

**Mark Brown - ConceptPlanAmatil ApartmentHotel_submission Bulluss_McBride 29012012**

From: "Amanda McBride" <ajmcbride@ozemail.com.au>
To: <Mark.Brown@planning.nsw.gov.au>
Date: 26/02/2012 5:25 PM
Subject: ConceptPlanAmatil ApartmentHotel_submission Bulluss_McBride 29012012
Attachments: ConceptPlanAmatil ApartmentHotel_submission Bulluss_McBride 29012012.pdf

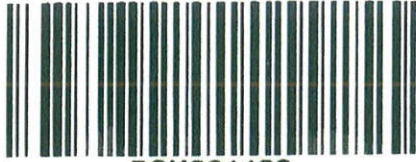
Dear Mr Brown

Please find attached a submission from us as local residents at The Quay Apartments on the submission (your reference MP 10_0237) for the concept plan of the proposed development of 71-79 Macquarie Street Sydney. We appreciate your acknowledgement of receipt.

I will send a hard copy as well.

Kind regards

Mr Peter Bulluss and Mrs Amanda Bulluss (Dr Amanda McBride)
The Quay Apartments
Apt 15.1, 2 Phillip Street
Sydney NSW 2000



PCU031168

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Mr Peter Bulluss and Mrs Amanda Bulluss (Dr A McBride)

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27 February 2012

Mr Alan Bright

A/Director, Metropolitan & Regional Projects South

Department of Planning and Infrastructure

GPO Box 39, Sydney NSW 2001



Dear Mr Bright,

RE: Submission on CONCEPT of a CONCEPT PLAN for a MIXED USE RESIDENTIAL BUILDING (known as The Proposal)

Site: 71-79 Macquarie Street Sydney NSW 2000

Applicant: Mirvac Projects on behalf of AMP Capital Investors

This is a submission containing objections to the above proposal for consideration by the Department of Planning and Infrastructure, NSW Government (known as The Department).

We are permanent residents of The Quay Apartments, 2 Phillip Street, Sydney NSW 2000 and have been for 11 years. Our apartment is an east, south, west facing apartment. We are on the 15th floor of the 28 floor apartment block which has apartments and balconies on all four sides. It was built in 1984. It contains no serviced apartments.

Neither of us have a conflict of interest with the developers, architects or anyone concerned with the above site, nor with the City of Sydney Council, nor with the Planning and Infrastructure Department of NSW Government.

Our non-professional, observed objections are as follows:

1. Access, transport and traffic

This is one of the most serious concerns for the already over-congested traffic spots in the City of Sydney containing residential and commercial buildings. We beseech the Council to consider the area of East Circular Quay and Circular Quay in its entirety whenever any new or altered developments are being proposed.

In this instance:-

- i. The entrance/exit driveways of the proposed development are in Albert Lane, one of the tiniest lanes in Sydney.
- ii. This lane will service Quay Grand residents and guest of the Hotel; residents and guests of the Apartment Hotel of the Proposed Development; the utility vehicles of same as well as those of the cafes and restaurants of Benelong at times as well; the Royal Automobile Club; guests, staff and utility vehicles for The Quay Apartments and utilities for the two restaurants located in The Quay Apartments.
- iii. There are already a large number of vehicles generally entering and even parking on East Circular Quay (ECQ) pedestrian way.
- iv. The Albert Street and Macquarie Street interface is extremely busy. There are serious accidents at this intersection not infrequently. We ask that you review this in your considerations. Albert Street is on a hill as it comes to Macquarie Street. There are no traffic lights or roundabout.
- v. The Albert Lane and Alfred Street interface is blocked nearly all the time between the hours of 6am and 10pm with buses going both directions. It is on a curve in the road. The streets are narrow. Any additional traffic is again hazardous.
- vi. Macquarie Street from Bridge Street carries traffic at present:-

- a) to and fro the Quay Grand Hotel for drop-off and collection and valet parking
- b) to and fro the Opera House for patrons and tourists and tourist buses
- c) to and fro the Opera House for parking for residents and tenants of the Benelong Apartments
- d) to and fro the Opera House for parking for rental to business, and casual parking.
- e) Macquarie Street has tourist bus parking on the east side very regularly.

To this will be added valet parking and taxi drop off at the Macquarie Street entrance of the Proposed Development.

- vii. Albert Street is observed to be a “rat-run” for taxis from Macquarie Street to Phillip Street.
- viii. Traffic from Macquarie Street turns into Alfred Street now holding up traffic interminably. This will be increased with the Proposed Development without a dramatic review of traffic for public and private use in the area. Traffic using Albert Street needs to exit at Macquarie Street and at Phillip Street, whereby it can turn right into the melee of huge bus traffic to Alfred Street, or right into a one-lane street also competing with huge bus traffic.
- ix. This Proposed Development, with entrance/exit for hotel/apartment, will mean traffic increases in Albert Lane, Alfred Street, Phillip Street and Albert Street. This needs to be taken into consideration when viewing the traffic concerns of this proposed development.
- x. Reversing trucks by law have loud reverberating beeps. The delivery vehicles need to be housed *within* the proposed development with an *adequate turning circle* able to be accessed at all times. This noise tunnels up into The Quay Apartments.
- xi. Garbage trucks, delivery trucks and removalist trucks, with associated noise and reverse disturbance will disturb sleep of residents of The Quay Apartments. This would be minimised with the proposed developments having *well-sized turning circles* and a *number of parking bays designated for use by such vehicles* within the Proposed Development.
- xii. We have observed traffic disasters with delivery trucks on the walkway at East Circular Quay from 5am, creating a car-park, reversing noisily, trying to avoid peak hour bus traffic. Trucks do deliver down East Circular Quay and have been observed to reverse into the trees we value so much. The insistence this will not happen when a pedestrian area is increased and enhanced in the early hours of the morning cannot be guaranteed with what happens now.

- xiii. Buses occupy most of the parking and driving space in the northern end of Phillip Street and surrounding streets and this, both now and as a separate issue, needs to be reviewed with different outcomes decided. This congests traffic that comes from Albert Lane.
- xiv. There is concern that large utility and delivery trucks will not be able to fit into the Proposed Development car park and will remain on Albert Lane with reverse beeps, noise and other pollution increasing with truck idling time increasing.
- xv. Traffic flow in the next 5 years needs to be planned carefully from all perspectives - please.

2. Visual Privacy

- i. From what we can discern, the apartments on the south and south-west side of the building will have their apartments 20m close to our apartments. This closeness invades our privacy. The windows on the south-west side do not all face towards the Sydney Harbour Bridge, for reasons unknown.

3. View-sharing and visual impact

- i. The view will be impacted with further utility buildings on the roof of the Proposed Development.
- ii. The height of the Proposed Development is non-compliant and should be brought into line with The Department's rulings.
- iii. The western side of the Proposed Development will extend as indicated and will impact on the residents of the northern side of The Quay Apartments. This brings those hotel and resident dwellers of The Proposed Development closer to our residents, and this will increase noise into our apartments.

4. Safety and Security

- i. The retail areas proposed have detailed that there will be food outlets. These need to be carefully considered in this area because of what has happened in the Circular Quay area.
- ii. We have a serious problem, with open knowledge, with rat infestation because of sub-standard management of waste foods. Scavenging birds are also a pest and frightening to many residents and tourists.
- iii. If night-clubs, bars, small bars, or small or large restaurants are proposed, we will object strongly as this will reduce the safety of residents in this area. Not only are there The

Quay Apartments, there is Quay Grand Apartments, and the large Bennelong Apartment buildings. Most occupants are of middle, as we are, or older-age group with our security at risk in such an environment.

5. Noise and Vibration

- i. We object strongly to any night clubs, bars (small, medium or large), small or large restaurants, tourist restaurants or any such like as this will increase the noise in the living, dining and bedroom areas of residents in The Quay Apartments. Noise would be funnelled up into the apartments. We all leave doors and windows open at any or all times.
- ii. Noise pollution is at serious level now with traffic, delivery vehicles, and competing buskers on the western side.
- iii. This will be increased greatly with residents, valet drivers and utility vehicles from Quay Grand entering and leaving through the same entrance as the Proposed Developments.
- iv. Increase traffic in the northern area of The Quay Apartments will be of extreme interference to our lives.
- v. With the increased pedestrian area open up, the Sydney Harbour Foreshore Authority and the Sydney City Council will need to revise busker legislation and rules and the noise and space interference at ECQ is extreme at present and no increase in numbers of buskers should be considered at all.
- vi. There should be a decrease of, and rotation of, buskers in the above small area in which 2 competing ones are working at present with amplification magnified with generators.
- vii. Vibration of buses and trucks is now of huge significance.
- viii. Vibration of delivery vehicles, removalists and large vehicles of apartment owners or tenants is of serious concern.

6. Reflectivity

- i. The building is glass and will reflect negatively into The Quay Apartments with the extended western area of the Proposed Development.
- ii. Sun in particular will reflect on The Quay Apartments, increasing glare, heat and thus potentially our need for air-conditioning. This means our comfort will be greatly affected. As we are not experts, we would value your close consideration of this. This will increase a threatened commodity, air-conditioning.

7. Services and utilities

- i. Garbage trucks, delivery trucks and removalist trucks, with associated noise and reverse disturbance will disturb daytime and sleep-time of residents of The Quay Apartments.
- ii. This would be minimised with the proposed developments having well-sized turning circles and a number of parking bays designated for use by such vehicles with the garage door closed at all times.
- iii. Most of the residents reside at home in retirement and will feel the changes greatly.

8. Social Impact on the locality

- i. Residences live side by side each other and with hotels and businesses in this area. We would be greatly impacted upon if there were to be proposed night-clubs, bars of any size, and small or large tourist restaurants. These would be hazardous to the environment in many different ways, most especially on the residents of The Quay Apartments. This includes safety, traffic flow and with such narrow streets, pedestrian safety.

9. Demolition and Construction Impact

- i. The Quay Apartments is 28 years old and will need to review with the proposed development professionals to ensure there is no impact to any of our building.
- ii. Construction hours will need to reflect the location of the Proposed Development and thus construction hours need to be at the most 9am to 5pm, Monday to Friday only.

There is an urgent need for traffic flow in the next 5 years to be planned carefully from all perspectives in East Circular Quay and Circular Quay.

In particular the tiny Albert Lane needs to have the traffic inspected in detail with regard to all current traffic, public and private, in the area. This review needs to be open for public scrutiny. Current abuse of Circular Quay and East Circular Quay by utility trucks needs to be reviewed.

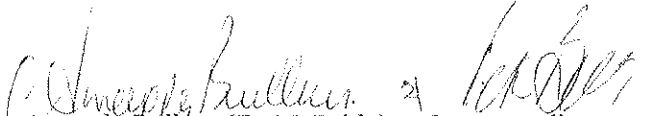
Refuse on Circular Quay is at an extreme level again and needs to be urgently revised for health and safety concerns with rodent and bird infestations.

Noise pollution is extreme and any changes need to be analysed with a view not only for proposed developments but also with the entire area's impact as well.

We would appreciate being informed of any proposed meetings on this Proposed Development open to residents in the area where we are able to attend and/or speak.

