

The Secretary  
NSW Department of Planning, Industry and Environment  
4 Parramatta Square  
12 Darcy Street  
Parramatta NSW 2150

By Email: [james.groundwater@planning.nsw.gov.au](mailto:james.groundwater@planning.nsw.gov.au)

**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.

As an owner of a unit in the immediately adjacent building at 308 Pitt Street, I am looking forward to the site next door being utilised and developed into something which will enhance our beautiful city.

I do however disagree with the current impractical proposal submitted by the Applicant because it represents a gross overdevelopment of the site without due regard to surrounding residents.

**SURROUNDING HERITAGE ITEMS**

The site of the Applicant's project is unique because it is surrounded on all sides by historical buildings. The beautiful QVB is a mere 2 minute walk away. This historical look and feel of this area of the CBD must be protected so that it does not turn into a cluster of high rise atrocities with no regard for the respect towards culture and history. Merely adopting the same colour as the Edinburgh Castle Hotel does is not sufficient to address heritage requirements. The applicant seems also to have adopted the appearance of a historical jail cell in its chosen design which is fitting given the failure of the new units to get adequate light and space and be used for limited term accommodation for its inhabitants. The target market appears to be students living in dormitory-like conditions.

The Applicant has not considered the long term protection, conservation and significance of nearby environmental heritage and cultural objects and places. Although it identifies and lists some heritage items the current design does not do enough to protect the following local and state listed heritage items.

1. Former Sydney Water Building (c.1930) at 339 Pitt Street has state significance. This beautiful building is just across the road from the Applicant's project. The pool on top of the roof will be overshadowed by the Applicant's design.
2. Edinburgh Castle Hotel (c.1880) at 294 Pitt Street has local and social significance. This considerably shorter landmark adjacent building will be dwarfed by the Applicant's design. There will also be minimal to no separation between the Applicant's Building and the Edinburgh Castle Hotel.
3. Anzac War Memorial (c.1930s) and surrounds at Hyde Park is behind the Applicant's development. This was erected to honour the troops that fell in war and must be protected from overshadowing.
4. Former Speedwell House (c.1907) is a 30 second walk from the Applicant's development at 284 Pitt Street.

5. Castlereagh Street Fire Station (c.1930) is located immediately behind the Applicant's proposed development.

If the Applicant's plans to overdevelop their site proceeds, this will degrade and erode the various heritage items immediately surrounding the site. This could conceivably open up the floodgates for future developers to view the above heritage items as not worthy of keeping or easily disregarded as unimportant. We should preserve these old buildings and heritage items in the CBD because there are not many of them left.

## RESTRICTING SOLAR ACCESS TO HYDE PARK

An aim of cl. 6.17 of the Sydney LEP 2012 is to ensure that buildings maximise sunlight access to public places. The Applicant has not complied with this because their Environmental Impact Statement states that there will be additional overshadowing to Hyde Park. This is concerning for amenity and safety reasons for so much of the community and tourists which rely on this precious public place. With so many months being affected by the Applicant's design, it is misleading for the Applicant to say that this overshadowing of Hyde Park is minor.

The Applicant should reduce its building envelope to avoid the unnecessary overshadowing across Hyde Park so that they can achieve the aim of cl. 6.17 of the Sydney LEP 2012 to maximise sunlight access to public places.

## THE BUILDING SEPARATION BETWEEN THE PROPOSAL AND PRINCETON APARTMENTS

The Applicant's design is inconsistent with Part 2F of the Apartment Design Guidelines. Their report states that there will be 0 building separation on the lower levels and a 12 metre separation for the higher levels. This is a direct noncompliance with the Apartment Design Guidelines which the applicant has been mandated to comply not only by the Sydney Metro design documents but also by the conditions of consent imposed at stage 1 of the development application. The proposed building and Princeton Apartments will be over nine storeys and so the following minimum building separations must apply:

1. 24m between habitable rooms/balconies
2. 18m between habitable and non-habitable rooms (only if non-habitable rooms are on the southern boundary of the development)

Princeton Apartments was constructed (in accordance with approval from the City of Sydney) right up to the northern boundary of their lot. This was at a time where setback legislation permitted this. Princeton Apartments cannot move their building back to comply with current setback legislations and so the Applicant should take the layout of Princeton "as is" and build their property 18-24 metres away from Princeton Apartments.

I understand all homes on the north side of Princeton have habitable rooms because the windows will be looking into their bedrooms or living rooms. As Princeton is an existing approved building on an adjoining site, the Applicant has an obligation to ensure that their design meets current building separation requirements. It is appalling to hear that the Applicant's proposal contains only a 0 - 12 metre building separation between it and Princeton. Proceeding with the current design with the current proposed building separation would obviously cause significant adverse impacts on the amenity of apartments at Princeton.

## LOSS OF SUNLIGHT FOR OWNERS AND OCCUPIERS AT PRINCETON APARTMENTS

The Shadow Analysis Report as shown in Appendix E.2 of the Environmental Impact Statement confirms:

- CURRENT SITUATION - 54 of the 116 units (i.e. 46.6% of units) at Princeton Apartments currently receive the minimum 2 hours of solar access between 9am-3pm on June 21. It should be noted in stage 1 application this figure was higher therefore I question the accuracy of this report.
- IF THE APPLICANT'S PROPOSAL GOES AHEAD – ONLY 6 out of 116 units (i.e. 5.2% of units) at Princeton Apartments will receive the minimum 2 hours of solar access between 9am-3pm on June 21 if the Applicant's proposal goes ahead.

This is in clear breach of the ADG Design guidance which was set as a fundamental requirement that the applicant must address.

The above breaches by the Applicant should be reason enough to STOP the proposed applicant and demand that the Applicant reduce the size and increase the building separation to meet reasonable solar access criteria for adjoining properties.

#### LOSS OF PRIVACY AND VIEWS FOR OWNERS AND OCCUPIERS AT PRINCETON APARTMENTS

The majority of windows at Princeton directly facing the Applicant's proposed development will be bedroom or living room windows. These are not secondary windows and are the ONLY windows for these rooms (if we exclude any balconies).

The current building separation proposed by the Applicant between its building and Princeton Apartments is not enough to give the residents of Princeton visual and acoustic privacy. The applicant's proposal to install louvres (which will potentially decrease the set back between Princeton when operated) in only the bedrooms is insufficient, and ignores the fact that the living areas in the development will be visible. Again this represents a half-thought through solution and additional non-compliance.

The development will also completely block out Century Towers' views to St. Mary Cathedral which was a requirement of the proposal.

The applicant mentioned the Tenacity test in its application but then dismissed it as it purports to build within the concept envelope (despite the fact it is seeking to modify the consent as it is building outside the envelope). Tenacity refers to view sharing principles and places importance on any water or historic views. The development proposed to block out both Princeton's northerly views to the water at Sydney Harbour (visible from living rooms and bedrooms) and Century Tower's views to St. Mary Cathedral. This is disgraceful.

The Applicant should do the following to have a better impact on Princeton as an adjoining building:

1. Shorten their proposed building
2. Increase the distance between the proposed building and Princeton
3. Reduce the footprint of their proposed building

As the Applicant has not adequately responded to the Secretary's Environmental Assessment Requirements in relation to minimising overshadowing and privacy for surrounding residents and for the several reasons outlined above, this application in its current form should be REJECTED.