

20 August, 2021

Submission on Blackwattle Bay State Significant Precinct Study

ABOUT PYRMONT ACTION INC

Pyrmont Action was formed in 2003 following a community campaign to achieve the installation of up-to-date telecommunications infrastructure to serve the rapidly growing residential and commercial redevelopment of the Peninsula. At that time, many who had moved to Pyrmont, only had access to a dial-up internet service. These early “settlers” recognized that some aspects of the development going on around them, could be improved with input from long time Pyrmont residents and from those moving from other parts of Sydney, NSW and even countries. We didn’t know one another, came from different backgrounds and with different life experiences but have joined together to create a strong, active, diverse and caring community. Our objective is to work with the City of Sydney, the NSW Government and local residents and businesses to improve the physical and social amenity of our suburb.

We have been represented on a number of Community Reference/Liaison Groups, including the early version of the Bays Precinct CRG which reported in 2010 and its successor (now the Blackwattle Bay CRG), the Glebe Island/White Bay CLG, the PPPS Bounce Group and, more recently, on the Sydney Fish Markets CCC. We have built up a body of knowledge relating to planning in Pyrmont – its history, geography and people – upon which we draw to deliver our constructive analysis of the documentation associated with this Study.

STATEMENT OF OBJECTION

At our meeting on 12 August, 2021, members provided feedback on the draft submission. It is our strong and unanimous view that the built forms presented will not only destroy the visual and solar amenity of much of Pyrmont, but they are the antithesis of the high quality of the architecture of the new Sydney Fish Markets which we laud as comparable with that of the Sydney Opera House. The towers and podiums should be replaced with buildings which sit comfortably with the building forms in the vicinity, should be set back from the waterfront, and be reduced in scale such that a green public park can be provided between the development and the new SFM. Views from existing residential developments should not be compromised and public benefit in the form of public open space and parkland should be given priority over the privatization of this publicly owned asset.

BLACKWATTLE BAY CONSULTATION

The earliest consultation on future development occurred in the context of the development and approval of Master Plans for Rozelle and Blackwattle Bays, and for Bank Street, including the sites now included in this Precinct Study. Many of the planning principles underpinning these Master Plans which were generally supported by the local communities of Glebe, Rozelle, Annandale and Pyrmont, informed the work of the original Bays Precinct CRG (reporting to the Government via SHFA) established in 2010. Pyrmont Action was represented on the original Bays Precinct CRG whose membership included representatives from the Pyrmont, Glebe, Rozelle, White Bay and Balmain communities, representatives from key Government departments and agencies and from the City of Sydney and Leichhardt Council. They produced and presented an agreed report to Government entitled *Towards an Integrated Strategic Plan: Bays Precinct* in March 2010.

The election of the Coalition Government in 2012 saw the cancellation of all Master Plans associated with Blackwattle and Rozelle Bays, and the establishment of a new entity, Urban Growth NSW, tasked with the development of a Bays Precinct Plan. Following a range of public exhibitions and events, including the Bays Precinct International Summit 2014 and meetings of a new version of the Bays Precinct CRG, Urban Growth released the *Bays Precinct Sydney Transformation Plan* in October, 2015. This new Bays Precinct CRG, comprising a membership of any member of the community who wished to participate, was formed to provide input to the development of the Plan. Unlike the earlier CRG it did not include representatives from local business, local government, government departments and agencies and it proved incapable of providing meaningful input. The consultation certainly did not meet many of the 2010 CRG recommendations, objectives and principles, let alone Principle 4 of the *Transformation Plan* ie “Allow the time to invest in genuine and early engagement with, and broad acceptance of the government’s plans from all categories of the public, government and industry.” (pp13-14).

When Urban Growth was disbanded, planning for the Bays transferred to Infrastructure NSW (INSW) reporting to the Premier. The CRG continued but community membership was determined by application, thus its numbers were reduced. It met several times, basically to receive briefings, rather than engage meaningfully. Members also attended two workshops in 2019 (one on how to ensure meaningful acknowledgement of First Nations’ story and culture in the Plan; the other to examine inclusion of Cultural elements).