We are happy to present a more fully worked-up submission if so required, or speak with anyone to clarify any section, or speak to any committee.

Yours Truly



Amanda Bulluss (Dr McBride) and Peter Bulluss

Mark Brown - FW: Submission made to DoP

From: "Briony Mitchell" <bmittell@roi-group.com.au>
To: <abrown@cityofsydney.nsw.gov.au>, <mark.brown@planning.nsw.gov.au>
Date: 27/02/2012 5:35 PM
Subject: FW: Submission made to DoP
CC: "Ian Walters" <i_p_walters@iprimus.com.au>, <sonia.fenton@bigpond.com>
Attachments: Quay Apartments FINAL Submission to Amatil 20120227.pdf; MTP_ Logo.png

Dear Alice and Mark,

Please find attached a copy of the submission lodged in the Department of Planning's website today made on behalf of the Owners Corporation of Quay Apartments.

If you would like to discuss the issues raised in the submission please do not hesitate to contact me on 0414 557 531.

Yours faithfully

Briony Mitchell
Director
Mitchell Town Planning

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Mark Brown - Submission Details for Briony Mitchell

From: Briony Mitchell <briony.mitchell@cqr.net.au>
To: <mark.brown@planning.nsw.gov.au>
Date: 27/02/2012 4:06 PM
Subject: Submission Details for Briony Mitchell
CC: <assessments@planning.nsw.gov.au>
Attachments: Quay Apartments FINAL Submission to Amatil 20120227.pdf



Disclosable Political Donation: no

Name: Briony Mitchell
 Email: briony.mitchell@cqr.net.au

Address:
 Burma Hall

Kirribilli , NSW
 2061

Content:

Please find attached a submission prepared by Briony Mitchell , Certified Practicing Planner on behalf of the Owners Corporation of Quay Apartments (SP22014) located at 2 Phillip Street, Sydney.

This submission is an objection to the proposed redevelopment of the Amatil Building located at 71-79 Macquarie Street in relation to the following issues:

1. General comments - The significance of the redevelopment has been overlooked
2. Height - Unacceptable non-compliance & insufficient justification
3. Views - Significant improvements are required
4. Overshadowing - Significant improvements are required
5. Through-Site Pedestrian Link - Not acceptable, far superior options exist
6. Public Domain - More information is required
7. Traffic & Access - Potential for significant impacts & insufficient information

Both Briony Mitchell and members of the Owners Corporation would greatly appreciate the opportunity to discuss our concerns with you.

IP Address: webmail.roi-group.com.au - 61.14.96.30

Submission: Online Submission from Briony Mitchell (object)
https://majorprojects.affinitylive.com?action=view_diary&id=26463

Submission for Job: #4536 MP 10_0237 - Mixed use development, 71-79 Macquarie St, Sydney
https://majorprojects.affinitylive.com?action=view_job&id=4536

Site: #2119 Amatil Building
https://majorprojects.affinitylive.com?action=view_site&id=2119

Briony Mitchell

E : briony.mitchell@cqr.net.au

Powered by [AffinityLive](#): Work. Smarter.



27 February 2012

Department of Planning & Infrastructure
23-33 Bridge Street
Sydney 2000

Attention: Mark Brown, Assessment Officer

Dear Mark ,

RE: OBJECTION TO MP 10_0237 – CONCEPT PLAN APPLICATION, 71-79 MACQUARIE ST, SYDNEY

Thank you for this opportunity to comment on the proposed Concept Plan for redevelopment of the Amatil Building at East Circular Quay. This submission has been prepared by Briony Mitchell, Certified Practising Planner on behalf of the Owners Corporation of Quay Apartments (SP22014) located at 2 Phillip Street, Sydney 2000.

We have the most serious concern that the proposed building envelope is fundamentally contrary to the objectives for the protection of East Circular Quay, Sydney Cove, the Royal Botanic Gardens, Macquarie Street and the Opera House. Residents of Quay Apartments have genuine concerns for the iconic significance of the place as well as for their local neighbourhood.

Please accept this submission as an **objection** to the proposal specifically in relation to the following issues:

- 1. General comments - The significance of the redevelopment has been overlooked
- 2. Height - Unacceptable non-compliance & insufficient justification
- 3. Views - Significant improvements are required
- 4. Overshadowing - Significant improvements are required
- 5. Through-Site Pedestrian Link - Not acceptable, far superior options exist
- 6. Public Domain - More information is required
- 7. Traffic & Access - Potential for significant impacts & insufficient information

The following submission details our objection to the proposal.

1. GENERAL COMMENTS

The Opera House, Sydney Cove and the Royal Botanic Gardens are unquestionably part of one of Australia’s most iconic locations. The importance of this place cannot be overestimated. East Circular Quay is surrounded by some of the most spectacular public spaces in the country which have been embellished and maintained to the highest quality for the benefit of us all.

It is in the public interest (in the truest use of the phrase) that development of the Amatil site (the last piece in the Circular Quay foreshore development) achieves the best environmental outcome and the highest quality building and spaces. Australians' alike hold the highest hopes for the outcome on this well known site as East Circular Quay is visited by millions of people (locals and from overseas) every year.

The immediate context of the Amatil site is surrounded by:

- no development to the west or east
- 4 storeys of the Cahill Expressway, rail line and undercroft to the south
- 5-8 storeys of the Heritage Listed Royal Automobile Club Australia Building (RACA) to the south beyond the Cahill Expressway; and
- 16 storeys of the Quay Grand building to the north.

The existing Amatil building is completely out of character with its immediate surroundings because, over time, the community and the government has guided development, protected public spaces and the amenity and character of the area to what exists today: a vibrant, harmonious, mixed use area with significant public assets and public access.

In keeping with Council's *Sydney 2030* Vision and 'City of Villages' aspiration, East Circular Quay is an entirely different precinct to the CBD beyond the Cahill Expressway (which is dominated by high-rise commercial and residential towers with busy professionals and deliveries). The aspirations for East Circular Quay have developed out of a desire by Sydneysiders to create a better way to live, work and play as follows:

Sydney 2030 is about changing the way we live, work and play in the city; now and into the future. The blueprint for Sydney 2030 grew out of talking to people, asking how things could improve and what we can do to take the city forward. (<http://www.sydney2030.com.au/>)

It is not surprising then that the existing building (which was constructed in the 1960s) does not match the now established scale and character of East Circular Quay and it would be contradictory to all that has been achieved to take a step backwards and let the status quo continue.

Sydney would rarely be presented with an opportunity to make such vast improvements to our urban environment. The proposal to demolish the Amatil Building is a tremendous opportunity to provide an appropriate built form and public access within its iconic and nationally significant context.

This tremendous opportunity has been disregarded in the Concept Plan Application. At its very heart, on page vi of the Executive Summary of the Environmental Assessment Report (EAR) the author lists the opportunities that the Concept Plan provides and rationalising the built form to better fit the surrounding context and enhance this iconic and spectacular location has not been a mandate of the design team.

The way that the Environmental Assessment Report is written implies that the community should accept the public domain works that are going to be undertaken as compensation for the retention of the tower. Throughout the EAR, the building envelope is "riding on the back" of the through-site link and the extension of the colonnade.

This methodology and design strategy is unacceptable and the applicant must be brought back to first principles:

- a) Design the most appropriate building envelope consistent with the planning controls and founded on design excellence worthy of this nationally significant location.
- b) Incorporate floor space gained over council land to enable compliance with the height control and to include public uses.
- c) Pay a financial contribution to compensate for the new demands made on public infrastructure by the development.

However what we are presented with is:

- a building envelope that does not comply with the height controls;
- the incorporation of additional floor space gained over Council land but without a reduction in height; and
- certain public domain works undertaken in lieu of the payment of s.61 contributions.

We should not be wooed by this Trojan Horse approach.

The building envelope must stand on its own merit.

In addition, there is a fundamental omission in the Concept Plan. It does not refer, acknowledge or consider the enormous and significant work that went into the establishment of the East Circular Quay planning controls over the past 50 years (1962 – 2012). This includes:

- the massive community concern for the space in the 1990s;
- the overwhelming contribution from Australia's finest designers to ensure an appropriate built outcome;
- the highest level of political involvement; and
- the public investment made by all levels of Government (and revisited in recent years) to ensure the best outcome is achieved.

To ignore this work is astounding when you consider Mirvac was intimately involved in the last debate over East Circular Quay height controls and AMP has owned the building since the early 1980s, well before the East Circular Quay debate commenced as well as throughout the last 10 years when the resultant planning controls were enshrined in legislation.

The body of work, time, money and man hours surrounding East Circular Quay must be respected, acknowledged, considered and complied with.

As a baseline for commencing such a significant project as the redevelopment of the Amatil Building, the Concept Plan documentation must be corrected. Combining this major omission with the issues raised in the body of this submission it is clear that the Concept Plan must be revised and resubmitted for comment.

2. HEIGHT OF THE BUILDING

I refer to the Director-General's Requirements which list the key issue to be addressed by the Concept Plan. Item 2 states that the Concept Plan must detail:

- *The methodology and justification for the **non-compliance with the existing local controls**, including but not limited to, building height and FSR.*
- *Analysis of the proposed bulk and scale of the development against the **existing bulk and scale of surrounding development**.*
- *The form and external appearance of the proposed building and how it **will improve the quality and amenity of the public domain**. (our emphasis)*

As set out in the following Sections of this submission the Concept Plan:

- does not provide sufficient justification for the non-compliance with the height control;
- does not address non-compliance with site specific controls contained in the DCP;
- does not appropriately analyse the bulk and scale of the surrounding development; and
- does not demonstrate that the building envelope results in any improvement to East Circular Quay.

2.1. Non-Compliance with Maximum Height Limit

I refer to Clause 50(6) of *Sydney Local Environmental Plan (LEP) 2005*. This clause establishes the maximum height permitted on the site as follows:

50 (6) The height of any building on land shown outlined in solid red and annotated (ii) on the Central Sydney Height Map [the subject site is annotated as such] must not exceed:

(a) RL 45 metres north of the Moore Stairs, or

(b) RL 46.7 metres south of the Moore Stairs.

Clause 10 (Waiver of certain development standards) does not apply to a requirement made by this subclause.

The site is located south of Moore Stairs and therefore the maximum height permitted by Sydney LEP 2005 is RL46.7. The last sentence in this extract has the effect of prohibiting any new building above the maximum height. This means that if the application was lodged with Sydney City Council, the applicant would not be permitted to vary the height and any new building would be limited to the existing height of Quay Grand.

The NSW statutory planning system establishes a hierarchy of planning controls such that:

- certain planning controls cannot be varied;
- some can be varied but only in accordance with a strict set of criteria;
- some can be varied with justification; and
- some are just guidelines.

Clause 50(6) of Sydney LEP 2005 is NSW's most certain and highest level of planning control. It cannot be varied.

Notwithstanding this fact, if it were able to be varied and the applicant was able to satisfy the strict criteria set out in Clause 10 of LEP 2005 then Council may have permitted an additional 10% in height which, at a permitted height of 43.9m, would permit an addition 4.39m and a maximum RL51.09.

