ADG. The applicant proposed to reduce this to 6 which is a reduction of 48 people's homes that will be put into darkness. This is a reduction of 41.4%. Under ADG 3B a maximum of 20% reduction is permitted. This is a staggering measure of non-compliance. ADG 3B-2 also provides that if a proposal will significantly reduce solar access of neighbours the building separation should be increased beyond the minimums. So there is a two-part failure against ADG requirements in this regard, namely of more than double the maximum reduction of solar access and a further failure of separation requirements. It should be noted again here than even though ADG is a design requirement binding the applicant, this is further enforced by the SSD 8876 conditions of consent which expressly state that the applicant must comply with ADG requirements. The applicant's response to this direction is to make irrelevant statements that if numerous metrics in ADG were different they might be able to comply. These damaging statements speak for themselves and show the applicant's attitude toward planning rules.

The applicant's attitude throughout displays a complete disregard for prescribed planning rules and directions. It appears they believe that a 39 storey residential block housing a staggering 234 apartments with an experimental build to rent model untested in Sydney should be given special treatment as it is "State Significant" merely because it is located above a metro station. They have interpreted state significance to mean a quick way to build sub-standard high rise slums dodging established planning controls to maximise profit. Sydney is a world class city with an incredibly bright future and should not tolerate anything less than excellent for new developments of significance in the heart of its city.

All of Princeton's apartments on the north side have north facing windows in the living rooms and bedrooms, in addition to north facing indoor and outdoor balconies. The applicant states in their Scoping Report for SEARS that Princeton apartments only have bedroom windows facing to the north. This fundamental error may be the reason the applicant has failed to address this issue as they appear to believe there are less than half of north facing windows than there are. This should have been immediately obvious to the applicant if they had visited apartments in Princeton as they state they have done in the application.

The application fails against the SSD 8876 conditions of consent which required it to design the development to minimise solar impacts to the living rooms of Princeton Apartments and achieve compliance with ADG.

The proposed new apartments will not even meet the ADG requirements for access to solar light. I understand that only 50.9% of new apartments will receive the required 2 hours of solar access in mid-winter. In my view this is largely due to the inherent unsuitability of this site to a high rise residential building.

Moving onto the issue of privacy again the application falls short of sensible design and fails to meet planning requirements. As the building is proposed to be so close to Princeton which is a residential building privacy is a key issue. The applicant proposed to install louvres on the southern side to some bedrooms but not the south facing living rooms or dining rooms. The outcome is that residents of Princeton will be able to see directly into these areas and the residents of the new development will be able to see directly into Princeton apartments.

There are communal areas at Princeton two floors above ground level and gym facilities 3 floors above ground level. The communal areas comprise outdoor seating area, landscaping and bbq areas. The applicant proposes to build floors of plant and equipment right next to these areas. No further information has been provided of how the applicant will offset the noise, vibration and amenity aspects of this decision. The applicant has however detailed their own communal area on level 6 of the proposed development which has less than 1m setback to Princeton, again contrary to the requirements in relation to ADG.

I have spent considerable time in Sydney visiting Hyde Park to enjoy this inner city sanctuary. The applicant's proposal to overshadow Hyde Park in the vicinity of Anzac Memorial is offensive to all residents and visitors to Sydney.

Not only will the development eradicate all northerly views from Princeton apartment, which include multiple views of Sydney Harbour from bedrooms and living rooms, but it will also remove Century Tower Views of St. Mary's Cathedral. This is specifically contrary to SSD 8876 conditions of consent regarding consideration of improvements to St. Mary's Cathedral views from Century Tower. No apparent consideration has been given to this requirement.

This application fails on a staggering number of counts and should be handled by an independent panel who will assess it on an objective basis. It clearly cannot be approved in its current format unless planning requirements can be willingly disregarded in the heart of Sydney. I sincerely hope we will have the chance to review a sensible, sustainable alternative at this landmark site. Thank you for your consideration.