

I live in the residential apartment building at 8 Hickson Road, The Rocks – effectively within Campbell’s Cove – and opposite the area of the proposed ‘public domain improvements and associated works ... including ... A new waterfront leisure area and amphitheatre for public events; ... circulation and truck access to the new Overseas Passenger Terminal wharf extension ...’.

Six days ago, John McInerney, Chair of The Rocks Resident Action Group (RAG), forwarded me information about SSD 15\_7426 - ‘Foreshore and Public Domain Improvements, Campbell’s Cove’. This included information that it had been on exhibition since 8 February and that the exhibition period would conclude on 10 March 2017 (i.e. today). Despite the fact that we live in Campbell’s Cove, to the best of my knowledge, no one in our residential building has received any written notification of this development application.

Given the significance of the application for our amenity and the Department’s usual practice of informing affected residents, this is a denial both of our right to be heard and of the time needed to read, consider and adequately respond to the many pages of material provided. People who might otherwise have lodged submissions have not done so, because like us, they have not been informed about what is proposed for the area across the street from their homes. We expect better of the Department and of the Government, whom we expect to act to enforce our rights.

### **Specific concerns**

While the concept of ‘foreshore and public domain improvements’ sounds attractive, the proposals incorporated in SSD 15\_7426 ‘Foreshore and Public Domain Improvements, Campbell’s Cove’ will potentially have negative impacts on the amenity and quiet enjoyment of my home. I am concerned about the negative impact of the project’s proposed construction phase and also of the operational phase in relation to the potentially increased noise suggested by the use of the Cove as a ‘new waterfront leisure area and amphitheatre for public events’.

### **Construction phase and traffic impact**

The applicant’s consultant, Urbis, seems to have either failed to review its own submission prior to lodging it, or taken a rather cavalier attitude towards the expectation that applications need to be complete and in final form before being lodged. At least two reports - the *Traffic Impact Assessment Report* and the *Preliminary Construction Management Plan*, are in **DRAFT** form and contain gaps awaiting completion.

While Urbis and its consultants seem happy to draw conclusions supporting the application, they frequently do so prior to gathering the data essential to forming *any* conclusion. Thus, in the **DRAFT** ‘Assessment of Traffic, Transport and Construction Implications’ (pp. 10, 14-15) we read such gems as:

‘The quantity of trucks entering and exiting the site is estimated at ...’

‘.... The envisaged movement of construction vehicles will be ? per day with more during any concrete pour and these vehicles will range between ? and ? with ? being used to remove excavated material.’

Figure 5 informs us that the:

‘envisaged frequency [of truck movements] is ?-? per day with more during concrete pours’

Not only that,

‘The largest truck to be utilised will be a ??’

From this failure to research or provide any factual data come the conclusion (p. 18) that

‘The arrangements and process for construction activity will not have any adverse implications’.

Instead of actually assessing environmental impact, Urbis’ consultant town planners hide the facts behind such statements as this (see Section 6.15, page 41 of the EIS):

‘The envisaged movement of construction vehicles will be X per day with more during any concrete pour and these vehicles will range between X and X with X being used to remove excavated materials’.

This is part of the ‘fill-in supportive evidence’ methodology, which Urbis uses to conclude:

‘It has been demonstrated that the proposed works will result in minimal environmental impacts, all of which can be managed or mitigated appropriately as outlined in this report.’ (see EIS, p.47)

While this could equally be part of a script for *Yes, Minister*, it actually presents itself as material worthy of being taken seriously and being publicly displayed. The consultant has clearly not obtained data, valid or otherwise, on the size, number or frequency of truck movements to or from the proposed development site. The consultant is either unaware of the expectation that conclusions be supported by objective data or chooses to ignore this. This failure to provide evidence and willingness to form conclusions without relevant data, undermines the credibility of all the documentation the applicant provides.

## Construction Hours

I cannot find any reference to proposed construction hours within the EIS but have managed to piece together a picture of what is proposed from other sources.

SJA Project Management has supplied a **DRAFT** *Environmental & Construction Management Plan* (Appendix K) proposes construction working hours between 7.00am and 5.30pm Monday to Friday and between 7.00am and 5.00pm Saturday with no work on Sundays and public holidays.

The **DRAFT** report titled *Assessment of Traffic, Transport and Construction Implications* alludes to a 34 week construction period and the construction working hours as in SJA’s **DRAFT** *Environmental & Construction Management Plan*.

This means that, for six days a week, over an eight month period, we would be constantly bombarded by noise generated by construction work, the delivery and unloading of building materials, waste material removal and the presence of trucks and workers waiting for job start.

Should the application be approved, working hours for construction-related activities should be restricted to 9 am to 5 pm Monday to Friday and 9 am to 1 pm on Saturdays. There should be no work allowed on Sundays or public holidays. The prohibition of work outside these hours should include the prohibition of deliveries to the site, including the delivery of heavy machinery; collection of waste and materials from the site; and the standing and waiting of workers and vehicles on Hickson Road.