The proposal does not comply with Clause 50(6) of Sydney LEP 2005 and the proposed height¹ to RL67.23 is 64.43m (which would also not comply with Clause 10 of the LEP). It is interesting to note that not once in the EAR does the author state in plain english that “the proposed building envelope does not comply with the statutory non-discretionary development standard contained within Sydney LEP 2005”.

As you are well aware, planning controls exist in NSW to inform the community including landowners, neighbours and the public (which in this case is of primary importance) of the bulk, height and scale of development that would be reasonably expected on certain land in Sydney. It is not reasonable to expect the community of Sydney to accept or anticipate an exceedance in height of over 20m. Furthermore, if you consider the public outcry, political involvement and public investment that went into the formulation of the height controls for East Circular Quay over the past 20 years it would seem even more unreasonable to permit non-compliance with the maximum height control.

On this fact alone the Director-General should enforce the maximum height control and require the Concept Plan to be amended to comply.

Even if you disregarded the legal weight to be given to the statutory height control, the Concept Plan Application has provided insufficient justification as to why such an exceedance in height would be acceptable.

A note on FSR

The Concept Plan Application cannot claim design excellence when this has not been established nor is it likely to apply. There is a potential that the Project Application goes back to the Department of Planning and that no design excellence process is undertaken. The 10% extra FSR that could have been awarded by the City of Sydney should be held back until the Project Application and should not form part of the concept plan approval.

2.2. Insufficient Justification for Exceedance in Height

I refer to Item 1.3 on page 2 of the EAR which states that:

Limiting the height of the replacement envelope to that of the neighbouring Quay Grand building was considered, however this was not considered appropriate for the following reasons:

- *the site's location presents an opportunity for the envelope to provide a suitable transition between the lower residential buildings to the north and the higher residential and commercial buildings to the south, ...*
- *Such a significant constraint to the total floor space available would render the project financially unfeasible, which would result in a continuation of the unsuitable 'do nothing' approach.*

¹ Pursuant to Sydney LEP 2005 **height of a building on land within Central Sydney means:**
(a) *the vertical distance measured in metres to the topmost point of the building (including plant and lift overruns, but excluding communication devices and architectural roof features) from, if the building has frontage to one street, the horizontal plane at the average of the heights of ground level at each end of the street frontage of the building, or...*

I also refer to page 46 of the EAR which states that:

Development of a scale and standard commensurate with meeting the strategic planning outcomes (including the Metropolitan and Sub-regional Strategies) cannot be achieved under the current height control applicable to the site which is lower than the existing building.

The Concept plan provides these three reasons why the building should not comply with the height control and the above text is the extent of the justification in the EAR (some would consider this extreme lack of consideration to be highly disrespectful to the statutory planning system). Discussion on how each of these reasons is insufficient is addressed in the following sections.

2.2.1. Project would not be feasible

I will deal with the feasibility first because I understand this reason was the primary point made by AMP/Mirvac during consultation with stakeholders including the City of Sydney Council ie. unless the project is permitted to retain its existing height redevelopment of the site would not be viable and therefore would not proceed. If it did not proceed, the existing unsightly building would be retained and no public domain works would be delivered. This was taken seriously by the City of Sydney and by community members.

However, no evidence has been provided by the applicant to justify the statement that the project would be unfeasible at the permitted height of RL46.7.

At item 1.3 of the EAR the author makes it clear that due to the existing building's age, it could not be renovated to achieve the desired premium accommodation. Therefore the building must be demolished for Mirvac/AMP to achieve the highest and best return ie. the construction of the entire building will return benefits and the existing building does not. This would seem to indicate that the applicants 'threat' of no action has limited strength.

For an applicant to demand a financial return is contrary to the way the NSW planning system works. If it were not for the public domain issues associated with East Circular Quay, the financial viability of a project would not be a primary matter for consideration (if at all). In this case however, without evidence of the feasibility issues facing the site's development the reason provided by the applicant for not complying with the height control is unacceptable (particularly considering compensation is provided in the form of additional land).

On the contrary, there is every reason to believe that (just as the Quay Grand building exists) a project as follows would be viable:

- a 16 story building constructed to a height of RL46.7;
- gaining spectacular views north, east and west over Sydney Harbour, the Royal Botanic Gardens and Circular Quay;
- adjoining a public domain with a year round footfall enviable of any retail developer in Australia;
- a parking rate in excess of the requirements applied to all other developments in Sydney;
- high visibility for marketing and advertising purposes; and
- highly accessible by any means of transport.

It would appear that there are very many profitable aspects about such a development and one which would be highly desirable to those willing to pay a premium for such a location. But the uplift goes further. Mirvac/AMP will benefit from a far greater depth to the building (delivering high quality apartments) by expanding over Council land to the west and expanding below Council land to the east. At Clause 2.12 of the *Central Sydney Development Control Plan 1996* (DCP) the reason for the contribution of public land for private development is explained:

Use of the Roadway

B4.1 Some of the roadway and footway of East Circular Quay may be used for development (subject to Council's concurrence), in order to achieve the new reduced height limits and to provide substantial public and cultural facilities.

Land under Macquarie Street

B9.1 Use of available land under Macquarie Street for development may be considered for the possible incorporation of cultural and other public use (subject to concurrence of the Consent Authority and the State Government). Public access to cultural uses may be required on the site.

The expansion of the building is provided to compensate for the height and to accommodate public uses but Mirvac/AMP wish to have both existing height and the land. It is astounding that this is being entertained at all and further reinforces the that the project is not unviable at the maximum permissible height. To demonstrate **Table 1** includes a rough estimate of the quantum of floor area that might be achieved from three building envelope scenarios² on the subject site.

Table 1 – Building envelope scenarios and rough floor space estimates

Building Envelope Scenarios	Description of development	Rough Estimate Floor Area (m²)	No. of levels	No. of basement levels
1	Existing above ground floor area based on 17 levels and excluding basement, area under Macquarie Street and car park entry	13,350	17	2
2	Proposed above ground floor area based on 16 levels to RL46.7 including 3,550m ² of new floor area over Council land and excluding the through site link, basement, area under Macquarie Street, car park entry and shared access road	15,980	16	4-5
3	Proposed above ground floor area based on 16 levels (as at 2 above) and including the additional 5,520m ² or 7 storeys (maximum 23 storey building) above the maximum height control	21,500	23	6

² Rough estimates have been scaled off the drawings submitted with the application and the survey plan. The maximum accommodation has been considered consistent with the number of floors in Quay Grand as opposed to the lesser number of floors shown on page 77 of the Design Report.

I note on page 46 of the EAR it states that:

To reduce the height of the existing building to match the current height limit would result in a loss of approximately six floors or 5,340m² of floor space area. Reducing the scale of the building would render redevelopment uneconomic and result in the retention of a redundant commercial building and the failure to deliver the important public domain components of the project.

First I note that the calculation on page 46 of the EAR is incorrect: $5,340\text{m}^2/890\text{m}^2 = 6$ storeys but the floor plate of the building is only approximately 788m^2 as it does not encompass the whole site area ie 890m^2 . If 6 storeys are accommodated in the height above Quay Grand then the floor area would be $788\text{m}^2 \times 6 = 4,700\text{m}^2$ of floors space. This height can however potentially accommodate 7 storeys and therefore approximately $5,520\text{m}^2$ of floor space.

Second I note that contrary to the statement on page 46 of the EAR (quoted above), **Table 1** demonstrates that there shall be no loss in floor space should the existing building be replaced by a building that complies with the maximum height control. On the contrary, there appears to be an increase in floor area of $2,630\text{m}^2$ even with the exclusion of the colonnade, through site link and additional floor space under Macquarie Street. This increase represents a 20% increase in the floor area of the existing building. Remember that this 20% increase in floor area is provided by the planning controls to compensate for the reduction in height and for the inclusion of public uses.

Furthermore, a compliant envelope, without the new floorspace gained over council land ($3,550\text{m}^2$) to the east (and excluding all the other aspects as above) would deliver a floor space of approximately $12,430\text{m}^2$ which, considering the rough calculations undertaken for this exercise, is very close to the existing floor space on the site. In fact, the proposal will not lose a single level of accommodation: 16 levels of accommodation exist and will be replaced. One level of existing plant will be lost but this could be accommodated in the expanse of plant area which is being gained below Macquarie Street or in the areas which have been excluded from the calculation. In addition, there are only three floors of accommodation currently located above the height of Quay Grand which would be lost.

It is therefore incorrect to state that the reduction in height would result in a reduction in floor space.

Third, I note from page 46 of the EAR that the applicant claims reducing the height would render the project to be uneconomic. Contrary to this statement, on a very basic level as an example, a compliant envelope has the potential to result in less costs than the proposal because:

- less floors = less apartments = less cars = less basements = less excavation = less costs

In my experience, excavation is an enormous percentage of development costs and a reduction in excavation is more likely to increase the viability of the project rather than reduce the viability of the project.

Table 1 above does demonstrate however the potential reasons for the demand to construct the building to RL67.23 as at Scenario 3. The applicant could potentially gain $5,520\text{m}^2$ above what any other development in that precinct would be permitted to achieve. The financial gain from this floor area would, of course, be very attractive to the land owner and developer. As it would be to any land

owner or developer on any site in Sydney who believed they could exceed the permitted height control by 20m. But the fact remains that no justification has been provided as to why the development is unviable at the permitted height.

It appears, from our review of the apparent facts, that the applicants claim that complying with the maximum height control would make the project unfeasible and stifle development is unjustifiable.

The Director- General should require detailed justification for this claim, including evidence of the feasibility for development of the site or the Concept Plan should be amended such that the proposed building envelope complies with the maximum height control established by Clause 50(6) of Sydney LEP 2005.

2.2.2. Strategic planning outcomes cannot be achieved

As already stated above, I refer to page 46 of the EAR which states that:

Development of a scale and standard commensurate with meeting the strategic planning outcomes (including the Metropolitan and Sub-regional Strategies) cannot be achieved under the current height control applicable to the site which is lower than the existing building.

It is false to state that a building envelope contained within the maximum height controls will not meet strategic planning objectives. Nowhere in the *Sydney Metropolitan Plan* or the *Sub-Regional Strategy* are development targets provided for East Circular Quay, nor is it appropriate to ignore local conditions and the significant and public context of the site to achieve broad regional objectives. New development must be specifically designed to respond to the surrounding context and a new building on the site commensurate with the Quay Grand will make a positive and substantial contribution to (and will be consistent with) the transport, employment, housing, tourism and public domain objectives of the desired strategic planning outcomes for the state of NSW.

2.2.3. Transition in height is required

Not only has the applicant and design team ignored the existing height control, they have chosen to ignore the vast amount of background work that has been undertaken over the past 50 years to consider, discuss and determine the appropriate built form for development at East Circular Quay. It may have been different had no public debate taken place about the form of development to be located on the site since the 1960s when the Amatil building was constructed at which point it would have been appropriate to explore different development options. But in this case, all that work has been done. A transition in height is not required and is inappropriate. It is unreasonable and unacceptable to apply for a built form that is entirely contradictory to the principles developed for East Circular Quay that have been set down with no uncertain authority.