The next engagement was the release of the 3 scenarios for comment in May 2020. There had been absolutely no contact between INSW and members of the CRG for many months and we were shocked when asked to choose between 3 scenarios, in which the building forms presented were largely the same, dominated by 45-storey towers above podiums – a concept which had never been shared or explored with CRG members. The feedback reported in *Revitalising Blackwattle Bay* (May 2020) clearly rejected the building heights presented. “Buildings over 35 storeys were not generally regarded as being appropriate for a harbourside location” (p4) was an understatement of the views expressed by community members who also deplored the lack of a “none of the above” option in the scenario questionnaire. The analysis of feedback by stakeholder groups demonstrated that “Community members, including residents, community groups and businesses, suggested buildings with lower heights to integrate better with the existing built form of Pyrmont and Glebe and encourage solar access...” (p4)

But these views were ignored as by then the Department of Planning, Industry and Environment (DPIE) had been required to incorporate the scenario building forms with heights up to 45-storeys within the Pyrmont Peninsula Place Strategy (PPPS) as a Key Site within the Blackwattle Bay Sub-Precinct, and the PPPS has been approved by a Government determined to “revitalize” an already vital Pyrmont Peninsula into an extension of the CBD. We ask, why has the Government spent huge amounts of public money, and induced unpaid volunteers who care about their communities to devote countless hours in a “consultation”, the outcome of which has been ignored?

Recommendation 1 - The Minister for Planning, Industry & Environment to require DPIE to review INSW’s proposals for Blackwattle Bay, and “allow the time to invest in genuine further consultation” with the community and the City of Sydney in order to meet their expectations of “urban renewal that respects the industrial heritage and architectural scale of Pyrmont without overshadowing the surrounding area” (p4 Revitalising Blackwattle Bay).

“SIMPLIFYING” THE PLANNING FRAMEWORK

We deplore the proposals outlined in Attachment 10 – Explanation of Intended Effect - aimed at providing a “simplified planning framework that is easier to understand and navigate...” (p5). Not only

will it exempt plans for the public domain from all current assessment requirements, but, if the Government proposals to amend the Environmental Planning and Assessment Act are passed by Parliament, it will hand to the Government “unfettered powers to implement other reforms without parliamentary scrutiny” (*Government News* article, “Minister vows to press ahead with infrastructure contribution changes” 19/7/21 p2).

The consequences of handing powers to private certifiers, and reducing the period for stratas to identify serious building defects from 7 to 2 years, have been on full show during the period in which the Government has progressively “simplified” and privatized the planning approval system and cut “red tape”. The morphing of Part 3A developments into “State Significant” developments has sidelined both local governments and communities in the Government’s push to transform and simplify the planning system. Barangaroo and Darling Harbour are prime examples of the consequences of such unfettered powers being handed to the Government through removal of independent checks and balances resulting in loss of public and private amenity.

Our experience of participating in “consultation” associated with Darling Harbour, leads us to strongly oppose the use of the State Significant instrument in the planning and delivery of Blackwattle Bay developments. The latest iteration walls off Pyrmont from the CBD, reduces public foreshore areas to a 20m strip, incorporates huge towers which overshadow the public and private domain, including the harbour, and privatizes what was intended to be a public asset. All community attempts to mitigate the worst impacts via “tick-a-box consultation” were met by Lend Lease, the developer, with the riposte that our proposals “were not in our design brief”. This “brief” was developed by NSW with little or no public input. The amendments to planning instruments proposed in the BBPPSP will, almost certainly, deliver a similar outcome on the Western foreshore of the Pyrmont Peninsula – gross overdevelopment.

Our experience in genuine community consultation in the development of Master Plans for Blackwattle/Rozelle Bays, Bank Street and Jacksons Landing in Pyrmont, has given us insights into the importance and weight such plans provide in the roll-out of developments. The Master Plan provides certainty to potential purchasers and a baseline beyond which developers should not stray, unlike what has happened at Barangaroo, and opportunities for genuine community input.

