

Sydney International Convention, Exhibition and Entertainment Centre Precinct – Mixed Use Development in the Southern Haymarket Precinct – SD 5878

Submission by:

Francine de Valence

2808/2 Quay St

Haymarket NSW 2000

30 April, 2013

I object to the application on the following grounds:

- Insufficient building separations
- Excessive building depths
- Overshadowing of neighbouring dwellings
- Inadequate and inequitable view sharing arrangements
- Unacceptable arrangements to cater for the increased population in terms of traffic volume and pedestrian safety
- Inequitable consultation process

Overdevelopment

1. Overdevelopment of the site

Summary

Nine towers ranging from 12 to 40 stories will be built on the current Entertainment Centre and car park site, an area of 47530m² (less than 5 hectares). 4 of these towers are between 25 and 40 stories.

The recommendation by City of Sydney Planning in their July 2012 submission that more than 3 high-rise towers on the site would lead to "tower crowding" has been ignored. The problems arising from this overdevelopment are:

- inadequate building separations which contravene the recommendations of the Residential Flats Design Code (RFDC)
- building depths which also contravene the maximum depths recommended by the RFDC
- overshadowing within the site and of existing surrounding buildings
- inadequate and inequitable view sharing arrangements

Detail

A) Inadequate Building Separations

Of the 14 separations between buildings on the site, 8 do not comply with the guidelines set down by the Residential Flat Design Code (RFDC). The objectives and controls are set out on P26 of the RFDC.

The 8 separations that do not comply with the RFDC are listed below:

Building Names	Height of each building in floors (EIS 4.6.2 Table 7 p59)	Proposed separation (metres) – Figure 48 (ref above)	Comment by this submission
SW1 to NW	25 and 12	8	Inadequate separation by 4 metres for all types of rooms
SW3 to SW2	40 and 9	9	Inadequate separation by 3 metres for all types of rooms
SW1 to SW2	25 and 9	21	Inadequate separation by 3 metres between habitable rooms/balconies
SW1 to SW3	25 and 40	18	Only adequate if there are no habitable rooms/balconies on the exterior of both buildings
SE1 to SE2	28 and 9	9	Inadequate separation by 3 metres for all types of rooms
W1 to W2	21 and 21	10	Proposed separation is

			insufficient by at least 2 metres for all types of rooms
SE1 to SE3	28 and 18	18	Only adequate if there are no habitable rooms/balconies on the exterior of both buildings
NE1 to NE3	18 to 40	12	Adequate for non-habitable rooms only.
Building on NE plot to Holiday Inn Hotel	Over 12 and 12	EIS admits non-compliance on floors 9 to 12 (p88)	Further information required please

The EIS states that the RFDC "recommended controls are framed around the objectives of maintaining acoustic and visual privacy; controlling adverse overshadowing impacts; promoting daylight access, and providing for adequate open space and deep soil zones within a site" EIS 5.6.3 P87.

While the EIS admits that the plans reveal some variation with the building separation recommended by the RFDC, it provides only vague statements on P87 as to how this may be acceptable. For 5 of the separations, the proposed number of metres separation is not sufficient for all types of rooms. More detail is required on how the areas of non-compliance can, in fact, meet the requirements of the RFDC and provide sufficient protection for new and existing residents in terms of privacy, overshadowing and daylight access in particular.

B) Building Depths

Detail

The nine buildings range from 19 metres to 24 metres in depths. None of the building depths comply with the RFDC guidelines and no explanation has been given by the developer as to why it is acceptable to exceed these building depths.

The building depths proposed are listed in the EIS at section 5.6.4 p88. Yet the RFDC notes on P26 "whether there is a building envelope or not, the maximum internal plan depth of a building should be 18 metres from glass line to glass line" and on P27 "in general, an apartment building depth of 10-18 metres is appropriate. Developments that propose wider than 18 metres must demonstrate how satisfactory daylighting and natural ventilation are to be achieved."

No such demonstration is given in this EIS, only vague statements like on p89 of EIS section 5.6.4 "the extent of building depth variation is minor (generally being between 2m and 6m) and is considered to be acceptable given that the indicative scheme has demonstrated compliance with other key RFDC objectives." How can a depth that is 6m over the recommended maximum

depth be considered minor? Do the developers think that RFDC guidelines can be traded off against one other? Why and how can the developer exceed these depths and still maintain adequate daylighting and natural ventilation?