In 1990, in a submission by Keys Young on behalf of Mirvac, AMP and Colonial Mutual Life which was noted in the CSPC Minute Paper dated 9 August 1990 the consortium stated that:

2. If the community or its elected representatives wish to restrict or modify certain development rights, the best way to achieve this objective is to establish civic development objectives for the site and then see how those can be achieved by trading off benefits gained against benefits given.

That is exactly what occurred and Clause 2.12 of Central Sydney DCP 1996 provides a good summary of the background and the outcome:

East Circular Quay is one of the most prominent sites in Central Sydney and its redevelopment has attracted much public interest over many years. After an Ideas Quest in 1992, planning and design principles were determined to guide the future development of all privately-owned land at East Circular Quay. The principles are intended to be broad enough to facilitate creative design solutions but at the same time to preserve the view and height objectives for the area.

This work resulted in specific design guidelines for the site which are contained in Central Sydney DCP 1996. Many of these guidelines are quoted throughout this submission however the ones which specifically relate to height include the following:

Form

B1.1 *A tower building is not acceptable on any part of the precinct.*

Height

B2.1 *The height of any proposed development should be consistent with all other design guidelines for East Circular Quay.*

B2.3 *The maximum height limit south of Moore Stairs is RL 46.7.*

For fear of going over old ground, with respect to the argument being made about a need for a transition in height it is necessary to explain what these DCP controls aim to do and where they came from. They were developed largely based on the following urban design principles and priority outcomes for East Circular Quay³:

- **Wall development not tower development**

A unified and consistent wall of development is important in this location so as to maintain the visual importance of the Opera House. A tower development would detract from and compete with this landmark (among other things). This was first recognised in Utzon's plan of November 1962 included at **Figure 1** and has been continually reinforced by successive city planners, architects and urban designers.

- **Sydney Cove and the Royal Botanic Gardens must be enclosed**

To maintain the visual importance of Sydney Cove continuous structures of similar height must be maintained on all three sides with no tall buildings located north of the Cahill Expressway. Consistent development (of consistent height) along the western side of Macquarie Street to the property boundary defines the eastern edge of the Royal Botanic Gardens and the outer Domain and must be maintained to enclose the parkland.

- **New development must enhance the character of Macquarie Street**

Macquarie Street is recognised as one of the finest streetscapes in Sydney with outstanding heritage items of State and National significance. The heights of buildings in Macquarie Street are low scale (with street wall heights no greater than 45m) and all towers are set well back from Macquarie Street which greatly contributes to the distinctive character of the streetscape.

³ Background information is taken from *Development issues East Circular Quay – a response to the East Circular Quay Urban Design Assessment report to the Council of the City of Sydney, September 1989* prepared by My City of Sydney and dated June 1990.

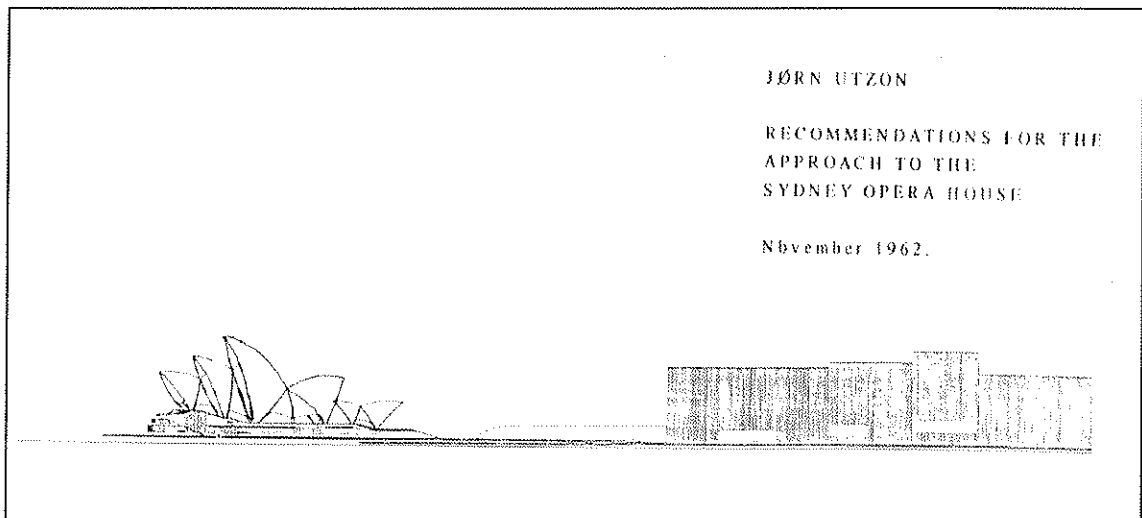


Figure 1 – Utzon’s original plan

The proposed Concept Plan is attempting once more, to request a tower form in East Circular Quay. A tower on the site has already been considered previously, rejected and planning controls have been in place and applied for many years to ensure a consistency of development in this precinct. There are no towers in Sydney north of the Cahill Expressway and the entire East Circular Quay precinct has been developed consistent with the planning controls to achieve the desired urban design outcomes.

With this in mind I first refer to page 42 of the EAR in relation to the Scenic quality expected by Sydney REP 2005. In response the EAR states that:

The scale, form and design of the Concept Plan has been based on a careful analysis of the site and the locality, and the development will enhance the visual quality of Sydney Cove.

This statement is incorrect. The current height of the existing tower is proposed to be retained. This height is out of character with, and will impact on, the principles of development designed to preserve the visual quality of Sydney Cove as stated above. It is false to say that the building envelope will enhance the visual quality. At its very best it will retain the same overbearing tower element which has been earmarked for removal for 20 years.

I also refer to page 19 of the Design Report under Architectural Design Principles where it states:

Strengthen the transition in building scale between Circular Quay and CBD.

This is not necessary, it is not a policy direction and as outlined above it is contrary to the development principles in place to preserve this iconic and important place with its unique and significant character.

In addition, a tower development does not comply with Clause 2.2.1 of Central Sydney DCP 1996 which provides for a maximum 20 – 45m street frontage height for new buildings. This control is in place so that taller street frontage heights do not “impact negatively on the street alignment”.

When designing the building, the design must also have regard to:

- (i) *the street frontage heights of adjacent buildings,*
- (ii) *the predominant street frontage height in the vicinity of the proposed building*
- (iii) *the location of the site in the street block ie.,corner sites can generally include special design emphasis, such as increased street frontage height of one or two storeys compared with adjacent sites*
- (iv) *site size ie small sites (less than 1,000 square metres) may attain a street frontage height of 45 metres regardless of the above criteria*

The proposed street frontage height of the building envelope is 53.4m (as existing) is illustrated in **Figure 2**. This does not comply with the planning control and, just as the existing building is overbearing on the streetscape so too will be the proposed building.



Figure 2 – Existing building’s inconsistency with street wall height.

Figure 3 below demonstrates what a compliant wall development would look like and also illustrates the benefits of such a building envelope ie:

- a consistent wall development does not detract from the built form of the Opera House;
- it opens up views of the Royal Botanic Gardens and the former Government House;
- when viewed from the Sydney Cove and the Opera House the building marks the end of the Circular Quay Precinct;
- it provides a clear distinction between East Circular Quay and the CBD;
- it is in keeping with the Special Character of Macquarie Street; and
- it is a more appropriate built form adjoining the Heritage listed RACA Building.

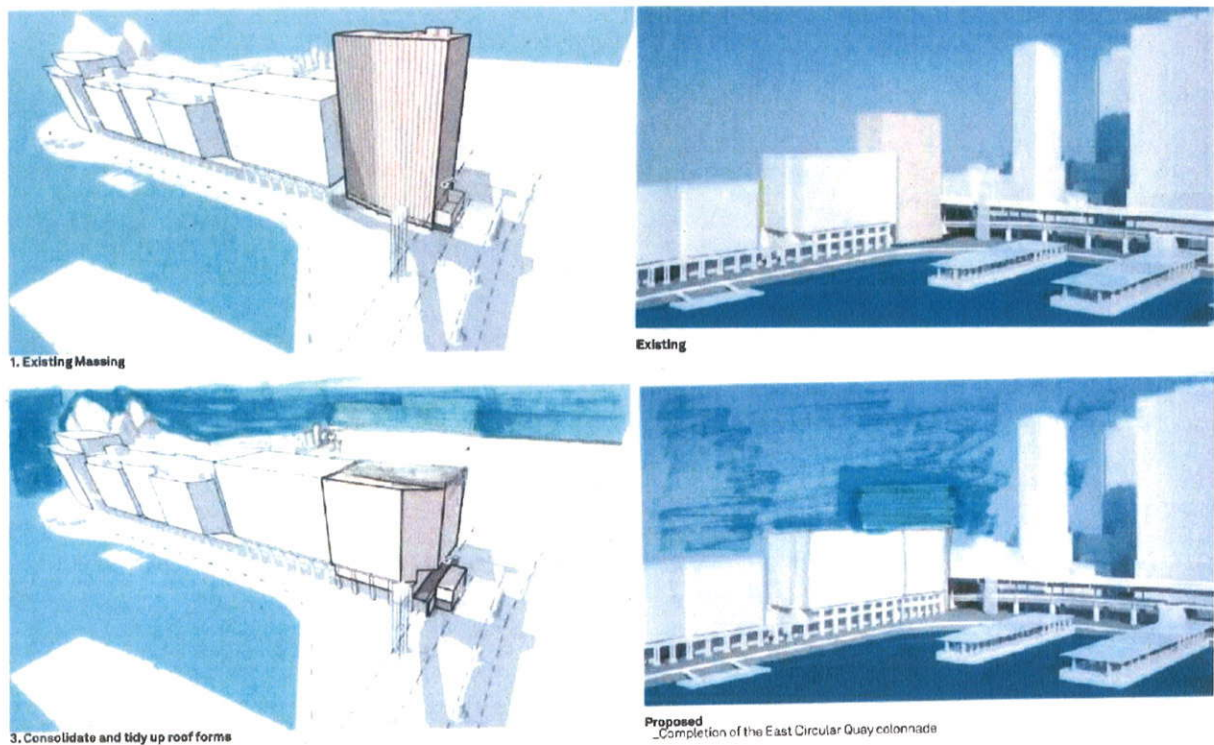


Figure 3 – Comparison to a compliant building envelope. Alterations to extracts from p 28 & 29 of the Design Report.

Based on the discussion set out in this section it is clear that a transition in height between Circular Quay and the CBD is neither appropriate or necessary.

For this reason, the Director-General should require the Concept Plan to be amended to provide a consistent wall development along East Circular Quay as enshrined in the planning controls that protect the unique and iconic significance of the Opera House, Sydney Cove, the Royal Botanic Gardens and Macquarie Street.

2.3. Obligation to consider

When considering the proposed Concept Plan and the relevance or weight to be given to planning policy adopted by Council the Director-General is directed to the landmark case of Stockland Development vs Manly Council in which Justice McClellan determined a set of planning principles to assist with such an assessment. **Table 2** below includes these principles and considers the response.

