

**Claire Nothling**

Unit 97  
1-29 Bunn Street  
Pyrmont NSW 2009

9 February 2017

The Secretary  
Department of Planning & Environment  
GPO Box 39  
Sydney NSW 200

**Attention: Director – Key Sites Assessments**

Dear Secretary,

**Proposal for Redevelopment of Harbourside Shopping Centre**  
**Application No: SSD 7874**  
**Objection**

I am writing to submit my **strong objection** to the Proposal. My objection is to inclusion of a tower (proposed for residential or any other intended use) as a component of the Proposal. The grounds of objection are contained in **Attachment 1**.

I support the redevelopment of the Harbourside Shopping Centre (as a retail, entertainment and tourism complex) and I support the non-tower other components of the proposed redevelopment of the Centre as set out in the Proposal.

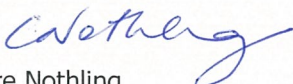
In terms of standing, I am a lot owner in the Mirage Apartments Complex, SP 54 229, a large residential apartment complex comprising 222 lots. The Complex is bounded by Bunn Street, Murray Street and Pyrmont Streets and is located opposite the Novotel Hotel, immediately to the west of the Harbourside Shopping Centre.

The Mirage Complex would be impacted by the proposed tower development by increased traffic flows in the area and associated noise and hazard, loss of amenity through shadowing as well as impairment of visual aspect and private views.

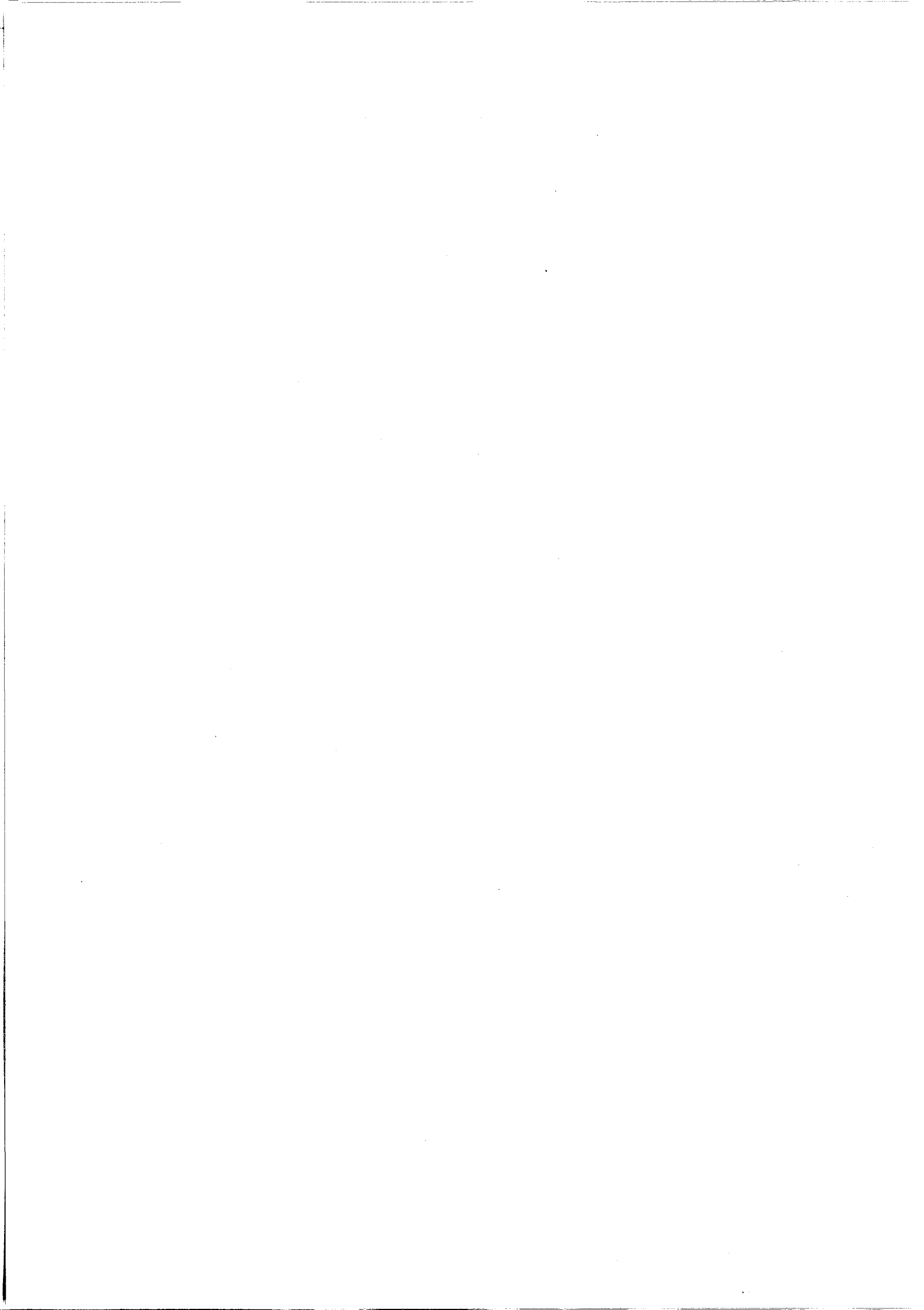
In addition to my objection, I consider that the Proponent has erred in not including Mirage Apartments complex as a property that is impacted. I submit that the Mirage Complex is impacted to an equivalent or greater extent than the Phoneix Apartments, 127-129 Murray Street, Pyrmont which was cited by the Proponent as a nearby property impacted by the Proposal.