We note that SREP26 “requires the preparation of a Master Plan for the site at Blackwattle Bay” (BBSSPS p50) which is to address a number of issues including building envelopes and built forms, provision of public facilities and open space. However, we also note that SREP 26, and its predecessor SREP 25 specifically deal with protection and enhancement of views and the scenic quality of foreshores and waterways. There is no mention of such requirements in the changes outlined in a letter from DPIE to property owners in Pyrmont (6/7/21). We object strongly to the proposal to amend the *Sydney Local Environment Plan 2012* to allow the maximum building height up to RL 156 and other measures. The BBSSPS also seeks to remove the requirement to prepare a Development Control Plan (DCP) when proposed developments increase gross floor area, in particular for buildings greater than 55m above existing ground level or a development on a site area of greater than 5,000 sq.m. These measures are opposed not only by members of the local community, but by the City of Sydney. Any changes to Sydney LEP should require the agreement of the City of Sydney based on wide consultation with the local communities affected. This has been the process in the past.

The BBSSPS (p51) indicates that instead of meeting the requirements of SREP 26, NSW will, instead prepare a concept DA in respect of that land under the provisions of Section 4.23 of the *Environmental Planning and Assessment Act 1979*, as was done in the case of the new Sydney Fish Markets (SFM). In the latter case both the concept DA and the DA proper were put on exhibition simultaneously, thus any issues normally identified at the concept stage were unable to be addressed, including by the IPCN, in the event of receipt of over 50 objections. We fail to understand why the Blackwattle Bay SSP should be treated differently from other Key Sites and urge the preparation of a concept Master Plan for

assessment, including community consultation, before proceeding to the development of a Master Plan the assessment of which should require genuine community input before final determination.

Recommendation 2 – The Blackwattle Bay Key Site planning framework should involve preparation of a Master Plan requiring genuine community participation and agreement of the City of Sydney; we reject the Site's State Significant declaration and amendments to the Sydney LEP to permit a maximum building height of RL 156; we seek compliance with SREP 26 provisions to ensure that developments protect and enhance views and the scenic quality of foreshores and waterways.

We are particularly concerned to ensure that developer contributions are allocated to meet the social and physical infrastructure needs of the local community and not be allocated beyond the boundaries of the Pyrmont Peninsula as defined in the PPPS. We are alarmed that the planned changes to the EPA Act, currently the subject of a Legislative Council review, “replaces special infrastructure contributions with a broad-based pooled regional contributions system... and enables developers to defer payments until after construction” (Government News 17/721 p2). Furthermore, it is apparent that there is no firm commitment to deliver the required infrastructure (as yet undetermined) before construction of the residential and commercial buildings, with only a vague statement (Attachment 10, p10) “that investigations regarding infrastructure needs, costs, staging, sequencing, delivery partners and mechanisms are underway....”.

Having sought clarification of measures outlined in Attachment 10 from both NSW and the City of Sydney, we understand that there are two classes of infrastructure – State infrastructure, and local infrastructure. It appears that “the Planning Secretary’s role is to determine whether satisfactory arrangements are in place for the adequate provision of State infrastructure before any development is approved” (NSW 28/7/21). We would place within the definition of State infrastructure provision of accessible School infrastructure to meet both current needs, and the needs of the 8,500 new residents moving to new homes within the Pyrmont Peninsula, also provision of roads within the Precinct. We are advised by NSW that “provision of public infrastructure works in the public domain at Blackwattle Bay by a government agency or the council would similarly be carried out without the need for development consent” (28/7/21). We strongly oppose this exemption as it removes the voice of the community from decisions as to what, where and when infrastructure will be provided.

Recommendation 3 – The BBSSPS provisions must ensure that all developer contributions raised through BB developments are allocated to projects that benefit Pyrmont Peninsula communities and not undermine or offset the funding and delivery of local contributions and infrastructure under the relevant contributions plan. The community must be consulted before any plan for the distribution of contributions is finalized and the agreed (with the City of Sydney and the Pyrmont/Ultimo communities) infrastructure delivered prior to the construction of residential and commercial buildings.