Table 2 – Planning Principle for the weight to be given to a planning policy

Planning Principle	Response
The extent, if any, of research and public consultation undertaken when creating the policy.	As detailed throughout this submission the formulation and consideration of the planning controls on the site were the subject of long and extensive consultation with land owners, public, and leading experts.
The time during which the policy has been in force and the extent of any review of its effectiveness.	Both the creation of Sydney LEP 2005, and the preparation of Draft LEP 2011 retain the controls which were generated in the mid-1990s.
The extent to which the policy has been departed from in prior decisions.	The controls have been utilised for the consistent development of the entire East Circular Quay Precinct (apart from the subject site which is the last parcel to be completed).
The compatability of the policy with the objectives and provisions of relevant environmental planning instruments and development control plans.	All of the East Circular Quay controls are intimately integrated and consistent.
The compatability of the policy with other policies adopted by a council or by any other relevant government agency.	Consistent approach is taken by SHFA, Heritage Trust, Tourism NSW and Council's policies for Public Domain Improvements and Sydney 2030.
Whether the policy contains any significant flaws when assessed against conventional planning outcomes accepted as appropriate for the site or areas affected.	Extensive reviews of the policies have been undertaken in the work to prepare Draft Sydney LEP 2011. This draft document proposes to retain all existing policies for East Circular Quay and confirms their appropriateness.

This is not a case of unfortunate reality where compromises need to be made on height. It is a real opportunity to stand strong on the foundations of what has been achieved to date. We believe that the Director-General should give full weight to the height controls provided in Sydney LEP 2005 and Central Sydney DCP 1996 (and to the Sydney LEP & DCP 2011 as it gives renewed effect to the existing controls) and that the Concept Plan should be amended to comply with the maximum height of RL46.7.

3. IMPACT ON VIEWS

I refer to Clause 2.12 of the Central Sydney DCP 1996 which seeks to protect and enhance views of vistas around East Circular Quay as follows:

Views

- B3.3 *Significant views are to be provided from West Circular Quay and the Rocks area to the former Government House and the Royal Botanic Gardens through or between buildings.*
- B3.3 *Views from and to the Opera House over the Circular Quay area and southwards to the city are significant and should be taken into account in any design for East Circular Quay.*

I also refer to Clause 2.8 of Central Sydney DCP 1996 which states that:

Objectives

To maintain and enhance views from Central Sydney to the harbour and surrounding parkland and significant objects.

Provisions

2.8.2 *Taking into account other provisions of this DCP, the siting and design of new buildings that open up significant views from the public domain will be encouraged (particularly to Sydney Harbour).*

Lastly I refer to the Director-General's Requirements for the concept plan as follows:

5. View Impacts

- *Assess the visual impacts of the building on the harbour foreshore and surrounding area, particularly affected residential and commercial buildings, including those along Macquarie Street, Albert Street and Phillip Street.*
- *A view analysis is to be undertaken inclusive of photomontages and perspectives of key elements and views of the development from key locations (including, **but not limited to**, George Street, Circular Quay, Macquarie Street, Cahill Expressway, Albert Street and Phillip Street. (our emphasis)*

The View Impact Analysis contained within the Design Report is insufficient and does not address the above requirements in full. The planning controls for views (specific to East Circular Quay) work together with the height controls to achieve a combined outcome. I refer to page 42 of the Design Report which states that:

the proposed building envelopes and massing has negligible visual impact to key public and surrounding views.

I also refer to page 42 of the EAR which states that:

The proposal is consistent with the aims of the REP in that the development ... maintains a high quality urban design, and will not detract from long distance views and vistas that may be available from surrounding public domain to and from the harbour.

Views gained from all over Sydney shall not be enhanced as desired by the planning controls as a result of the proposed height and the size and location of the through-site link (discussed in **Section 5**). With a compliant height views shall be vastly improved and the visual impact would be far reaching and significant.

Photographs should have been taken from much further afield and in many more locations and from different perspectives. East Circular Quay plays a part in millions of people's experience of Sydney including motorists, pedestrians, office workers, residents and people on boats in the harbour. A more thorough View Impact Assessment would reveal inconsistency with the planning controls and would require a reduction in height. A few examples of some of the many views which have not been considered are provided at **Figures 4 - 6**.

The Director-General should require compliance with the height control which would deliver the desired improvements to views of public spaces and significant sites from all over Sydney.



Figure 4 – View from the northern harbour public foreshore walk. Note that the existing building is the only prominent and out of character building in East & West Circular Quay.



Figure 5 – View from the Royal Botanic Gardens. Note the building's inconsistency with the low scale form on adjoining Quay Grand and the scale of the landscape setting of the Royal Botanic Gardens.



Figure 6 – View of Macquarie Street, taken from the Cahill Expressway entry. Note the Amatil Building is the only tower element in the streetscape and is entirely out of character.

4. IMPACT ON OVERSHADOWING

Clause 2.12 of Central Sydney DCP 1996 states that:

Shadows

B10.1 Shadow patterns which affect the former Government House, its grounds, the Domain and the Royal Botanic Gardens should be reduced where possible.

This planning control demands an improvement to the current overshadowing caused by the existing building. However on page 19 of Design Report the author states that the objective is to:

Maintain the existing building height with no additional overshadowing to adjacent Botanical Gardens.

It is not appropriate in such an iconic location surrounding such important public spaces to accept the status quo. The best must be demanded and an improvement to the overshadowing of public spaces must be achieved.

5. ADEQUACY OF THE PEDESTRIAN THROUGH-SITE LINK

I refer to page 21 of the Design Report where it states that:

An integrated public domain solution and promenade improvements will require input from relevant land owners AM/Mirvac, City of Sydney and SHFA and consultation with relevant stakeholders such as RTA, Railcorp and neighbouring buildings

The importance of such a space requires a detailed, collaborative design approach which seeks the input of the public. This will be a very important stage in the process and has the potential to change to the form of the building greatly.

In that regard I refer to page 61 of the EAR under Through-site Link where it states that:

The link (depending on its location) has the potential to become an actively used public space and event space in its own right, with opportunities for cafes, public seating and performance spaces along the stair route with informal platforms and elevated spaces to dwell adding further vibrancy to the public domain;

It is very true that this through-site link could deliver significant benefits however it is even more true to say that these would only be achieved if it were in the right location and of the right size.

It is important to note that the quality and accessibility of the existing through-site links to Macquarie Street from East Circular Quay are not highly accessible:

- the Moore Steps are too steep and uneven for less able persons;
- the two public through-site link lift accesses (one through Bennelong and the other through Quay Grand) are hidden from view and unknown to most pedestrians;
- Albert Street is too steep and narrow.

The through-site link should be large, highly visible, include a public life and accessible 24 hours. The current proposed through-site link presents some problems to achieve the desired outcome.

If the through-site link is located on the southern side of the building adjoining the railway line, it will not be visible from the Circular Quay promenade or other public vantage points. Views of the through-site link will only be gained from within 30 – 40m from the west because on approach to this location views are blocked by the covered awnings of the ferry terminals as illustrated in **Figure 7**.

Figure 8 illustrates that views on approach to the through-site link after the covered awnings will also only be partial due to:

- the location of the building bulk,
- the extension of the colonnade,
- the glass lift structure accessing the Cahill Expressway; and
- the landscaping.

This is confirmed at View 4 - *View from Circular Quay Promenade* on page 46 of the Design Report (one must consider landscaping and the east-west colonnade would also obstruct views).



Figure 7 – Interrupted view of location of through-site link.



Figure 8 – Closer view of location of through-site link.

A compounding factor to this adequacy of the through-site link is that by locating it adjoining the dark and noisy railway line and Cahill Expressway undercroft will vastly reduce the amenity of the space and limit active uses to the northern side of the link only. In addition, the proposed through-site link would not link up with the pedestrian network in the outer Domain and Royal Botanic Gardens via the existing signalised pedestrian crossing on Macquarie Street. Pedestrians will be delivered to the edge of the Cahill Expressway which would result in an underwhelming sense of arrival and direction as illustrated at **Figure 9**.



Figure??? – Proposed location of the through-site link on Macquarie Street.

Last of all, if the through-site link is located on the southern end of the building adjoining the vehicle access and loading zone it would result in either a blank termination of view in the north-south colonnade (as there would be insufficient space for an active use) or an unsightly view of the vehicle entry.

If however the link was located at the centre of the building (as illustrated at **Figure 10**) and was of a sufficient width and height the following benefits would be achieved:

- much improved visibility, way finding and utility of the through site link for pedestrians;
- greater connectivity to the surrounding pedestrian network;
- open up more expansive views of parks to the east and Sydney Cove to the west more in keeping with the view objectives of the planning controls and one which would afford a comment such as that on page 16 of the Design Report: “a direct visual link to Royal Botanic Gardens and Macquarie Street”;

- high amenity;
- greater level of safety due to visibility and amenity;
- greater potential for adjoining uses along the through-site link; and
- the ability to provide retail space on the ground floor at the termination of the north south colonnade.

Innovative means of disabled access will be required to ensure visibility and way finding for the less able.

As demonstrated in this Section the proposed through-site link is insufficient and the Director-General should require amendment to the Concept Plan to provide a more adequate through-site link.



Figure 10 – Study of a more appropriate location for the through-site link.

6. LOCATION OF PUBLIC DOMAIN WORKS

It is not entirely clear at this stage in the development process what public domain works (beyond the colonnade and the through site link) the project will encompass.

An image on page 24 of the Design Report titled “Indicative Public Domain & Through Site Link” offers a perspective of what the Public Domain will look like (reproduced at **Figure 11**).

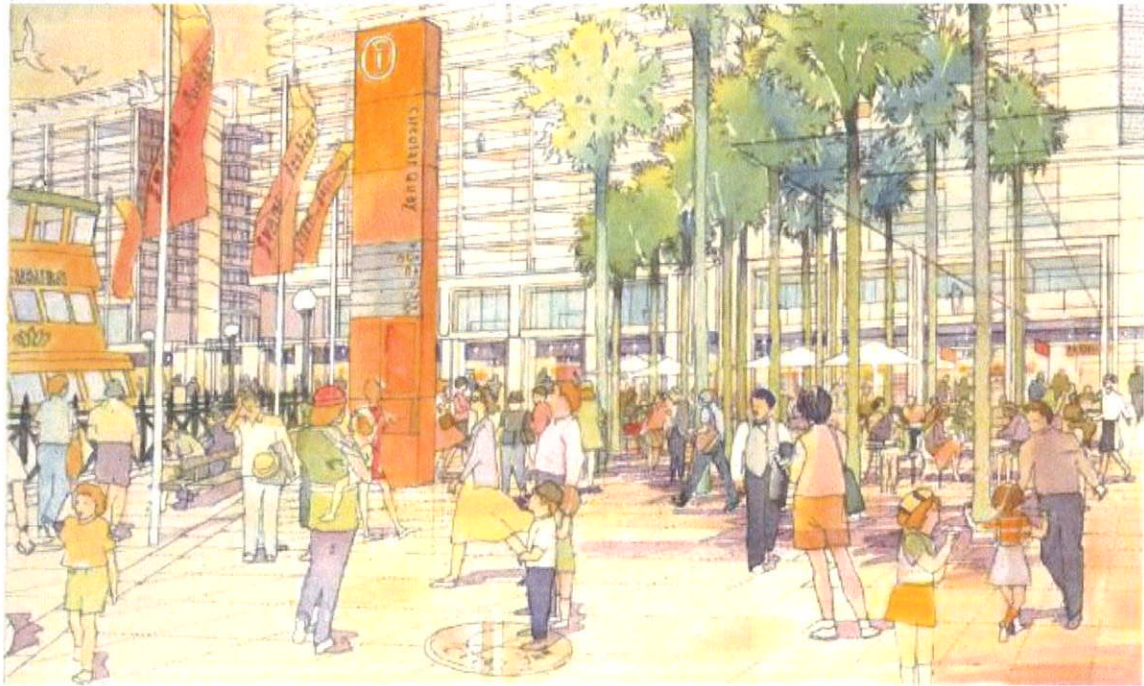


Figure 11 – Extract from Page 24 of the Design Report “Indicative Public Domain & Through Site Link”.