C) Overshadowing

Detail

There is insufficient detail in the EIS to be able to estimate the effect of overshadowing on neighbouring tall buildings in any season and in particular at the winter solstice. This is because only horizontal shadowing diagrams have been provided at Appendix J. There is no mention in the EIS about vertical shadowing (elevation shadowing) and the development application needs to also include diagrams that show the impact of the elevation of the shadowing on nearby buildings, especially throughout the day at the winter solstice.

At section 5.9 P97 the EIS states that no overshadowing controls apply to the proposed development but notes the prescription set out in The City of Sydney Development Plan 2012. Does this mean that the developer plans to abide by the latter rules or can he just do as he pleases? The EIS is extremely vague on the amount of overshadowing that will occur both within the site and to the existing buildings.

The EIS observes at p98 of section 5.9 that "The Peak apartments (north and west facades only) would be partially overshadowed by the Haymarket Precinct Proposal in the late afternoon at the winter solstice." The EIS does not state whether these facades would receive more or less than 2 hours sun during the winter solstice. This is not good enough, particularly when governments are trying to encourage greater use of solar access and energy and reduction of carbon footprints.

Nor is the overshadowing of The Quay apartments, currently under construction, mentioned in the EIS.

When discussing the podium of The Peak Apartments, the EIS states "the landscaped podium will continue to receive at least 2 hours of daylight access (on 21 June), assuring compliance with the intent of the DCP." This is correct but represents a major reduction from the 6 hours of daylight access the podium currently receives.

D) Inadequacy of View Sharing

Detail

Lack of view sharing with existing buildings is largely glossed over in the EIS. Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 states that the "public good has precedence over the private good whenever and

whatever change is proposed for Sydney Harbour or its foreshores". Yet in this EIS we are **not** talking about public and private views. We are talking about existing private views being very adversely affected by the building of new private views directly in front of these existing private views, with very little provision for view sharing arrangements so that at least some existing private views can be retained.

The EIS fails to acknowledge that the new private buildings will have very desirable, unobstructed views of Darling Harbour, Sydney Harbour and Anzac Bridge and that the majority of north and west facing apartments in The Peak will lose all views of Darling Harbour and Sydney Harbour and that many of those same north and west facing apartments will lose all Anzac Bridge views.

It is accepted that view sharing is desirable. However, the new buildings, which will have excellent views, must share those views with existing private buildings.

It is noted that City of Sydney in its Planning and Built Form Considerations at Appendix 18 of Appendix I states that "any more than three towers south of Pier St will result in tower crowding" and that avoiding "big boxes" would be in sympathy with the low-rise aspect of Chinatown.

Woods Bagot in their report on p23 of Appendix 19, Appendix I of the EIS, suggest in their diagram only two towers south of Pier St.

Yet the developers propose nine towers (section 4.6.2 Table 7 p59) ranging from 12 to 40 stories. They have ignored building separation and building depths recommendations of the RFDC and have thus failed to address 3 of the 4 main principles of view sharing, viz:

- avoiding tower crowding
- maintaining appropriate building separation between towers
- building slender towers to maximise views from both within and outside the site

The other view sharing principle – creating view corridors – has only been addressed by the creation of the Boulevard. Yet north-west, straight north and north-east facing apartments at The Peak will not be able to see down The Boulevard, will lose most of their existing views and certainly all of the prized views that residents in the new buildings will enjoy. It is unlikely that those residents with west facing views, who currently have excellent views of both Darling Harbour and the Anzac Bridge, will see much down The Boulevard either.

The EIS makes a curious statement about the view sharing arrangements of the new Quay development, which was heavily advertised during its marketing campaign as having expansive Darling Harbour views. It states at P91 section 5.6.5 of the EIS that "the existing field of view will be reduced in part however views will generally be retained across Sydney Harbour." This is patently untrue.

The Quay is only 17 stories high and no north facing apartments will glimpse anything other than the walls of one 25 storey and one 40 storey building on the SW Plot.

With regards to The Peak, the developers say they have “accommodated view sharing between and above buildings” and have “sought to retain a combination of water, horizon and CBD skyline views” (EIS section 5.6.5 p91). This is not so. What they have done is remove from The Peak residents, who face north and west, reasonable views of Darling Harbour and Sydney Harbour and a large proportion of Anzac Bridge views and given those views to the new residents, from whom the developers can expect to obtain high purchase prices at the expense of the value of The Peak apartments. That is not equitable.