ECONOMIC RATIONALE

Noting that only 40% of respondents to the survey on the Directions to Inform the development of the PPPS, considered Direction 1 – Jobs and Industries of the Future – as their top priority, once again this BBSSPS ignores community input (with 63% placing Direction 2 – Development that complements and enhances the Area as its top priority) and places as the Government’s top priority its desire to make as large a profit as it can from the privatization and sale of public land to large developers.

And are the economic projections reliable? We note that the Minister for Planning, Industry and Environment has stated vis a vis Covid 19 that “there will be more pressure to decentralize from the main CBD to smaller centres across the city”. He also expects demand for apartments to be “patchy” and

believes “the CBD would struggle while suburban centres would benefit from people working from home”. A survey of large businesses conducted by the *Sydney Morning Herald* (12/7/21 pp 1 and 6) reported “the flexible work revolution is set to be one of the most enduring legacies of the coronavirus pandemic, with the potential to reshape Australia's workplaces.” Additionally, there is no knowing future trends of Chinese investment in real estate, Chinese tourism and overseas student demand for accommodation, given the worsening relationship between Australia and China, irrespective of the impacts of the pandemic.

Recommendation 4 – INSW should engage independent consultants to prepare projections of demand for housing and commercial space taking into account the long-term impacts of the Covid pandemic and the worsening relationship between Australia and China.

Further, we object to the inequity of Pyrmont having to pay the price of the Sydney Fish Market development which is a beneficial resource for the whole of Sydney. The SFM provides quality assurance and food safety processes for wholesale and retail sale of seafood throughout Sydney and the State. They are much more than a local retailer and will attract many visitors to their cafes/restaurants, thus boosting the coffers of the tourism industry, and the State. We don't object to the Government recovering some of the cost of the SFM's construction by selling land vacated for appropriate commercial/residential development. But we have very real concerns that the proposed development quite dramatically reduces the amenity and value of many residential properties, as well as views from public vantage points, including from Glebe. Reducing the building height and size and spreading the cost across the broader beneficiaries of the SFM development will address many of our objections while adding a precinct that meets the overall objectives of INSW (including “user pays”). It may even reduce the need for a detailed and arguable business case for the adoption of this Strategy.

Recommendation 5 – The cost of construction of the new SFM should be shared between the Government and industries benefitting from the development, enabling a reduction in the height and scale of the proposed Blackwattle Bay Precinct developments.

BUILDING HEIGHT AND FORM

From a community perspective, the most egregious flaw in the BBSSPS is its presentation of the built form as a wall of buildings, relatively close to the foreshore, with towers reaching up to 45-storeys, more than double the height of existing apartment buildings in Pyrmont. A shadow diagram (p111 revised), clearly depicts residences in the Wattle Crescent precinct and in Bulwara Road and Jones Street up to Fig Street in shadow for all but around 2 hours per day in midwinter. Two additional diagrams – 9am-3pm in midsummer and at the Equinoxes - were provided indicating shadowing over public areas in the BB Precinct in the early morning, with evening shadowing (not shown) likely over residential precincts South East of the Precinct. The Heat Map (p112) indicates the areas which will be largely free of shading (“50% solar access for 4 or more hours) and those “more solar restrained” (p111). It is clear that most public areas will be shaded to some degree in midwinter. Whilst this is permitted by the various planning instruments governing new developments, it is quite clearly contrary to Direction 2 – “Development that complements or enhances the area” – in the PPPS (p25). This Direction refers to the “character and charm of surrounding buildings and public domain” and states that “Any changes in building forms and public domain must be sympathetic to, or enhance, that character”.