Figure 12 – Study of existing public domain.

As a comparison, a photograph has been included at **Figure 12** of the current area and it appears that there is little to no difference to the forecourt area? The EAR makes several references to public domain works to be undertaken in the forecourt adjoining the foreshore but we have little understanding of what these might be.

We believe works in this area are unnecessary. For example why are the trees being removed? They appear to be established and in healthy condition? The paving is of high quality and also in good condition. So too is the lighting, railings and seating. The s.61 contributions or other moneys to be expended on the project in the Public Domain should be spent on areas that require works and upgrade.

Of particular importance (as set out in **Section 7**) is the performance and amenity of the Alfred Lane and the undercroft of the Cahill Expressway which is surrounded by the Quay Apartments and the RACA Building . This area requires significant improvement and the proposed development will have a significant impact on this space.

The Director-General should request greater level of detail regarding the public domain works including:

- the west colonnade link;
- upgrade of Alfred Lane; and
- public domain works that improve the amenity, utility and safety of the Cahill Expressway undercroft.

7. TRAFFIC & ACCESS IMPACTS

The Traffic Report submitted with the Concept Plan provides insufficient information for residents of the Quay Apartments to determine the impact that the proposal will have on Phillip Street, Alfred Lane and Albert Street and access to Quay Apartments vehicular driveways and loading docks. Pursuant to the Director-General's Requirements, there are a number of issues which have not been addressed sufficiently and need to be dealt with in more detail as part of the Concept Plan:

- Quay Apartments do not have any serviced apartments in the building contrary to the statement made in the Traffic Assessment. This report relies on traffic surveys undertaken on the site. As there are no serviced apartments it would be inappropriate to use this site as an example as the service requirements are much greater for serviced apartments than for a residential dwelling. The Traffic Report must be revised (including the traffic survey) and the traffic assessment adjusted to accommodate for higher traffic generation.
- The Owners Corporation of the Quay Apartments wishes to review a copy of the traffic survey.
- How many service vehicle spaces can be accommodated in the loading area? There appears to be insufficient space adjoining the shared driveway to accommodate all of the deliveries that would be required for the building and the retail spaces being accommodated. It would seem appropriate that a second loading dock is provided on Macquarie Street to

accommodate the smaller delivery vehicles servicing the apartments. We note that access from Macquarie Street is permitted under the planning controls.

- Insufficient information has been provided to describe how Alfred Lane will perform with the increased demand from the subject site adding to the already busy activities for the Quay Apartments, RACA Building and Quay Grand. This small and complex Lane currently experiences many difficulties including:
 - congestion from illegally parked vehicles and delivery vehicles
 - access issues from reduced clearance height which results invariably in large vehicles having to make complex manoeuvres;
 - conflicts with pedestrians and vehicles;
 - lighting and security; and
 - antisocial behaviour.
- A one line statement is provided on page 30 of the Traffic Report stating that:

Part of the loop road servicing the site would be pedestrianized.

More information is required about this proposal? How is this going to function practically with regular truck and traffic movements? How will this affect access to Quay Apartments?

- The traffic survey undertaken for the purposes of the proposal were undertaken in the school holidays which is contrary to normal practices for surveys which are undertaken outside of school holidays. The additional survey which was undertaken was only completed for the morning peak and not the entire day (let alone a number of days). This is insufficient information for the purposes of determining the traffic impacts of the proposed development. This is particularly relevant as the applicant relies on this data to justify not undertaking traffic modelling for this project (which has been requested in the Director-General's Requirements).
- The applicant requests that a Construction Traffic Management Plan is provided as a condition of consent. We strongly object to this suggestion. The surrounding buildings will be significantly impacted by the construction of the building. This will result in:
 - large trucks utilising local roads,
 - dozens of construction worker vehicles,
 - road closures,
 - restriction on access to vehicular driveways and loading docks and
 - night work.

All of these issues need to form part of the plan that is notified and generated through consultation with the neighbouring properties. Construction traffic management and its impacts will be even more serious if the proposed building is constructed at the same time as the proposed redevelopment of the Sir Stamford Hotel at 97 Macquarie Street (which is currently being considered by Sydney City Council).

The residents of the Quay Apartments are unable to provide informed comments about the traffic and access arrangements as insufficient information has been provided. The Director-General should request more detailed information regarding the traffic and parking arrangements is submitted and provided to the community for comment.

8. CONCLUSION

This comprehensive submission highlights the serious non-compliance of the proposal with the planning controls. These planning controls warrant significant weight in the consideration of the Concept Plan. There are numerous compounding impacts which result from these non-compliances which affect the protection of some of Sydney's most important and spectacular spaces including the Opera House, Sydney Cove, the Royal Botanic Gardens, Macquarie Street and Sydney Harbour.

The Concept plan has disregarded a vast amount of work that has gone into the development of appropriate planning controls and this process involved all levels of Government, the community, some of Australia's leading designers and our highest politicians.

Principally, the Director-General should enforce the maximum height limit of RL46.7 for the proposed building envelope. Of equal importance, Mirvac/AMP must not be permitted to obtain public land without delivering on the height reduction and the public uses desired by the community for the completion of this nationally significant site. If the building is contained within the height permitted by the Central Sydney LEP 2005 then the proposal shall deliver a vast array of positive urban design and public benefits which are far reaching and significant.

Clause 75H (2) of EP& A Act 1979 states that:

If the Director-General considers that the environmental assessment does not adequately address the environmental assessment requirements, the Director-General may require the proponent to submit a revised environmental assessment to address the matters notified to the proponent.

This submission proves without a doubt that the Concept Plan has not adequately or appropriately addressed the environmental assessment requirements and therefore the Director-General must require the Concept Plan to be amended and resubmitted for public comment.

We would appreciate the opportunity to discuss our concerns with you in person. I can be contacted directly on 0414 557 531 or contact Sonia Fenton, Chairman on 0418 768 889 or Ian Walters, Secretary on (02) 9242 7400 from the Quay Apartments Executive Committee.

Yours faithfully



Briony Mitchell BTP (Hons) MPIA CPP
Director

From: Leonie Bell <leoniebell@me.com>
To: "mark.brown@planning.nsw.gov.au" <mark.brown@planning.nsw.gov.au>
Date: 5:46 pm 28/02/2012
Subject: Amatil building

Dear Mr. Brown

As the owner of an investment property on the southern side of Quay Grand I have a few concerns regarding the re-development of the Amatil building.

Objections

1. Traffic - access to Quay Grand is difficult at the best of times and the significant increase in car and truck traffic will only make it worse. As determined by the Owners Corporation's retained expert the access to Quay Grand must be by a two lane roadway of a minimum of 8.5 meter width.

2. Building interface with Quay Grand

The extension of the building envelope on the western side may restrict the amount of light and affect the privacy of my apartment which is on the south western side of Quay Grand as well as, the pool area.

I would like to ask the Department of Planning to request the developer to provide detailed drawings of this area so that the issues be addressed at the planning stage.

Concerns

3. Height

I am concerned that the additional height will contribute to additional traffic on the area.

4. Construction

I would like to request detailed construction management plans be submitted to ensure access to Quay Grand remains uninhibited for the duration of the construction period.

Regards

Leonie Bell
Sent from my iPad

Mark Brown - Objections to Development of 71-79 Macquarie St Sydney Application number MP10_0237

From: "Carmel Holmes" <go.carmel@bigpond.com>
To: <mark.brown@planning.nsw.gov.au>
Date: 28/02/2012 6:33 PM
Subject: Objections to Development of 71-79 Macquarie St Sydney Application number MP10_0237
CC: <hugh@mccormacks.com.au>

From: Carmel Holmes
Owner Unit 416 Quay Grand 51 Macquarie St sydney.

To--Major Development Assessor
Att. Mark Brown
28 Feb 2012

Objections to Development of 71-79 Macquarie St Sydney Application number MP10_0237Objections

- a. Traffic** - already traffic issues for residents / quests at Quay Grand. The traffic situation / the waiting time for trucks to offload supplies and -and to onload resulting debris will cause traffic access to and from Quay Grand Carpark and Entry level to be subject to unacceptable waiting time.
- b. Security - and Safety issues.** Building Interference to Quay Grand will impact on the present amenities rightfully enjoyed by residents and guests. Restriction of light to the pool area and to apartments with windows facing south will detrimentally affect affect Quay Grand in relation to security, safety and privacy.

Concerns

- c Height** The planned development height which is above the current LOCAL ENVIRONMENT PLAN. Traffic movement will definitely increase.
- d Quay Grand residents / guests have** the right to access to their property. This right will be inhibited, for the duration of the proposed construction
- e Proposed Public Access Way** Potentially an evening threat to owners and residents.

Sincerely,

Carmel Holmes
07 32111129

PO Box 15225
City East Post Shop
Brisbane QLD 4002

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Mark Brown - OBJECTION TO PROPOSED DEVELOPMENT 71 MACQUARIE STREET

From: "Ian Walters" <i_p_walters@iprimus.com.au>
To: <mark.brown@planning.nsw.gov.au>
Date: 28/02/2012 3:52 PM
Subject: OBJECTION TO PROPOSED DEVELOPMENT 71 MACQUARIE STREET
Attachments: IAN P WALTERS B.D.S.,F.R.A.C.S. DR SAACKS ISBLED.doc

Dear Mr Brown,

Attached is my objection to the proposed AMP-MIRVAC development at 71 Macquarie St Sydney 20000

Would you kindly acknowledge receipt.

Yours sincerely

Ian Walters
2 Phillip St Sydney 2000



IAN P. WALTERS, B.D.S., F.R.A.C.D.S.

The Quay Apartments

2 Phillip Street

SYDNEY NSW 2000

Tel/Fax: 92477400

DEPARTMENT OF PLANNING AND INFRASTRUCTURE

22-33 BRIDGE ST

SYDNEY 2000

Attention Mr Mark Brown, Assessment Officer

Dear Mr Brown,

RE 71-79 MACQUARIE STREET AMP-MIRVAC DEVELOPMENT PROPOSAL

I have reviewed the history of recent developments in East Circular Quay and find the following points to be pertinent.