Thank you for your consideration of my objection.

Yours Faithfully



Claire Nothling  
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**Objection**  
**to Proposal for Redevelopment of Harbourside Shopping Centre**  
**Application No: SSD 7874 (Mirvac Projects Pty Ltd)**

I strongly object to inclusion of a tower (proposed for residential or any other intended use) of any height as a core component of the Proposal.

The grounds for my objection are as follows:

**1. Need for a Residential Development Component:**

The need for a residential development has not been justified by the Proponent. The tower proposal:

- a) Is opportunistic and not required to serve or enhance public needs or purposes, or to serve broader Sydney accommodation or commercial needs
- b) Benefits only the developer / lessee of the site, and any purchaser / occupier of a lot in such a development and adds nothing for public benefit or to benefit the local community
- c) Is not reasonable for the reasons set out in my other grounds of objection.

The Proponent's submission that the (tower) apartments would contribute to the urgent need to address the City's chronic housing shortage is a mockery of that need. The unit residences (if developed) would be intended for a very different demographic to that to which the real urgency and need for residential accommodation applies.

**2. Use of Public Land for Private Residential Purposes:**

Construction of a tower for private ownership or rights of use is not an appropriate use of public land in this location. It will benefit a very small number of high wealth individuals through property ownership and amenity with little compensating return or benefit to the State. The erosion of public space for enjoyment of high net worth individuals, and adverse impact on visual amenity on the inner-foreshore area, should be confined to areas where this has already occurred (such as the Barangaroo area) and not extended to new areas.

The State has released or articulated no strategic or considered plan for public comment for the Darling Harbour area. Approval of a tower (as proposed) would represent ad hoc planning and decision making in response to proposals submitted by proponents with substantial means and influence, and would reflect poor public policy formulation and implementation.

If the State wishes to make State land available on long term lease for residential development it ought to do so in other areas whether residential use is consistent with the existing and planned land use and a considered urban plan.

**3. Consistency with original design for Darling Harbour and Urban Design:**

The site lies within the Darling Harbour precinct which is State owned land. The area was established for public enjoyment and to be a key tourism and local visitation precinct, serviced by retail and hospitality facilities which are, and are to be, available to the public.

Construction of a tower (whether for residential or other use) is not consistent with this use of the area and strategy for the area as an extension of the recently redeveloped ICC precinct. The new (ICC) hotel tower under construction was included as part of the ICC redevelopment and can be understood on that basis and does not represent a precedent for the proposed tower in the Harbourside Redevelopment Proposal.

The State has released or articulated no strategic or considered plan for public comment for the Darling Harbour area. Approval of a tower (as proposed) would represent ad hoc planning and decision making in response to proposals submitted by proponents with substantial means and influence, and would reflect poor public policy formulation and implementation.

I understand that adopted planning principles require building heights to recede as they approach the water in order to protect the public experience of the Harbour. The proposed tower offends such a principle.

This proposal and the concurrent Cockle Bay Wharf development and tower proposal (SD 7684) seek to rely on each other to justify an increase in height in this foreshore precinct but there is no independent strategic assessment in support of towers on the waterfront and resultant change in character.

#### **4. Inadequate setback:**

The set-back distances quoted in the Proposal relate to the retail component of the proposed development and as such are consistent with the areas stated.

However, the proposed residential tower has no additional setback and there is no supporting precedent for this. The proposed tower setback would be less than the ICC Hotel (which the Proponent states is 33-meters).

The Barangaroo Towers are setback behind retail and low rise residential complex and a road and are much further set-back from the water and offers no precedent value for the proposed tower.

#### **5. Overshadowing:**

As shown in the Proposal, the proposed tower will create material overshadowing over private land, which in the case of Mirage Apartments will be impacted across the morning all year round until at least 11:00 am.

As shown in the Proposal, the proposed tower would result in significant overshadowing of the foreshore and water from lunch time into the afternoon (a period of high demand on the foreshore area) between Autumn and Spring. The significant overshadowing will erode the amenity of Darling Harbour.

#### **6. Traffic and Noise:**

It is important to note that, as stated in the Proponents Traffic Study (section 3.2) the traffic data for Darling Drive in the area where the proposed development would be located is not representative due to access restrictions. This is an important deficiency in the supporting material.

The proposed tower development would generate significant additional traffic in the local Pyrmont area, an area which is not suited to high volume traffic flows. This will pose an increased risk to vehicular and pedestrian safety.

On-street parking is in this area already severely constrained. There is already high pedestrian traffic seeking to utilize the Pyrmont area facilities.

Vehicular access to the Mirage Apartment complex is solely from Murray Street and with 222 units, there is a material amount of traffic movement associated with our Complex. I am very concerned about the potential impact of increased traffic on access to our Mirage Complex as well as the Pyrmont road network and, as noted above, increased safety risk for motorists, pedestrians and cyclists.

#### **7. Amenity:**

For the Mirage Apartment Complex and myself, the proposed 166m tall residential tower would significantly impair existing views from the recreational areas on the Mirage Apartments Complex rooftop. It would also act as an imposing 'visual overhang' and unsightly background.

The proposed tower would significantly impose on public views. Darling Harbour is dedicated public land adjacent to the central business district and one of its vital roles is providing public access to the harbour, blue skies and a varied skyline. No particular development should dominate outlooks.

#### **A alternative position:**

Should the Planning Authority determine that a residential tower component of the Proposal may be approved then I would reluctantly submit that:

- The tower be of materially lower height than proposed; and
- Be sited in the location proposed (central northern location). I object to a tower being located in any other location on the site.

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