

I oppose SSDA 8671 as it is currently drafted.

I am a 5yr+ resident owner in the Walsh Bay, Millers Point, Dawes Point area. I decided to make this my home after discovering and appreciating it as a unique low rise residential haven situated on the cusp of the city.

This very small area has a strong residential bias as exemplified by history of use, then by redevelopment (the Wharf/Pottinger/Towns Place) and more recently and importantly the NSW Government having raised \$400-600m re-populating (with a strategy and expectation of high end residential regeneration) and thus reinforcing the areas residential component.

Another unique characteristic of the area is the harmonious co-existence of the theatre, performing arts and even the very occasional creative writing festival and Arts display with the surrounding residential area. The nature of these Art activities is largely internal, contemplative, polite and gentrified and fit well into the dualistically residential scape of the area. I believe most residents (I certainly do) find the "Arts" element of the precinct very important and additive to the experience of living here.

Another defining element of the area is that most residents live immediately proximate to, cross water from or amphitheatrically to the Hickson Rd and Wharf Arts and adjacent food/beverage offerings – leaving them potentially highly exposed to noise/traffic/social issues. However, the current balance works because the nature of the "Art/Cultural" is internally focussed (theatre, or rehearsal or training), largely reflective in nature and strict guidelines are place on (and politely adhered to) by the small number of restaurant owners on the wharf and Hickson Road. The nature of the "Arts" patronage, the timing of performances and the size of attendances all works harmoniously (of course not always but generally) with the closely proximate residential population and small area size. At peak times I would say the area has a busy but polite buzz.

I believe the proposed Walsh Bay Arts Precinct redevelopment, if inappropriately executed, puts at risk the current Arts/Residential harmony of the area and in particular puts at threat the peaceful enjoyment of residence here in Walsh Bay. The risks do not so much rise from the general idea of upgrading the areas "Arts/Culture" offering (which I believe most residents and myself wholeheartedly support) but from the associated commercial and operational extensions specified within the proposal. Many of these extensions and proposals appear to represent significant changes to the generally accepted operating guidelines and restrictions adhered to in the area for many years and are not sympathetic to the residential nature and proximity of the area. More broadly what concerns me is a sub-thread of intent to evolve the area into also being an outdoor festival, larger event and entertainment precinct which is simply inappropriate and likely to significantly clash with the residential amenity.

I would highlight the following observations of the current proposal:

1. Extension of trading hours to 1am with no distinction, I've yet identified, between internal and external trading hours. Most businesses in the Walsh Bay wharf precinct area have strict guidelines defining hours of use and noise for the protection of residents. Create NSW's current lease, recently renewed via City of Sydney council, on the Wharf specifies closing times of 11pm and I believe all activities have to be internal by 10pm. I'm not even clear what the process is that allows local sympathetic operating guidelines derived from years of experience and stakeholder interaction to suddenly be changed and usurped via a State development proposal? Surely some kind of detailed

review and consultation is warranted. (As an aside, last week, the nominated City of Sydney Council person involved in Create NSW's recent wharf precinct lease renewal was not even aware of this new proposal with all its different operating intentions – the lease renewal process included a comment of cautionary oversight of even these more narrow trading hours in light of resident concerns)

2. The development proposal provides for and specifies (indeed construction plans enable) events (both Piers 2/3 and 3/4) to spill out onto the external Wharf aprons. This type of activity, without appropriate use guidelines could significantly impact of residential amenity via noise impacts.

3. The current plans specify a new 600 seated, 1300 standing, capacity function centre at the end of Wharf 2/3 with outdoor spill areas which again if poorly or inappropriately managed could easily impact the peaceful enjoyment of local residents via noise, traffic and human egress.

4. The adjoining Noise & Vibration Impact report to the development proposal has numerous concerning elements and shortcomings including 4.3.3 “the impacts of occasional external events and outdoor spill areas are not included in the scope of this SSDA” – this is however the main concern of residences and it's hard to define ‘occasional’ in light of various contrary philosophical and financial objectives with the documents; elsewhere “the heritage nature (wharf) doors means it would not be practicable to seal the doors to obtain very high levels of sound insulation” – so how is noise controlled?. The study also specifies that people numbers used for the noise study are simply “as supplied by the client” – history has shown too many times that these style of ‘guided analysis’ are often dangerously inadequate and inaccurate. The philosophical approach to Noise, seems to be, ‘let's monitor it afterward’, but then even the monitoring/feedback process is inadequately specified within the proposal.

5. State Government representatives we met at the exhibition for the proposal (15/11/17) informally indicated that the original ‘outside Waterfront Square’ development which I believe was the most universally contentious issue for residents in the original Walsh Bay Arts Precinct development proposal is likely to be added back in as subsequent 2018 DA. This kind of development could significantly change the nature of the area to the detriment of residents.

6. The development proposal is generally ambiguous, inconsistent and confusing across different sections regarding exactly what the scope of use is for the precinct and particularly in regard to commercial/function/event use and the frequency and controls thereof.

To make it clear again, I have no issue with, indeed I encourage the activation of the Walsh Bay Wharfs for Arts/Cultural purposes as long as in sympathy with the nature and characteristics of the area. Currently the coexistence of residents and the refined and internally housed theatrical, orchestral and performance dance arts is beyond harmonious – its positively additive.

I would highlight that our concerns regarding the DA relate to loosely specified and less predictable commercial event and food/beverage/entertainment extensions therein which if unrecognised and unchecked now could negatively impact residents and this situation could be dramatically magnified by further extensions such as the addition of the “Waterfront Square” concept with the kind of related events as previously envisaged by State government or Create NSW documents and pronouncements. **THIS IS SIMPLY NOT AN APPROPRIATE OUTDOOR ENTERTAINMENT PRECINCT** – residents are too proximate to the wharf areas and the amphitheatrical nature of the suburb fosters significant noise transfer.

