

01.02.17

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NSW Department of Planning  
& Environment NSW  
Level 22, 320 Pitt Street,  
Sydney NSW 2000

**RE: STATE SIGNIFICANT DEVELOPMENT SSD 16\_7874  
DEMOLITION OF EXISTING COMMERCIAL DEVELOPMENT AND ERECTION  
OF 87,000SQM MIXED USE DEVELOPMENT WITH RESIDENTIAL TOWER**

I refer to the above development application submitted to the Department of Planning.

In preparing this submission of objection I have:

- Reviewed the environmental impact statement and supporting documentation supplied in the development application;
- Reviewed relevant planning provisions applying to the subject site and this form of development;
- Inspected the subject site and surrounding locality.

At the outset I would like to confirm that I have not made any political donations or gifts pursuant to section 147 of the Environmental Planning & Assessment Act.

The following are reasons for objecting the proposal in its current form for your attention.

**1.0 DARLING HARBOUR EXISTING USE – TOURISM PRECINCT**

Darling Harbour is a major tourist attraction for Sydney & Australia. The Darling Harbour precinct was opened formally by Queen Elizabeth II on 4 May 1988. Since this opening it has become a heartbeat for Sydney or its playground as it's affectionately known. Hundreds of thousands of tourists visit the precinct annually bolstering the economy significantly.

The construction of a 40+ story residential tower is inconsistent with the purpose and intention of the precinct. Any approval will irreparably diminish the amenity, character and ambiance currently enjoyed by the precinct. This use services no contribution to the precinct whatsoever.

**2.0 EXISTING AND PROPOSED BUILT FORM**

The existing built form character of the precinct is 'low-rise' development on the foreshore of the precinct being typically 2 - 4 stories with larger envelopes set back behind these properties to embody the private open space enjoyed by the precinct while preserving view sharing from all neighbouring properties. This proposal obliterates this notion and highlights an adhoc approach to the precinct and town planning principals applied. It proposes to not only develop on the 'waters edge', however it also purports to develop a 44 story tower some 8metres from the water. It also applies to commence development a mere 8metres from the Heritage Listed Pyrmont Bridge.

The City of Sydney stated that the proposal in its current form "obliterates the heritage significance of the Pyrmont Bridge", these statements are accurate and of immense concern to the people of Sydney. With the aforementioned setbacks, I can only concur with this assessment.

The proposal to obtain approval to construct 87,000m<sup>2</sup> of GFA is both excessive and unjustified.

This significant increase in GFA is not necessary and should be curtailed in to a reasonable scale based on a reasonable and justified development for the area. There is no reasonable justification for a development of this scale at this time. It is clear that in the absence of planning controls, the applicant has lodged their application for the largest scale development in an attempt to maximise its commercial outcome. This endeavour should not be done at the expense of the precinct, its amenity and the people of Sydney. As such it should be rejected or controlled to a far more reasonable scale.

The proposed development will overshadow the entire western edge of the bay and public foreshore areas. The solar access implication to the precinct and surrounding properties is unsatisfactory. This will ultimately provide a poor experience to those visiting the area who will be both in the shade and wind for much of the day. As a result, this will diminish tourism dollars and funds coming in to Sydney. The tower and its location are in my view particularly poorly planned. When analysing the character of the existing built form in the area, the residential building standing at 50 Murray Street will be negatively and irreparably impacted by this proposal in its current form as will the Pyrmont Bridge. It will effectively diminish any view sharing enjoyed by the surrounding properties significantly. In the applicants visual impact assessment, they reference three apartments on level 2 of the One Darling harbour building and removed studies done between level 2 and 13 (apart from one on level 5) despite access being provided to apartments in these areas. These areas will receive the most devastating view loss with the current proposal.

The applicant proposes to erect the 'residential' tower at the northern section of the footprint which will effectively overshadow and dominate both the residential building along with the Heritage Listed Pyrmont Bridge. Effectively the proposal will ensure that occupants of this tower will look into the bedrooms, balconies

and lounge rooms of hundreds of apartments on the eastern side of the existing development. These are not short term guests, but permanent residents/inhabitants rate payers/voters of over 20 years.

The tower envelope is proposed at the 'opening' of the precinct which also contrasts town planning principals and site context by spreading the taller buildings at the rear of the foreshore and at the rear of the harbour.

