alex greenwich
INDEPENDENT MEMBER FOR SYDNEY

10 September 2018

The Hon. Anthony Roberts MP
Minister for Planning
GPO Box 5341
Sydney NSW 2001

Dear Minister

MP08_0098 MOD 13 - Construction of a New Hotel and Residential Tower

I ask you to reject the proposal to build a 237-metre residential and hotel tower on The Star Casino site. The proposed development breaches height, floor space and zoning restrictions; it fails to represent any strategic planning for the region and has no planning merit.

If permitted to proceed, the proposal would tower over and create significant and unacceptable impacts in Pyrmont and on public spaces across Darling Harbour, Barangaroo and beyond.

Planning Process
The tower does not comply with assessment conditions under remnant *Environment Planning and Assessment Act 1979* Part 3A provisions which require a proposal not to significantly differ from or create new impacts in comparison to the initial approval and subsequent modifications. The height of the tower represents a substantial change to the existing and approved development, which are not for a tower or residential purposes, and will result in massive impacts including from overshadowing and views. ***This proposal should be assessed as a new development application***.

Assessment and determination under Part 3A does not mean that all past planning work to protect the neighbourhood, adjacent areas, the harbour and the city should be disregarded. The Sydney Local Environmental Plan 2012 (LEP) represents the best public outcome for the site, as established by expert planners with extensive local community input and I believe you should use your discretion to honour the LEP and good planning principles to prevent impacts and protect amenity.

I ask that you apply the LEP to this site and reject this tower proposal.

Bulk and Scale
The proposed height breaches the LEP limit of 28 metres across most of the site by more than eight times and the limit of 65 metres in three sections by more than three times. It betrays a past government promise when the casino was first approved that no development would ever exceed the height of the stacks of the Pyrmont Power Station, which was demolished to make way for the facility.



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The site is particularly sensitive to impacts from excessive height because it is located within a densely populated residential neighbourhood, on the harbour and adjacent to waterfront public open space. The proposed tower would be significantly and unacceptably higher than any other adjacent buildings, making it dominate all views and outlooks to and from the precinct. The environmental impact statement claims that the tower is in keeping with a trend towards locating high rise buildings along the waterfront with buildings scaling back as they move away from the water, and with the new "high rise foreshore" of Darling Harbour. It also claims that the tower will create an "iconic corner" for Darling Harbour.

These claims are ridiculous and have no planning merit. Locating towers on the waterfront is planning at its worst and would block the harbour and erode public amenity along the waterfront. We must protect the harbour and public foreshore from private interests and environmental impacts including at Pyrmont Bay.

The tower is inappropriately located and must be rejected.

Public View Impacts
The proposed tower is imposing and will dominate views throughout Pyrmont, Darling Harbour and beyond.

The tower would become a ***daunting bulky feature*** that would block the sky from the eastern side of Darling Harbour between Pyrmont Bridge and Barangaroo especially from King Street Wharf, which currently provides vital inner city open space along the harbour. Views from Pyrmont Bridge west, Barangaroo Headland Park, Pirrama Park, Pirrama Road, Pyrmont Bay Park, Giba Park and Union Square would be severely impacted with the tower completely taking over. Indeed views from these vantage points and others across the region in every direction will be dominated by the massive high-rise towering above.

The tower looks out of place and spoils the beautiful skyline from multiple vantage points. It will suffocate important public spaces and erode the experience of these important public places for private benefit.

At night the eight-metre by eight-metre logos placed at the top of the building at both the east and west elevations would increase impacts by branding and commercialising night views, creating illuminated visual pollution across the Pyrmont peninsula and Darling Harbour, designed to compete with the planned Crown Casino.

Private View Impacts
The proposed development will result in substantial destruction of private views to a large number of homes in Pyrmont, particularly at 2 Jones Bay Road where 16 homes will completely lose any view.

Views are important to the wellbeing of apartment residents, who live with no private open space. A view can connect someone inside an apartment with the outside world and create a sense of space. Of great concern is that the extent that the tower will block outlook and sky views is so great in some homes that they will also suffer from a massive loss of light and brightness inside, significantly affecting residential amenity.

It is ironic that that the applicant considers these impacts on neighbours as acceptable when at the same time it plans to limit the growth of plantings on the proposed Neighbourhood Centre terrace – the one community benefit in the proposal – to protect views in the apartments above.

There is no information on how lighting of the tower and ribbon façade would impact on adjacent homes at night. The tower will be a very prominent feature visible from windows of many homes

and this could create significant light spill into habitable rooms affecting residents' ability to sleep. Information on light spill needs to be provided and impacts prevented.