As a resident I know that currently on one night a year permission is given for a Wharf residents Christmas party with music on the wharf and this sound reverberates through the suburb. I worry what living here might be like if a poorly and unsympathetically specified change is irrevocably executed encouraging regular outdoor or even hybrid indoor/outdoor spill out activities to the wharfs. I would strongly urge that we (collectively) carefully specify things appropriately now rather than adopt a 'suck it and see' or 'fix it later' approach.

The Walsh Bay area is also very small and suffers easily and immensely from traffic congestion – this was clearly exemplified by early and inappropriately scoped Vivid festival where the area came to multi hour stand still. It is a tight, small, single lane each way residential precinct and any plans need to recognise and be sympathetic with this.

What's frustrating is that I actually don't see a large expectation or needs gap between Create NSW objectives and residents such as ourselves. In essence what I believe we need is a mutually agreed set or statement of broad principles which clearly defines the nature/use of the precinct recognising the proximity and integration of residents and the Arts and then a detailed set of highly prescriptive operating guidelines for area use which ensures peaceful, safe and functional living for residents. I suspect many of these guidelines are embodied in the 'resident aware' operating restrictions placed on numerous existing wharf restaurants/cafes. Instead what appears to be happening is that "someone/s" relatively independently (certain without detail local consultation) came up with a 'bright idea' for the Walsh Bay area, plans got put to paper, funding got specified and now the "bureaucracy" is unstoppably aligned to bulldoze it through with the easy convenience of closed ears to local and resident concerns.

I would also like it noted that I consider the timeframes given to make this submission particularly in light of the literally hundreds of pages of submission material to review were inappropriate. I don't think anyone could see this as reasonable – the actual "exhibition", which appear to be largely just some picture boards was held barely a week from the cut off date. In my specific circumstances, and I'm sure I'm not unique, I've had a personally and professionally complexly busy month so where could possibly find time to appropriately respond? The response I have penned herein is just the tip of the iceberg in terms of detail.

From my scant read of the development proposal and some appendices I believe I could spend a month simply pointing out the inconsistencies, ambiguities and seeking clarification on very generally commented upon concepts. Indeed with all due respect the documents if looked at in any true detail appear to be somewhat of a "mess". They seem to be some hastily derived hybrid of the original Walsh Bay Arts Precinct documents with a set of revisions but these revisions are not consistent through the document. My concern is that if allowed or passed with all these omissions and inconsistencies how can any of the minor "control" elements for the protection of residents be relied upon. Generalised salving comments such as "managing so that they do not generate unacceptable noise level" can surely only be seen as platitudinal in context. I would be happy to be given a platform to further discuss the inconsistencies I refer to – as long as given appropriate preparation time.

I would also more broadly ask that this development approval process give consideration to the generally high level of construction surrounding and impacting our small area at present and that timing of any approved Wharf development and construction needs to be in sympathy with this. Currently we have Light Rail, Barangaroo, Metro Rail, Campbell Cove, other close high rise developments and a wave of local residential regeneration projects post NSW Government sell-off all impacting the area. Do we really need yet another project right now?

On a more specific point of objection bordering on offence, there is a somewhat overriding comment in Section 4.1 Pre-Lodgement Engagement that “given the nature of the project and the fact that they had been consulted during the previous SSDA, multiple stakeholders confirmed they did not require additional meetings” with a tick off table for Community Groups, Affected Landowners and Broader Local Residents and Interested People. Could I ask for either a deeper explanation of or documentary proof of this assertion be tabled? I’m directly in contact with most of the key community groups and numerous residents, owners and interested parties and this is not the message of ‘acceptance’ I’m getting. Indeed the prior proposal was widely criticised by residents for lack of notification and consultation so I can’t see how this is extrapolated into making such a comment now. Further I would highlight that the City of Sydney Council who are representatives of the residents/businesses and with whom the current Wharf 2/3 & 4/5 lease is with are not even included on the list and from my simple investigation were unaware or not briefed on this proposal (as at 16/11/17) – surely they are an important stakeholder. I would also point to some circularly logical irregularities in that if the Noise Study had limited scope (refer to my prior comments in this submission) how was the submitter (ASCD) ever able to appropriately define “affected landowners”?

Honestly, as I devote more time to this I find a bigger and bigger iceberg of problems. And I would like to repeat prior sentiments that all this needs is an appropriate consideration and consultation with residents and other affected stakeholders. Nearly everyone I talk to is fully supportive of improving the Arts/Culture amenity of the precinct but rightly have concerns over poorly specified intentions to create outdoor festivals, late night indoor/outdoor events, pop ups, larger scale events, outdoor theatres and the like. Even with the strictest limitations and controls I would suggest, given residential proximity and the natural geography this is not the right area for this kind of activation but without control could spell disaster for residential amenity.

In closing my mind reflects on some early Walsh Bay Arts Precinct master plan or concept style documents where planning parallels or objectives were drawn to precincts such as Sydney Opera, Tate Modern, Carlsberg Factor, Cockatoo Island, Carriage Works all of which I have been fortunate enough to visit, some on multiple occasions, and so can with reasonable authority say that in each case one or more of the following conditions are present; 1. There is a large buffer zone to the surrounding residential areas; 2. Outdoor activities are either infrequent or in some cases virtually non-existent and/or rarely held at night; or 3. The Arts/attraction activities pre-dated the build of a closer residential precinct not imposed after a major residential activation. The current development plans and/or directional intentions for the Walsh Bay area actually conflict with all these conditions.

I implore you to give genuine consideration to this submission and would welcome any future opportunity to engage.

Yours Sincerely

Noel Webster