The *Visual Impact Analysis* Attachment 15 (p117) reports the findings from consideration of the visual impact of the proposed developments on 20 viewpoints in public spaces. Of those, 3 have a moderate rating, 6 have a high/moderate rating and 3 viewpoints have a high rating. The consultants recommend measures to mitigate these impacts and conclude, on the proviso that they will be implemented, that the impacts “are such that they would not constitute reasons to hinder approval on these grounds”. They do acknowledge that perception of impacts is subjective and will differ from

person to person. Having viewed the photomontages presented in the analysis, we conclude that from a number of vantage points including: Knoll Park, Jones St Cliff Top Walk, Cnr Harris/Miller Sts, Wattle St/Cresc, Gipps St, Jones/Miller St, the currently open and distant views will be completely dominated by these looming structures – and this doesn't take account of the loss of views and light currently enjoyed by thousands of residents who live adjacent to these public sites.

The BBSSPS (p38), in addressing the PPPS 10 Directions, claims that the Plan outlines built form that is sensitive to the existing neighbourhood context. "...tower forms are positioned to deliver solar amenity for new and existing open spaces". There has been no analysis of the impact on apartment buildings to the SE of the Precinct. Residents living in three large residential buildings – the Paragon and Mirage buildings in Pyrmont Street, and the Bulwara Road apartments – will lose their existing views and sunlight as well as the value of their homes.

Whilst the BBSSPS will certainly "add a noteworthy new level of built form to the visual scene" as claimed in the Visual Impact Analysis, this impact will be "noteworthy" for all the wrong reasons. The Pyrmont Peninsula Eastern edge is already walled in from the CBD by the Darling Harbour developments and will be similarly walled in by high rise buildings on its Western edge with towers endeavouring to compete with those in the CBD, with no reference to the low to medium rise form of heritage and modern terraces and heritage wool store buildings which lie in between.

We are also concerned about the health impacts on residents who move into the residential towers which will be constructed very close to the multi-lane Western Distributor and Anzac Bridge. Noise will reduce residential amenity and even if electric vehicles reduce toxic emissions, airborne particles from tyres will generate pollution, especially if the substantially increased traffic volumes forecast in the *Blackwattle Bay Precinct Plan Transport Management and Accessibility Plan* (p128 Attachment 4.1) are realized. It is also noted that the Hymix concrete batching plant located at the boundary of the current SFM site, also generates excessive noise, is unsightly and poses health risks from emissions. The BBSSPS (p71) clearly states that "they do not ever envisage the site's closure or relocation" throwing into doubt the realization of the proposed Miller St Reserve.

Recommendation 6 – Building heights should be reduced significantly and "complement and enhance" the existing built form, in line with the views expressed through the consultation process. We reject tall towers and bulky podiums so close to the waterfront.

In Pyrmont, we are very familiar with the wind tunnels created at ground level by rows of tall buildings. It is sometimes hard to keep upright, let alone proceed along the footpaths. The wall of tall buildings created along the W foreshore would take the full brunt of the strongest winds primarily from the West, and create turbulence in public areas.

Recommendation 7 – Building height should take into account adverse wind effects generated by the proposed towers.

PUBLIC OPEN SPACE

As mentioned above, Pyrmont Action has worked for many years with residents from nearby residential stratas, including 120 Saunders St, 2 Bowman St, 1 and 2 Distillery Drive and community groups, including dragon boaters, concerned to ensure that public open space in Pyrmont meets the needs of our community. We are therefore very concerned to read NSW's proposal to exempt public authorities charged with delivery of plans for such spaces from the normal planning assessment processes under the provisions of the EP&A Act (BBSSPS p49). We strongly oppose "the amendment of the ISEPP to include Blackwattle Bay as a public authority precinct to ensure it's an exempt development" (p97).

Recommendation 8 – Planning for Public Open Space in the Blackwattle Bay Key Site should be conducted under the provisions of the EP& A Act with the City of Sydney as the consent authority for projects under \$10m and the Planning Minister for those over \$10m. The community must be genuinely engaged as stakeholders from the earliest stages of planning for the public realm.