1. In and around 1993 when Paul Keating was prime minister, Mirvac and Colonial Mutual first proposed the redevelopment of East Circular Quay.
2. The proposal was for a mixed residential commercial development of the existing sites excepting the Amatil building.
3. Mr Keating argued that the proposal needed to be modified to a scale in keeping with that of the Sydney Opera House so that the two complexes would have resonance one with the other to produce a far more desirable cityscape.
4. Mr Keating further argued that the existing width of the sites allowed for very constrained lot configuration allowing only a single row of apartments, facing either to the harbour to the west or to the Royal Botanic Gardens to the east.
5. He then argued that if the depth of the sites could be significantly increased there would be the opportunity to double the number of lots or apartments, some with harbour views to the west and others with garden or harbour views to the east.
6. For this to be feasible the Federal and State governments and the Sydney harbour Foreshore Authority ceded the then existing roadway and eastern footpath to the developer to afford the increased lot size which provided for much more satisfactory planning and a far more profitable development.

7. As a quid pro quo the developers agreed to a significant reduction in height which allowed for a far more sympathetic development with a scale in keeping with the Opera House as Utzon had envisioned.
8. **As result the maximum heights for development in East Circular Quay were established as we find them today and which Mirvac-Amp are now attempting to disregard. The maximum height for new developments in East Circular Quay south of the Moore Stairs is RL 46.7 metres with a possible increment of 10% under certain circumstances.**
9. Thus there is an inescapable parallel with what happened in the 1993-95 redevelopment of the majority of the buildings of East Circular Quay and what is being proposed by AMP-Mirvac today.
10. Mirvac-Amp are being granted additional land equivalent to 26% of the site which will translate into a 50% increase in actual usable space when the proposed reduction in ceiling height is taken into consideration. Therefore the increase in the depth of the site greatly enhances the flexibility of design and the creation of far more desirable and marketable floor plans and a dramatically more economically viable development.
11. **Accordingly, in return for this extremely valuable concession, I maintain in the strongest possible terms, that the height of the new development be restrained so that NO PART OF IT is higher than the adjoining Quay Grand building.**
12. When viewed from the Rocks area or from the Royal Botanic Gardens it is obvious to even the most superficial observer that, aesthetically, the new building should represent as closely as possible the height and form and lines of the Quay Grand and thus provide a pleasing and harmonious continuity.
13. Then we would have the ideal envisioned by the architects involved with the previous development of East Circular Quay in which the built environment should represent a fenestrated wall, enclosing Sydney cove on the west and the gardens on the east while pointing a finger to the Opera House. A gentle step down from Bennelong extending to a balancing rise at Quay Grand to be continued by any redevelopment of the Amatil building.
14. That was the intention and the spirit of all those interested in the Opera House- East Circular Quay precinct which include some of the finest Local and overseas architects, Australian citizens in general and all the millions who visit and enjoy this iconic location.

It must be stressed that there is no more an important aesthetic than this one. The Cahill Expressway clearly defines the high rise area of the CBD to the south and the East Circular Quay and Opera House precinct to the north. The community must be able to rely on our town planning administrators to make the correct and lawful decision to see that this once only opportunity for a better city is not missed.

IAN WALTERS,
2 Phillip Street

Sydney 2000 Phone 02 92477400

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Mark Brown - Amatil Building ARedevelopment Proposal

From: Pat Wilde <Pat.Wilde@henrykendall.com.au>
To: "mark.brown@planning.nsw.gov.au" <mark.brown@planning.nsw.gov.au>
Date: 29/02/2012 10:46 AM
Subject: Amatil Building ARedevelopment Proposal

Dear Mr Brown,

I am writing to you on behalf of myself and my wife concerning the proposed redevelopment of the Amatil Site at Macquarie Street, Sydney.

We are the owners of Apartments 1505 and 1506/61 Macquarie Street, Sydney.

We are concerned that the proposed redevelopment of the Amatil site will disadvantage us personally as owners and occupiers of the adjoining Quay Grand building. In addition we are concerned that the development in its present form will have a generally detrimental impact on the amenity of the area.

Specifically our concerns are as follows:

1. Having regard to the principles that established height limits in the area at the time that the buildings at Quay Grand and Benelong were planned and constructed, it was generally agreed that height limits should be maintained within the areas specified in the relevant plans. Any redevelopment of the Amatil building was as far as we understand it, expected to be in line with the heights contemplated for the adjoining buildings. The new Amatil Building will not only be to the existing height of the present Amatil Building, but will in addition take in part of the public road area to the West of the building. We consider this to be an over development of the site, having regard to the general scale of the adjoining buildings.
2. Part of the development proposal provides that the existing Quay Grand access will be closed and all traffic for both buildings will have to come through the Amatil Building. This is what was originally contemplated in the concept for redevelopment of the area. We do not have a problem with the concept of shared access but we believe that the specific proposal will further compromise an already difficult traffic situation within the Quay Grand Building. The traffic design previously completed by Mirvac, the same developer, when Quay Grand was built was a disgrace with totally inadequate provision for passing lanes, dock facilities, parking generally and visitor parking in particular. The traffic proposals for the new building are totally inadequate. No adequate arrangements are proposed for removalist vans, garbage trucks, large maintenance vehicles and the like.
3. The interface proposed between the new building and the existing building is completely unsatisfactory and will significantly impact on the amenity of the Quay Grand residents and hotel guests. The pool and gymnasium area at Quay Grand is already inadequate having regard to its use by hotel guests and residents. Both the pool and the gymnasium are too small but at least they have a pleasant outlook. The new proposal will completely compromise that outlook.
4. The proposal to add a public access way to the South of the Amatil redevelopment is not only unnecessary as there is already a more than adequate public access through the historic Moore Steps, but it will create a security risk encouraging crime, drug use, drunkenness and prostitution.
5. The proposal has it seems been kept deliberately vague concerning the matters that are of concern to neighbours, most of which are detailed above. These issues have been raised with Mirvac but no serious attempt has been made to provide meaningful detail. We are concerned that this approach will continue throughout the process and that inadequate and half baked solutions will continue to be put forward. Construction management issues will not be addressed properly and traffic will be a nightmare not only through the course of construction but also thereafter with major traffic issues in both buildings forever.

With the Council of the City of Sydney an interested party in that it will be a vendor to the developer of the road area, the role of NSW Planning takes on an even greater significance than it might in normal circumstances where Council is not conflicted.

For the above reasons we formally object to the Amatil redevelopment proposal and having regard to the lack of detail in that proposal reserve our rights to object further when we are provided with a clearer understanding of the detailed proposal as details are released.

Yours faithfully,

Patrick Wilde AM BA LL.M (Hons) MBA Dip BA

CHAIRMAN

HENRY KENDALL GROUP



HENRY KENDALL GROUP
Corporate Legal Office

ABN 80 534 710 771

29th February 2012

Mr Mark Brown,
Major Development Assessment,
Department of Planning and Infrastructure,
Fax No 9228 6488

Dear Mr Brown,

Re Proposed Amatil Building Redevelopment

I am writing to you on behalf of myself and my wife concerning the proposed redevelopment of the Amatil Site at Macquarie Street, Sydney.

My wife Jane Wilde and I are the owners of Apartments 1505 and 1506/61 Macquarie Street, Sydney.

We are concerned that the proposed redevelopment of the Amatil site will disadvantage us personally as owners and occupiers of the adjoining Quay Grand building. In addition we are concerned that the development in its present form will have a generally detrimental impact on the amenity of the area.

Specifically our concerns are as follows:

1. Having regard to the principles that established height limits in the area at the time that the buildings at Quay Grand and Benelong were planned and constructed, it was generally agreed that height limits should be maintained within the areas specified in the relevant plans. Any redevelopment of the Amatil building was as far as we understand it, expected to be in line with the heights contemplated for the adjoining buildings. The new Amatil Building will not only be to the existing height of the present Amatil Building, but will in addition take in part of the public road area to the West of the building. We consider this to be an over development of the site, having regard to the general scale of the adjoining buildings.
2. Part of the development proposal provides that the existing Quay Grand access will be closed and all traffic for both buildings will have to come through the Amatil Building. This is what was originally contemplated in the concept for redevelopment of the area. We do not have a problem with the concept of shared access but we believe that the specific proposal will

Telephone (02) 8588-0000 • Facsimile (02) 8588-0009

3/10 Wharf Crescent, Saunders Wharf, Pyrmont 2009•

Lawyers

Patrick Aston Wilde AM BA LLM (Hons) MBA

Simon Wilde BA (Hons) LLB

Consultant: Jane Ellen Wilde BA (Hons) LLB



HENRY KENDALL GROUP
Corporate Legal Office

ABN 80 534 710 771

further compromise an already difficult traffic situation within the Quay Grand Building. The traffic design previously completed by Mirvac, the same developer, when Quay Grand was built was a disgrace with totally inadequate provision for passing lanes, dock facilities, parking generally and visitor parking in particular. The traffic proposals for the new building are totally inadequate. No adequate arrangements are proposed for removalist vans, garbage trucks, large maintenance vehicles and the like.

3. The interface proposed between the new building and the existing building is completely unsatisfactory and will significantly impact on the amenity of the Quay Grand residents and hotel guests. The pool and gymnasium area at Quay Grand is already inadequate having regard to its use by hotel guests and residents. Both the pool and the gymnasium are too small but at least they have a pleasant outlook. The new proposal will completely compromise that outlook.

4. The proposal to add a public access way to the South of the Amatil redevelopment is not only unnecessary as there is already a more than adequate public access through the historic Moore Steps, but it will create a security risk encouraging crime, drug use, drunkenness and prostitution.

5. The proposal has it seems been kept deliberately vague concerning the matters that are of concern to neighbours, most of which are detailed above. These issues have been raised with Mirvac but no serious attempt has been made to provide meaningful detail. We are concerned that this approach will continue throughout the process and that inadequate and half baked solutions will continue to be put forward. Construction management issues will not be addressed properly and traffic will be a nightmare not only through the course of construction but also thereafter with major traffic issues in both buildings forever.

With the Council of the City of Sydney an interested party in that it will be a vendor to the developer of the road area, the role of NSW Planning takes on an even greater significance than it might in normal circumstances where Council is not conflicted.

For the above reasons we formally object to the Amatil redevelopment proposal and having regard to the lack of detail in that proposal reserve our rights to object further when we are provided with a clearer understanding of the detailed proposal as details are released.