### **Operational Phase**

The operation of the Overseas Passenger Terminal (OPT) already adversely affects residents in our building at 8 Hickson Rd and the local area as a whole. Servicing what has increased from approximately 22 ships / year in 2002 to several hundred ships / year now has placed a huge burden on the local road network through The Rocks, Millers Point and Walsh Bay and is seriously undermining the area's prized heritage character.

Apart from the *fact* of the large number of delivery vehicles servicing cruise ships (5-10 depending on the size of the ship), is the noise they make and in particular the loud and annoying 'beeping' sound they make when they wake us while reversing in the early hours of the morning.

The EIS for this SSD (Section 4.2, page 25), indicates that this existing problem would be worsened by the Port Authority (PANSW):

'It is PANSW's request that access be provided through the proposed new plaza area to the wharf apron extension. These operations typically occur early morning (5-9am) and are closely monitored and managed for safety.'

The applicant's proposed relocation of the truck turn-around area to the proposed open plaza to the north of the OPT has the very real potential to increase the noise impact of these trucks on the residents of 8 Hickson Road particularly in the early hours of the morning.

Any approvals granted in relation to this current SSD application need to be accompanied by the requirement that truck movement and noise in relation to the OPT be strictly controlled. This should include management to ensure that all trucks accessing the OPT comply with RMA noise minimisation requirements and require the Ports Authority to formulate a suitable, neighbour friendly Code of Practice. If this cannot be achieved, then no early morning deliveries should be allowed.

We have been waiting several years now for the Port Authority to deliver on its promise of Code of Practice for the OPT. I am totally opposed to any further licence being given to it to operate with no consideration of the impact of its activities on local residents.

### **PA systems and speakers within Light Poles**

On p. 23, Section 3.9, Furniture & Fixtures, of the EIS we read:

'Lighting, PA systems and speakers will be integrated into the light poles, which will be unique to the precinct.'

The PA systems and speakers of a number of cruise ships already 'invade' our peace and quiet in the early hours of the morning (as early as 5am) and disturb people's enjoyment of the

local area generally throughout the day. Any PA system and speakers installed within Campbell's Cove should only be used for emergency purposes and for crowd control during occasional major public events, such as New Year's Eve and Vivid. They should be used sparingly and not be used on a daily or even a weekly basis. Certainly, any such system should not be used to broadcast music or in conjunction with entertainment events so close to a residential building.

## **Public Domain and Public Access**

Section 6.2 of the EIS states:

‘ The new waterfront promenade and public plaza will create the largest public gathering space in the Rocks Precinct with a unique cove setting for everyday leisure, performing arts, festival of Sydney, Vivid, Sydney Biennale, food festivals, music performances, open air cinema and theatre.’

While the concept is attractive, the reality is that this has the potential to destroy my right to the quiet enjoyment of my home. At present, we can enjoy New Year's Eve and Vivid in our local area because they do not generate unacceptable noise. I am concerned that what is proposed implies an acceptance of amplified music, announcements, performances, cinema as well as noise generated by audiences within open space.

The EIS fails to assess the impact on residents of 8 Hickson Rd and guests at the Park Hyatt (also in Campbell's Cove) of the use of Campbell's Cove for any form of entertainment. Any amplified sound, so close to a residential building, is totally inappropriate.

SSD 15\_7246 should only be considered as an application for works related to changing the nature of the physical space within Campbell's Cove. The applicant needs to be required to apply separately for approval of the specific uses of that physical space. Any such applications should not contain any sound amplification and should be restricted to operational hours between 10.00am and 11.00pm. Any such application should particularly address the protection of the residential amenity of residents at 8 Hickson Road and guests at the Park Hyatt Hotel.

## **Conclusion**

That any applicant, let alone a Government Department, would dare to submit an application that is partly in **DRAFT** form, contains question marks and 'X's in lieu of information and that ignores the expectations of a genuine assessment of the environmental impact of its proposals, is an affront to the professionalism of the Department of Planning and Environment and to that of consultants who do take the application process seriously. The cavalier attitude that undermines the documentation provided in SSD 15\_7426 seems to infer a view that an application made by a Government Department will be rubber stamped and that it is therefore not worth the cost or effort of presenting it in final form or with the provision of real data and genuine assessment.

This application should be rejected on the basis of its frequent failure to provide complete and accurate documentation and also to conduct the research necessary to providing *any* conclusions, let alone those it does provide.

The applicant should be asked to re-submit the application when it is complete and professionally presented. Then, it should go on public exhibition again, this time,

incorporating information on which a judgement can properly be made. Local residents – both at 8 Hickson Rd and the Park Hyatt Hotel should be informed and allowed the time necessary to fully and comprehensively respond to the proposals.