We all like the idea of being able to walk around the foreshore but foresee that concentrating public amenities and space along Blackwattle Bay will have a significant impact on the viability of small businesses in the Pyrmont Village Sub-Precinct including Union Square and Harris Street. Even pre-pandemic Pyrmont has become a place to walk/cycle around, or through, rather than represent a destination in which to stop and browse. High CBD rentals are seeing more and more “For Lease” signs in front of closed premises, including those previously accommodating Bendigo Bank and the Commonwealth Bank in Union Square. In planning uses for buildings lining the foreshore, consideration should be given to providing contributions to public infrastructure located within Pyrmont Village to encourage visitors to explore this precinct, rather than in duplicating public amenities at Blackwattle Bay. Such infrastructure is already centrally located but requires substantial upgrades/redevelopment. NSW and DPIE planners must not plan each Sub-Precinct/Key Site in isolation from the whole Peninsula. Measures to entice visitors to Pyrmont Village include: improved street lighting and signage, noting that at present most signs point away from this precinct ie to “Parking”, “Darling Harbour” and the “Fish Markets”, with no “Welcome to Pyrmont” signs in sight.

Recommendation 9 – Ensure that BB Key Site developments do not further reduce the economic viability of small businesses located in Pyrmont Village by requiring funding to be directed to provision of centrally located regional community infrastructure eg the Maybank Sports and Recreation Centre (PPPS p75), improved lighting and signage.

The Pyrmont Peninsula remains very short of green public open space in which people can congregate, recreate, play and exercise. The small Miller Street Reserve or the small “parks” in front of the podiums will do little to address the current shortfall in useful public recreation spaces. The only site identified for such a park is at the Northern end of the precinct in Bank Street.

Recommendation 10 – Significantly expand the provision of green public recreation areas along the foreshore by reducing the building footprints of all proposed new developments.

We were part of the team which developed a Great Idea for the Bank Street Public Recreation Area (Attachment 1) and make the following suggestions for the site’s future use, noting that it is recognized in the BBSSPS that the newly constructed Blackwattle Bay Marina at 3-5 Bank Street is only approved as a temporary structure for 5 years. NB the Great Idea images include what was, at the time, the approved plan for a museum and workshop for the Sydney Heritage Fleet, subsequently modified by RMS and approved as the Blackwattle Bay Marina (now to be relocated):

1-3 Bank Street – Whilst the existing structure (or part thereof) housed the original Fish Markets, we do not consider it has either heritage or architectural merit. We recognize that it could be re-purposed, with removal of asbestos and a major refurbishment, but if it is decided, following consultation with potential users such as the dragon boat clubs and the local community, that it should be demolished and a new facility constructed, we would support that as an option. We envisage it could be used to provide toilet and change room facilities for the passive boaters; affordable artists’ studios and gallery; a public marina office; and a café/bar/restaurant to serve both the local community and visitors traversing the proposed foreshore promenade. We also recommend provision of appropriate berthing adjacent this site for the Tribal Warrior.

Bank Street Park– We are delighted that it is proposed to relocate the temporary commercial marina, currently leased to All Occasion Cruises, to the South of the BB Precinct, noting that it

was only approved as a temporary facility for five years on the Bank St site. However, we suggest that the already constructed new paths to the waterfront associated with the temporary marina could be retained to link with the proposed foreshore promenade. We strongly oppose the construction of a wide promenade cutting diagonally through the proposed parkland as is depicted on the front of the *Guide to the Blackwattle Bay State Significant Precinct Study*, as it would render the park unsuitable for informal active recreation such as soccer, as is the case with the nearby Pirrama Park. We do, however, acknowledge the suggested depiction of the former shoreline and this can be achieved by a thin strip of metal or other substance built into the surface of the lawn as has been done in Refinery Park off Bowman Street.

Recommendation 11 – Support the re-use or demolition and redevelopment of the buildings on 1 – 3 Bank Street for community, boating and cultural uses, including a café/bar/restaurant to serve both the community and visitors. Support the re-location of the temporary marina to the Southern section of the Precinct. The design for the proposed park at Bank Street, from the earliest stage of planning, should be developed in partnership with community and stakeholders.