The proposal is totally at odds with all existing development. Mirvac through its agents purports to suggest that the ICC hotel and Barangaroo provide a precedent for built form and envelope heights, however it fails to appreciate or even acknowledge that the ICC hotel is at the rear of the precinct and set back in proximity to both the opening of the precinct being the heritage listed Pyrmont Bridge and the fact that it is also set back 86metres from the water's edge, behind the harbour side development from the waterline. It is not comparable and should not be used as a reference to support this application.

The Barangaroo development is a completely unique area that has had the entire urban form redesigned. These buildings were designed in unison and should not be referenced as a comparable RL to service the applicant's agenda in this application.

### **3.0 INADEQUATE VEHICULAR ACCESS AND INFRASTRUCTURE**

At present there is a light rail station at the south of the site. The monorail was removed and as such, the only vehicular access available is on the corner of Murray Street and Darling Drive. This intersection is one of the most dangerous in Sydney and has been through a serious of accidents over the years including those involving pedestrians. As it is not currently coping with the demands in the immediate area, focusing a built form at this end is both erroneous and dangerous.

The development application seeks to enable over 200 additional cars on these roads. The traffic study provided was completed at a time when Darling Drive was closed, and cannot be relied on. This was conceded at the brief consultation completed by Mirvac for its initial commercial tower proposal. No community consultation was held after these sessions despite the obligation in the SEARS to do so. That aside, the transport links at the southern end of the site are more suitable for any additional connectivity with the existing:

- Taxi rank and southern end of site;
- Light rail station at southern end of site;
- Pedestrian link to Town hall station & the goods line at southern end of site.

Regardless of the built form being proposed, these links should be strengthened without the burden of traffic being placed at the opening to the Pyrmont Bridge

where the applicant seeks to have an “iconic address at the northern end of the site”

#### **4.0 INADEQUATE PEDESTRIAN ACCESS/ACTIVATION**

It is also of great concern that the major connection point on Bunn Street is being relied as a major thoroughfare in this application. The existing walkway referred to is property is under the management of Deposited Plan 844561. No discussion with this lessee for the major thoroughfare link being proposed has been undertaken on the implication of this proposal. As such, this provides a major health and safety risk should this plan proceed. The laneway is 3metres wide and is not suitable for a large scale thoroughfare as being proposed. This requires further consideration.

#### **5.0 PROPOSED RESIDENTIAL USE & TOWER**

The proposed residential tower does not service any purpose other than to boost the commercial viability for the applicant. It is at odds with the intention of the precinct and unbearably close to surrounding residential developments.

The existing traffic and public infrastructure cannot support a residential building which unlike any other use, ensures occupancy 24/7. The roads are not suitable in the area to support this scale of development. Particularly those servicing the northern end of the site be it Murray Street and Darling Drive as these are currently congested and at a stand-still already.

#### **6.0 DEVASTATING VIEW LOSS FROM PUBLIC DOMAINS AND LOCAL PROPERTIES**

There is an opportunity for any significant envelope changes to form a satisfactory relationship with the surrounding properties. The nature of the built form in the area has a large gap between the ibis hotel and the Novotel which would minimise any view loss significantly if it were selected for any dense built form. This has been discounted by the applicant without justification or satisfactory logical explanation.

#### **CONCLUSION**

While the broader community supports the redevelopment of the site in its entirety, this should not be done in an adhoc haphazard form which is currently being proposed. There is a once in a generation opportunity to ensure this development enhances the Darling Harbour precinct and provides a reference point that the city can be proud of. This fact appears to be lost to this applicant and as such a push for the largest GFA possible is clearly evident in this application.

In light of the ongoing conjecture surrounding the Barangeroo development in both size and scale, it is imperative that careful consideration be given to any

application to develop the largest footprint on the western foreshore of the Darling Harbour Precinct and adjacent to the Pyrmont Bridge.

The material Mirvac provided and from their own admission, they require a tower to maximise their investment. The precedent that this development will set will highlight an adhoc approach to planning in Sydney and cannot be entertained in its current form. If development of foreshore property in this scale is approved, this will pave the way for all foreshore properties, particularly those in the bays precinct and on the water front to be 'over-developed' to whatever scale an applicant sees fit. It is a dangerous precedent. For these reasons, the application in its current form is not justified and should be rejected.

Yours sincerely,

Tristan Ramsay  
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