

Independent Planning Commission  
Wendy Lewin &  
Dianne Leeson

**RE: STATE SIGNIFICANT DEVELOPMENT SSD 7874**

I refer to the above 'revised' development application submitted to the Department of Planning on and the public on 13.05.21

In preparing this submission of objection I have:

- Reviewed the environmental impact statement & 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 to the proposal in its current form.

**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.

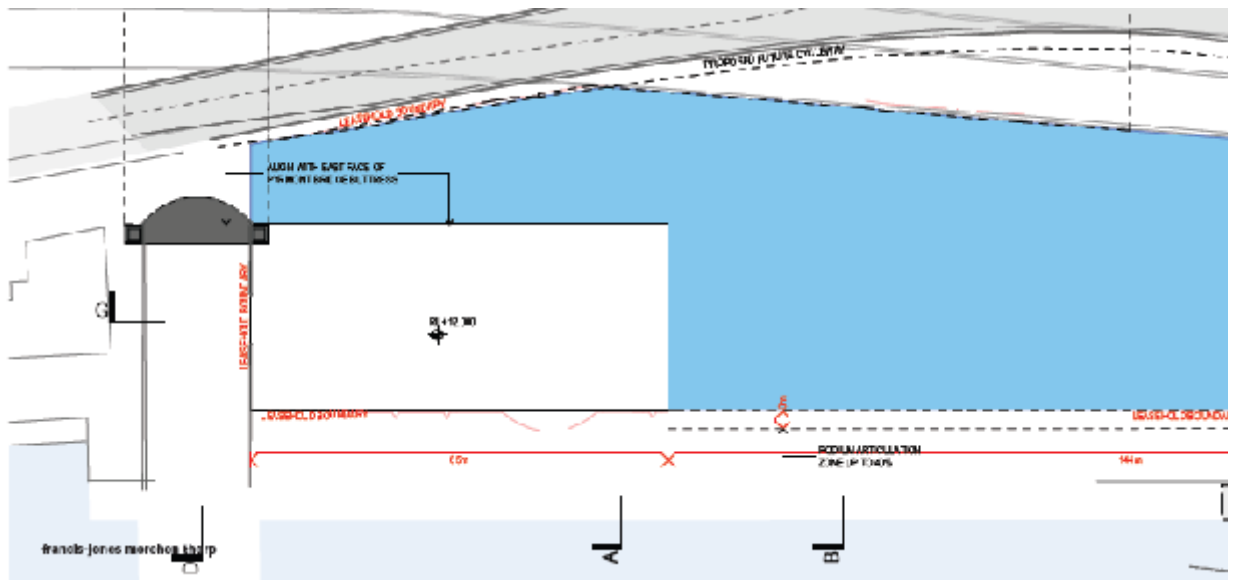
The construction of a tower of this magnitude is both grossly excessive and out of character with the local environment. In addition, the residential use is a contrast to the intention for the precinct along with the current 99 year head lease.

**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 ad-hoc approach to the precinct and town planning principals applied.

It is important to note the low rise development/valley floor principals when assessing the merit of any development in the area. The recently approved Cockle Bay development holds these principals with its approval. From the diagram below, you can see the development has been curtailed to a RL of 12

for 60 metres south of the bridge and buttresses. (Excerpt from SSD76 84)



The current Harbourside proposal obliterates these design principles with its revised proposal of a 20.1RL at the north of the site. The IPC requested Mirvac to submit a proposal showing the northern podium at a RL of 11.8 to assess the proposal on that basis. This RL brings in to the line the approved development at Cockle Bay.

The developer chose an alternate RL OF 2-3 metres less that originally submitted. Unfortunately this RL still presents the same issues raised by the 1000's of concerned Australians with the original proposal. Most notably:

- The RL still dwarfs the Heritage listed Pyrmont Bridge;
- Devastating view loss from neighbouring properties; (it is worth noting that any increase to the current envelope RL of 17 at the north of the envelope will totally block iconic views/site lines from neighbouring properties and likely result in legal challenge)
- Overshadowing of foreshore areas/promenade.

Any development in northern part of the site must not be allowed at a height greater than RL11.8.

The development should be made to align with the precedent and character set for the north of the site. The current Harbourside proposal does not maintain these principles, instead obliterating Heritage listed/iconic views from neighbouring properties.

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 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 darling harbour bay of 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, which 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 bulk and scale of both the tower and the proposed podium to the north effectively diminish any view sharing enjoyed by the surrounding properties significantly. The proposal is totally at odds with all existing development.

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 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, with an RL, envelope and GFA more adequate for the area.

### **4.0 PROPOSED 'GUARDIAN SQUARE' & PUBLIC SPACE**

The inclusion of a guardian square/public space above 6 levels of commercial space is a clear land grab and unjustified component of this proposal. It is of significant concern that the proposed 24 hour space will attract anti social behaviour in the area. The darling harbour precinct has no police or security in the area, with the recently publicised and ever increasing issues of anti social behaviour in the Pymont and the Darling harbour area, it would be dangerous to open a 'public park' without any control over its operation. This should be immediately revised if it is to be approved to ensure strict control over its operation.

The commercial activation evidenced in the Mirvac drawings also presents a privacy issue for surrounding neighbours. This area should be private green space only. The distance of this envelope to the nearest residential

property is 6 metres. A RL of anything above the existing effectively places people at 'eye line' with the living spaces of the neighbouring residential property. This is unacceptable.

## **CONCLUSION**

While the broader community supports the redevelopment of the site in its entirety, this should not be done in an ad-hoc 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 Barangaroo 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 tower and GFA grab by the applicant is both excessive and unjustified. The relationship with the neighbouring properties, their character and the valley floor is also unsatisfactory. The distance from the bridge, with particular emphasis to the proposed envelope is also unsatisfactory and inadequately addressed.

The precedent that this development will set will highlight an ad-hoc 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,

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