Population Density

Summary

The Haymarket currently has 5376 residents on a 53 hectare site (2011 census). The 5 hectare Haymarket Precinct, coupled with the new Quay and Hing Loong Apartments developments will increase Haymarket’s population to 10744 on 58 hectares– an increase of just on 100%.

The Haymarket will be further impacted by the large developments in Central Park and Harold Park when residents use Haymarket streets to access Paddy’s Market, Chinatown and other attractions in the precinct. All these developments will put pressure on the adequacy of public transport; the ability of the precinct’s “short grain” roads to cope with increased traffic; community services such as schools, hospitals, libraries and health and community centres, some of which are already at overcapacity; and the ability to maintain pedestrian safety for residents and visitors to the area.

Detail

The proposed Haymarket Precinct development covers a site area of 47, 530m² (a little less than 5 hectares). Haymarket currently covers about 53 hectares (RP data research www.rpdata.com) so the suburb will expand to about 58 hectares when the development is completed.

The Haymarket Precinct will house approx. 3544 people in 1363 units and about 1000 students in the proposed student accommodation on Darling Drive. The following table shows the current population and the estimated number of residents in new developments proposed or currently under construction in Haymarket:

Development	Approx number of residents
Current Haymarket residents (2011 census)	5376
The Quay Apartments	702
Hing Loong Apartments	122
The Haymarket Precinct (1363 units and 422 student beds for 1000 students)	4544
Total	10744

Resident estimates are based on 2.6 people per apartment (Census data 2011). At a community consultation held at The Holiday Inn Hotel on 18 April, 2013, representatives from Lend Lease and Darling Harbour Live affirmed the accuracy of this figure, suggesting there would be approx.2.5 people per apartment and about 5000 people (including students) eventually living in the precinct. The increase in population will be 100%. With an estimated 3544 residents covering the current Entertainment Centre/Carpark site, this precinct will house over 700 people per hectare, making it be the most crowded area in Sydney and about 3.5 times denser than Elizabeth Bay which is currently the most crowded suburb in Australia. (source RP data www.rpdata.com.au). It will be more than ten times denser than Potts Point which houses over 4000 people per square kilometre (source SMH Domain 30 March 2013).

But unlike Elizabeth Bay, Haymarket is on the edge of the CBD and the residential population is daily increased by:

- office and retail workers in the area
- workers delivering goods to office, retail and residential sites
- visitors from greater Sydney and intrastate, interstate and overseas tourists who visit Chinatown, Paddy's Market, Darling Harbour, Haymarket shops and restaurants
- visitors to residential buildings which will increase with the opening of new developments

The population will also soon be impacted by large developments currently under construction at Central Park (1800 units and, based on 2.6 residents per apartment, approx.4680 residents) and Harold Park (1250 dwellings and approx. 3250 residents.) Proposed developments in the CBD, including the Greenland project in Bathurst St (400 units/approx. 1040 residents) and the possible conversion of the Ernst & Young building to apartments, as well as yet unannounced developments to encourage city living, will have an effect on visitor traffic to Haymarket attractions.

The increased population will have an impact on:

- the adequacy of public transport services into and out of the area

- road congestion in the small “fine grain” streets of Haymarket, which are already near maximum capacity. The EIS encourages use of public transport instead of cars for residents. However, delivery trucks, cars used by office workers and retail and hospitality workers, who often work late into the evening, and tourist coaches clog our roads now. The volume will only increase with the redevelopment of Darling Harbour.
- pedestrian safety, especially around Hay St, Quay St and Ultimo Rd as more people frequent Paddy’s Market, Market City and the proposed Woolworths supermarket in the Quay complex.
- the need for more community services like schools, hospitals, community and health centres, and libraries which are already under pressure as the demographics of the area changes.

2. Student accommodation

Summary

The student accommodation is on public land on a very narrow site between the Powerhouse Museum and Darling Drive. Narrowing Darling Drive will result in greater traffic congestion on this vital access road. Any significant view from the east of the heritage-listed Powerhouse Museum will be obliterated, begging the question about the purpose of heritage-listed buildings.