Yours faithfully,

Patrick Wilde AM BA LLM (Hons) MBA Dip BA

Telephone (02) 8588-0000 • Facsimile (02) 8588-0009

3/10 Wharf Crescent, Saunders Wharf, Pyrmont 2009•

Lawyers

Patrick Aston Wilde AM BALLM (Hons) MBA

Simon Wilde BA (Hons) LLB

Consultant: Jane Ellen Wilde BA (Hons) LLB

Mark Brown - objections appl no MP10_0237

From: Suzanne Abraham <suzanne.abraham@sydney.edu.au>
To: "mark.brown@planning.nsw.gov.au" <mark.brown@planning.nsw.gov.au>
Date: 29/02/2012 11:18 AM
Subject: objections appl no MP10_0237
Attachments: Development of 71.doc

Dear Department of Planning Officer, Please find attached my objections and concerns about the Development of Amatil building, 71 -79 Macquarie Street, MP10_0237, Thank you, Suzanne

Suzanne Abraham
Associate Professor
Obstetrics & Gynaecology
Level 2, Building 52
Royal North Shore Hospital
St Leonards 2065
phone 99268308 fax 99066742

To the Department of Planning officer,

Re: Development of Amatil Building, 71 -79 Macquarie Street, Sydney
Application Number: MP10_0237

Objections and concerns from
Prof Suzanne Llewellyn-Jones (Abraham)
Residence: 1206/61 Macquarie Street, Sydney 2000
Email suzanne.abraham@sydney.edu.au
Phone 92529744 or 0410609696

I have no political or other conflicts of interest. I am in favour of improving the property and accept there will be some inconvenience during the rebuilding. When buying my property my solicitor made me aware of the access to my car park would be via the above property when it was rebuilt. At this time I believed a new building would be of the same height as Quay Grand.

I have lived in Macquarie Street since 1975.

I live full-time at Quay Grand and drive to and from work 6 days each week. My hours are mostly outside peak times. I live in an apartment which has a frosted window facing south.

I have grave objections:

1. Traffic

- a. When I enter or leave Quay Grand I usually have to stop to let a car or 4 wheel drive or workman's van pass. I am usually driving at a non peak times both am and pm. The new proposed car park must include 2 way traffic, including one way wide enough to allow for a truck. Cannot quite understand how the garbage truck will get to Quay Grand? How will the Garbage truck turn around- currently in Quay Grand you have to wait for this or they block through access. I absolutely object to one way access and egress. I object to signalling lights (most of the delivery vans would ignore these based on their current behaviour).
- b. The area of East Circular Quay (ECQ) common and single existing roads are extremely busy and service 3 parking and delivery buildings at present. Early morning the delivery vehicles are parking and driving around including through the bollards to the shops past Quay Grand. The delivery and work trucks (electrical, blinds, windows/glass etc). How ECQ will cope with this amount of traffic I do not know. The trucks include those going to the Circular Quay Shops are also involved.

2. Northern Building interface

- a. The plans block the southern frosted window of my apartment. This window allow light during the night as bounces off the city building. The same occurs at sunrise so this window glows. I was intending in 18 months time, when my family return, to apply to Quay Grand to divide this area off (it is a natural building construction

division) but if it does not have a natural light source it would not be useful. I object to this window being blocked off. I object to a space between the buildings not allowing reflected night and day light. This frosted window allows people to walk through the house without turning on light at night.

- b. I object to losing my southerly view. Although I know this is personal to me – I bought this Quay Grand unit because from the living room you can see the building called ‘the Astor’ at 123 Macquarie Street. I can see the apartment where I lived for many years with my late husband and my son spent his childhood. I often look at this view, particularly if I feel a bit down, it has happy memories.

I am concerned about how the construction will impact on my access to and from the car park and when the breakthrough between the buildings will occur. I hope it will be carefully orchestrated. I need my car 6 days a week. I work at Royal North Shore Hospital, The Northside Clinic (where I also go on Sunday morning each week) and Sydney University. It is not possible to fulfil my work commitments without a car.

I am also very concerned about a Public Access Way at south end of the proposed development. Currently I think it would be called ‘the urinal’. It does not require much imagination to know what use it will be put to late at night when the young men and women who may have had a little much to drink are going home. We have a few homeless men who spend the night across the road on the east side of Quay Grand and I am not sure this Way would add to anyone's security, the homeless men's or ours.

I hope you will take these objections and concerns into consideration in your deliberations. I am happy to clarify any matters.

Yours sincerely,

Suzanne Llewellyn-Jones (Abraham)

From: [Redacted]
To: "Mark.Brown@planning.nsw.gov.au" <Mark.Brown@planning.nsw.gov.au>
Date: 4:42 pm 29/02/2012
Subject: MP 10-_0237

Dear Mark

As an owner and resident in the adjoining building (61 Macquarie.st Sydney) to the proposd development at 71-79 acqurie st. Sydney , I want to state my concerns about the following:

1. the proposal does not cater adequately for the increased volume of traffic in the already tight area under the railway overpass entry to the buildings, especially garbage and delivery trucks to 2 hotels, bars, restaurants and over 200 residences.
2. the proposal does not ensure adequate traffic flow in the breakthrough on each carpark level to No.61 carpark floors such that cars and trucks can pass each other safely.
3. the proposal does not indicate how the design will deal with the fact that where the building abutts no. 61 on the Circular Quay side, there are double height windows in the pool and gym area and south facing windows in 5 floors of residential apartments.

If City Council "Living City" policies mean anything, these concerns need to be addressed to sustain adequate access to residential and hotel apartments in No. 61, Quay Grand building and to light and views.

The fascade onto Circular Quay is a sensitive area, visually, seen from many vantage points. The fascade should be broken up or at least set back where it abutts no. 61 to address some of the above concerns, rather than just another ugly solid block of glass wall.

I do not object to the project overall, but want the above concerns addressed, before it is approved.

Your sincerely

[Redacted signature]

[Redacted signature]



Simone Hood
The Quay Apartments
Level 12, Apt 2
2 Phillip Street
SYDNEY NSW 2000

Mobile: 0408 069 061
Email: bobhood@bigpond.com

Your Ref: 10_0237

28 February 2012

Mr Alan Bright
Department of Planning & Infrastructure
23 – 33 Bridge Street
SYDNEY NSW 2000

BY HAND DELIVERY

Dear Mr Bright

Objection to MP10_0237
CONCEPT PLAN APPLICATION, 71 – 79 MACQUARIE ST, SYDNEY

I refer to the above proposed development and lodge my submission as follows.

I have been a resident at The Quay Apartments for the past 20 years. East Circular Quay is our advertisement not only to the Country but the World. I would also like to highlight my issues will be mirrored for the residents/occupiers of the proposed new development. Major concerns are as follows:

- **HEIGHT** – After the development of the Bennelong (commonly known as 'The Toaster'), history confirms that the height of new developments along the East Circular Quay area should not exceed that which what was built – this should be adhered to with regard to the proposed development, not only with reference to the precedent set, but also aesthetically keeping in line with our Harbour Foreshore.
- **PRIVACY** - With buildings so close to each other, this is a real issue – being able to see into each others living space is unacceptable, This is a severe infringement of privacy for residents of the Quay. Privacy would be completely lost for all residents on the North East side of our building.

- **TRAFFIC**

- (a) The entrance/exit driveways to the proposed development in Albert Lane is extremely small, is – this now has to cope with not only with commercial but residential and retail for that building alone. This will cause increased chaos to traffic around the surrounding buildings to name a few, Quay Grand, Royal Automobile Club Australia and Quay Apartments
- (b) Macquarie Street is already at full capacity and unable to cope with state transit busses, tourist busses, taxis all servicing the Opera House, Intercontinental Hotel, Sir Stamford Hotel, Bennelong Apartments and restaurants
- (c) The entrance/exit for the proposed development, will mean traffic increases in Albert Lane, Alfred Street, Phillip Street and Albert Street, this is currently a complete traffic hazard.
- (d) The increased noise of delivery trucks, garbage trucks, removalists trucks, would cause residence of the Quay Apartments serious concern.

- **ASTHETICS** – This ties in extremely closely with the height issue, as previously mentioned.
- **VIEWS** – The magnificent views of our residents is paramount and to have these compromised in any way is detrimental in every aspect.
- **SECURITY** - Security is priority in our city for residents, workers and tourists – I feel this may now be in serious jeopardy with the increase of patrons visiting the area as a result of the proposed development. As an example George Street, spreading down to Circular Quay is already seedy & dangerous.

The cityscape of Sydney is one which is prized and to have this compromised is a tragedy in every sense.

I would be more than happy to meet or discuss my concerns. I look forward anxiously to your reply.

Yours faithfully



Simone Hood

From: "John Parker" <wallundry@bigpond.com>
To: <plan_comment@planning.nsw.gov.au>
Date: 9:24 am 1/03/2012
Subject: Redevelopment 71-79 Macquarie Street, Sydney

Sir-

As a resident of Quay Grand, 61-69 Macquarie Street, for nearly a decade, I am most concerned about the preliminary plans I have seen for the development of 71-79 Macquarie Street.

My main concern is the management of the increased traffic flow. Vehicles entering our building are currently served by a narrow two-lane entrance road with a difficult internal gradient and a grossly inadequate space for the parking and turning of the many commercial vehicles unloading at our dock. In addition, trucks delivering to the commercial undertakings in our building and to others right along Opera Quays, now line up in the limited space between our building and Alfred Street, waiting for an opportunity to unload. The current situation is barely tolerable for the residents of, and the many visitors to, our building. There are constant road blockages and delays.

Now we are told that with the proposed development, we will have an almost identical situation to serve double the number of vehicles in two buildings --- the same two lane entrance and road, totally inadequate spaces for the big transports and garbage trucks to turn and unload, and an almost unbelievable proposal for the the handling of traffic within 71-79.

To my mind, only the good Lord (and even He would have difficulty) could envisage:-

1. The chaos, and even danger, when vehicles from the proposed ramp in 71-79 meet the vehicles coming out of our building onto the internal access road;
2. The delays on that internal narrow road with double the current rate of vehicles, and double the number of garage trucks and delivery vehicles, with what appears to be totally inadequate holding and turning bays;
3. The back of up trucks along the one way access roads to Albert Street which serve not only our building and the adjoining building, but also the Royal Automobile Club.

It would seem to the untrained eye that:-

Firstly, a three lane internal road should be considered for the first level of 71-79 Macquarie Street, one perhaps solely for commercial vehicles, with much more space also giving to holding and unloading bays. This would allow a better flow of domestic and visitor parking for both buildings. Secondly, the entire traffic management of Circular Quay and Alfred/Phillip Streets must be addressed in detail.

There are, of course other concerns, including the plan to push the new building forward onto City of Sydney Council land. substantially reducing the effectiveness of our pool and recreation area, and the natural light into some of our residential homes. We need detailed plans to see if this proposal meets our concerns.

And I strongly object to the proposed additional public access way alongside or near the Cahill Expressway, leading from Circular Quay to Macquarie Street. Who needs this? We already have the historic steps on the northern side of our building serving this purpose, as well as access provided by the lift. Already we have people sleeping without authority in and around Circular Quay -- even some making unsightly temporary homes. There is little doubt that if the proposed access way was approved, removed from commercial activity and pedestrian traffic, it would present another ideal target for the homeless.... and surely we don't want to encourage such an ambience in the City of Sydney's premier village, the gateway to our city. Walking along Opera Quays and Circular Quay is a most attractive proposition for both residents of Sydney and visitors, but its attributes would be very much reduced, particularly for women, and especially at night, if the number of homeless, visible and invisible, is increased.

All these concerns need to be addressed now in the preliminary stages. There are many more, of course, on the construction side and how that will affect vehicular and pedestrian traffic to our building and to the whole area. No doubt those concerns are for consideration at another time.

JOHN PARKER
 Quay Grand