Overshadowing
Overshadowing impacts from the proposed tower would be extensive and unacceptable. As a standalone high rise, the tower would cast a long shadow moving through Pyrmont homes, streets, parks and public open space, up to the waters of Darling Harbour, throughout the year with impacts the worst during winter.

The environmental impact statement makes absurd claims to justify the significant loss of winter sunlight in people's homes as a result of the tower. It states that blocking less than 20 per cent of winter sun in homes that already receive less than two hours of winter sun is acceptable. It downplays the loss of sun in bedrooms that receive less than two hours of winter sun.

There should be no loss of winter sunlight in homes that already receive less than the minimum standard.

There is no information in the environmental impact statement about the extent of shadowing in homes that receive more than two hours of winter sun, implying that any change that retains this minimum does not represent a significant impact on people's homes. People living in inner city apartments need and cherish sunlight as essential to their quality of life. Winter sunlight reduces the need for heating and lighting, it helps plants grow and it reduces dampness and mould.

The Star Casino should be a good neighbour and not obliterate winter sunlight in adjacent homes for its own private gain.

Direct sunlight will be blocked from Union Square for 18 per cent of the year, extending throughout winter, impacting late mornings when people are most likely to access open space. Similarly Pyrmont Bay Park will lose sun throughout the day during and around the equinoxes, cutting close to 10 per cent of direct sunlight. The proposed loss of sunlight is extensive and will erode the experience of these important public locations. The shadow diagrams show extensive shadowing of footpaths from Autumn to Spring, which will make them cold and unpleasant for pedestrians. Open space for pedestrians at the Pyrmont end of the important heritage Pyrmont Bridge would be shaded in the early afternoon during winter. These impacts would seriously harm Pyrmont's amenity.

Wind
The Star Casino's decision to exclude a wind assessment as part of the development application because wind mitigation measures have been added to the proposal since it was first planned lacks transparency and is unacceptable. The height of the tower has increased since it was first proposed and higher buildings cause greater wind impacts.

The environmental impact statement's claim that "conditions on the ground plane were classified as suitable as public access ways" does not tell us whether it will be comfortable for people to sit at Pyrmont Bay Park, or walk or stand along the footpaths on a windy day.

If the proposal is not refused, a comprehensive wind assessment must be carried out.

Traffic
Traffic congestion is a serious problem in the Pyrmont peninsula, with jams a regular occurrence during peak periods. I have had to ask police to increase patrols in the area because cars queuing across intersections are putting pedestrians at risk and there are regular complaints about late night traffic impacts from existing casino operations.

The environmental impact statement estimates an additional 112 vehicles in the morning peak period, 152 in the afternoon peak and 98 in off peak periods each day. The traffic report's claim that the existing network has significant reserve capacity is not supported by the experience of people in Pyrmont and I am concerned that the road network will not cope.

The proposal for 220 car parking spaces should be rejected outright; it is excessive and unacceptable given the building's proximity to other transport options including buses, light rail and ferries. The residential part will include 117 spaces which many residents will likely lease out to commuters, bringing more traffic into Pyrmont.

Parking should be limited to spaces for service vehicles, bicycles and car share.

Tree Loss
The development would result in the loss of 24 trees including 16 of high retention value, to be replaced with 24 trees of various species. This represents the absolute bare minimum that could be done; no attempt has been made to increase the net number of trees, to ensure there is no loss of tree canopy or to replace trees with mature plants. This proposal shows contempt for community efforts to increase greenery and for NSW Government and City of Sydney plans to increase green cover to address increasing temperatures and heat sink effects.

The development should result in a net increase in trees and tree canopy.

Nightclub Expansion
The proposal includes an expansion to the casino's nightclub by 1,691 square metres at a time when lockouts and freezes have been imposed on late night venues in the adjacent central business district, Oxford Street and Kings Cross, with venues for live music and performers struggling.

Evidence shows that alcohol associated violence and antisocial behaviour at The Star Casino has been as much of a factor as any other inner city hot spot and permitting an expansion to these nightclub facilities is not consistent with government policies. An approval to this part of the proposal would demonstrate further favouritism towards the casino at the expense of other inner city venues.

The scale of the proposed tower is inappropriate for the Pyrmont peninsular and the waterfront. It would be an aesthetic disgrace across the region and create serious impacts on adjacent communities. There is no need for The Star Casino to build such a tower on the site, particularly given it would include residential purposes which have no connection to the facility's core purpose.

I ask you to honour good planning principles and established planning standards for the site and reject this inappropriate and destructive proposal.

Yours sincerely



Alex Greenwich
Member for Sydney
Cc: Department of Planning and Environment