Detail

Two blocks of student accommodation, 21 stories high and housing 1000 students, are proposed for a narrow site adjacent to the Powerhouse Museum. The site is bounded by the light rail tracks and the Museum on one side and Darling Drive on the other. To fit the blocks into the site, it is proposed to narrow Darling Drive to one lane in either direction. The proposal has the following problems:

- Darling Drive, the only access for current residents to the north of the city and the Harbour Bridge will be narrowed despite it being at or near capacity for one lane now. The capacity will be further strained when Haymarket Precinct residents with car entry points in Exhibition Place and Darling Drive will need to use this road for access to all points of the compass. Residents with Harbour St access will also need to use Darling Drive to access points south and west. (See Traffic Analysis for further detail)
- the development would block the eastern side of the Powerhouse Museum, the heritage-listed site of the old Ultimo Power Station and the only remaining vantage point to view the whole building. I disagree with the EIS which states “principal views to the Powerhouse are available from Harris St and will not be affected by the proposed development, while views to the building are of secondary importance” (P81 Heritage Impact

Statement). More than half the views of the building from Harris St are obliterated by a more recent entrance addition, so any appreciation of the whole site can only be seen from the east.

- although the site is public land, it is not in sympathy with the City of Sydney height limits in Ultimo which range from 6m-28m (current Ultimo precinct height map)

3. Traffic

Summary

Observation of current traffic levels indicate that they are very close to maximum capacity on Darling Drive at the present time. Therefore, with a large increase in population as a result of the Haymarket Precinct development, the proposal to reduce Darling Drive to one lane each way will provide unacceptable delays in peak periods.

The EIS concentrates its analysis on Darling Drive and Harbour St and does little to evaluate streets, either in terms of vehicular or pedestrian traffic, that are situated south of the Entertainment Centre. Yet Paddy's Market and Market City attract many visitors from all over Sydney and the new Woolworths supermarket proposed for the basement of the Quay Apartments, will further impact car and pedestrian congestion. The surrounding streets barely cope in peak periods now, and with the increase in residents using these amenities and the reduction of 1500 car spaces in the immediate vicinity, are likely to be even more chaotic when Darling Harbour is redeveloped.

Detail

Narrowing of Darling Drive

The EIS states that it is proposed to reduce the number of lanes and tighten "the road corridor to provide a more attractive setting for the student accommodation." EIS 2/4p71. This is a very unusual reason to narrow a vital access road in the precinct.

Section 6.4 p24 of the Transport and Traffic Impact Assessment states "it is estimated that the PM peak hour volume on Darling Drive is approximately in the order of 900 vehicles per hour in the south bound direction and 400 vehicles per hour in the northbound per direction." (sic). This is a total of 1,300 vehicles per hour.

However the graph on p10 Section 4.1.2 of the same report shows that in March 2012, the highest traffic flows on Darling Drive are the Saturday PM peak. This is about 1,500 vehicles per hour totalled in both directions. As this is an actual observatioin, it is clear that the estimate that the total peak flow is 1,300 vehicles per hour in both directions is an underestimate.

The AUSTRROADS Guide to Traffic Engineering Practice – Part 2: Roadway Capacity states that the typical one-way mid-block lane capacities on urban roads under interrupted flow conditions are 900 – 1000 vehicles per hour per lane. Darling Drive is therefore almost at capacity now.

The proposal to reduce Darling Drive to one lane in both directions when it is already at or near full capacity for one lane will cause unacceptable levels of service during the peak periods because of increased usage arising from:

- the new car parks
- the new public buildings and hotel in the northern parts of Darling Harbour
- shoppers in the new shops. Like the rest of Darling Harbour, these shops will cater for visitors from the whole of greater Sydney just as Market City, Chinatown and Paddy's Market already do
- owners and workers in the new shops who, if they work long hours, will drive to and from work
- the completion of the 270 units in the Quay Apartments on the corner of Quay St and Ultimo Rd
- natural growth over time

Levels of service will be further reduced by:

- two additional pedestrian crossings
- increased frequency of the light rail service after the line is extended to Dulwich Hill
- accidents blocking a lane
- dropping off and picking up of passengers will slow down traffic

At section 5.2 P26 of Appendix Q Hyder states that "it is estimated that the average peak hour volume on Darling Drive is approximately in the order of 550 vehicles per hour per direction." This peak estimate of 1,100 vehicles per hour is inconsistent with the peak estimates of 1300 and the actual observation of 1,500 (Saturday PM peak) contained elsewhere in the report. Hyder appear to be making up numbers as they go along in order to support their dubious desired conclusion that future peak flows can be accommodated in one lane.

Adequacy of Public Transport

I agree with the Hyder report when it asserts that the Haymarket area is as well serviced as any Sydney area for public transport options. This does not mean there are no problems, however.

The report offers Town Hall station as a convenient access point for visitors to Darling Harbour. This is true. However, Town Hall station has very narrow, dangerous platforms which are already overloaded in peak periods. What will be done about this situation with more people supposedly visiting Darling Harbour by train and 4000-5000 extra residents also using the station?

The bus network is already at capacity. In peak hour buses can very often not proceed down George St unimpeded in the bus lane. It can take up to 40 minutes to travel from Railway Square to Circular Quay. What will be done to alleviate this congestion when so many more people inhabit, work in and visit the area?

The light rail is being extended to Dulwich Hill. This will have some benefit for commuters travelling to Central from the inner west but seems to be a dubious benefit for residents in the Haymarket. Far more valuable would be its extension to Circular Quay but so far this is a concept rather than a reality.

Section 2.2.3 p13 Appendix Q of the Traffic and Transport Assessment makes reference to the Long-Term Transport Masterplan for NSW. Yet plans are vague and no timelines for implementation of these plans are given.

Private Transport

At section 5.10.1 p100 of the EIS it is stated "Lend Lease estimates that future residents will drive approx. 1.7km per person per day" because of the development's close proximity to the CBD, local amenity and facilities provided within walking distance of the precinct, access to public transport and low parking rates.

This estimate is extraordinary low. It assumes each person with a car will only drive 620 kms per year. No-one would own a car to drive those distances. Yet 990 residential car spaces (Table 6.5 p28 Appendix Q) are being offered for 1363 units which equates to 73% of units having at least one car. Lend Lease seems to want us to believe that everyone who lives in the Haymarket Precinct will work in the city – which will not be the case. It also seems to want us to believe that residents will want to live totally within their small immediate environment and that no resident will want to use their car to visit friends or family who live outside the easily accessible inner city suburbs and will certainly not want to ever go for a drive in the country or even visit a national park, most of which are thoroughly inaccessible by public transport.

These assumptions are totally unrealistic.

Public Car Parking Facilities

The Entertainment Centre Car Park, combined with Market City and Citigate car parks have 3114 car spaces (Table 4.2 p18 Appendix Q). With the demolition of the Entertainment Centre car park capacity will be reduced by 1500 car spaces to 1614 (Table 6.4 p27 Appendix Q).

This fits in with the plan to encourage people to use public transport. Yet so many people drive from all over Sydney to Paddy's Market and Market City because they buy produce in bulk. They fill the car parks while they shop then drive their cars from nearby car parks and double park in Quay St while they

load up their vehicles. They could not cart the amount they buy home on public transport. If there are insufficient car spaces for them to continue this practice, it is likely there will be a diminution of these type of shoppers at Paddy's Market. This would be good for congestion problems on Quay St but not for the stallholders at the Market.

Pedestrian Safety

In section 7.1 p79 of Appendix Q it is noted that the pedestrian movement analysis was done with counters in Darling Harbour. Pedestrian surveys were also done (p80 of Appendix Q) but not south of the Entertainment Centre.

Quay St's volume of pedestrian traffic will be impacted by more obvious access to Darling Harbour from Central Station.

It, along with Hay St and Ultimo Rd, will also be affected by additional pedestrian traffic from residents of the new Precinct, the new Quay Apartments, the residents in Central Park and possibly also the new Harold Park residents who will undoubtedly want to shop at Paddy's Market, Market City and the proposed Woolworths supermarket in the Quay Apartments

Why has no pedestrian analysis been done to judge the impact on these already crowded streets?

4. The Consultation Process

I wish to note that two visits were made by staff of Darling Harbour Live and Lend Lease to The Peak Apartments to try to explain and answer questions on the new development. At neither of these visits was an attempt made to engage those owners/residents of The Peak whose native language is not English.

It was noticeable that the audience was largely Caucasian. Yet at least 75-80% of residents and 70% of owners at The Peak speak another language, predominantly Mandarin or Cantonese. Many have little or no English speaking skills and have been very bewildered by what the project means to them and how to make a submission. That has been disappointing.

Francine de Valence

2808/2 Quay St

Haymarket NSW 2000

30 April 2013