Proposed Foreshore Promenade – We note that the width of the promenade varies from 30m width to just 10m width along a significant portion of the path in front of the buildings proposed on the privately-owned sites in Bank St. Our experience with the popular pathway along the Glebe foreshore is that 10m is not wide enough to accommodate safely cyclists, joggers, pedestrians, and parents with strollers. With the increase in active transport likely to be attracted to the foreshore path, the narrow section is likely to be quite hazardous, especially as some of the forms of transport such as powered scooters can travel at speed. Options which could be explored to expand this strip include:

- Expand the footpath beneath a building overhang to a total of 30m in width. This may not be viable given that any cafes/restaurants at ground level, are likely to expand their tables and chairs to the footpath; and the probability of adverse wind effects at ground level together with the certainty of shading for much of the day.
- Construct part of the walkway over the water. This may serve to separate the pedestrians from the other forms of active transport.
- Decrease the size of the buildings to accommodate a 30m wide footpath and exclude footpath dining

Recommendation 12 – The foreshore promenade should be 30m wide along its total length from Urban Park near the new SFM to the path serving the temporary marina.

Materials and Planting – Wherever possible, the use of concrete and hard surfaces should be avoided in public places, for aesthetic and water management reasons. Parks and reserves should be green and natural, rather than architectural in design to aid absorption of water. Local native plants should be incorporated in the designs, aided by reference to *Galumban Gabami: Connecting with Country Framework for Tjerruing Blackwattle Bay (March 2021)*, and with input from Pyrmont Ultimo Landcare Inc volunteers.

Recommendation 13 – Parks and reserves to be green and natural and hard surfaces avoided in public areas where possible.

Safety and Security – Over the past few years we have assisted residents whose amenity has been seriously compromised by poor behaviour of patrons attending Doltone House function centres. Anti-social behaviour involves double and illegal parking, causing traffic to travel in the

oncoming traffic lane; loud yelling, drunkenness and tooting of car horns while waiting for transport late at night. Recently DPIE approved this venue operator to self-manage his venues which he has proven unable to do since the first venue opened ~15 years ago. In addition, residents living adjacent to The Star, suffer noise and traffic congestion and pollution, as well as anti-social behaviour associated with this 24-hour venue. Violent incidents also occurred recently in Pirrama Park involving passengers from party boats after disembarkation, requiring police attendance.

In March, we were involved in a number of consultations, including a community meeting, with police from the Local Area Command. Among other measures, including increased police presence, the police recommended the installation of external CCTV cameras as a deterrent, and enabling improved investigation of bad/criminal behaviour. They also raised the issue of the need for improved lighting around these venues and elsewhere in the Pyrmont Peninsula, including parks. As the Blackwattle Bay precinct will attract late night venues, and party boat operations, we urge the strategic placement of lights and CCTV in public spaces, in consultation with both the new and existing communities, the City of Sydney and police. We would also welcome NSW and DPIE support for our request for the installation of a police station associated with the new Pyrmont Metro station.

Recommendation 14 – We urge a condition of approval of residential and commercial developments, and of open space development involve the installation of CCTV cameras and strategic lighting to ensure the safety and security of residents, workers and visitors to the BB Precinct; we ask NSW/DPIE to support the installation of a police station at the Pyrmont Metro station.

TRAFFIC AND TRANSPORT

The transport challenges identified in the *Transport Management and Accessibility Plan (TMAP)* (Attachment 4.1) in particular that “the road network surrounding the Study Area is congested and highly constrained” (BBSSPS p135), have led the consultants, AECOM, to propose a mode share target of walking/cycling (27%), public transport (53%) and private vehicle use (20%). To meet these targets a number of initiatives are proposed:

- **Walking** – We support the improvements proposed in Fig 56 (p137) and propose the construction of a tunnel linking the proposed Metro station with the Eastern platform of the Fish Markets LR station which is served by a lift to Miller Street.
- **Cycling** – Whilst we support most of the initiatives outlined in Fig 57 (BBSSPS p138), we strongly oppose the proposed extension of shared pedestrian/cyclist access along the Pyrmont Bridge Road footpath beyond its intersection with Bulwara Road, noting that the City of Sydney has designated the cycling path to continue along Bulwara Road to Miller Street where it meets the new Miller Street cycleway to Pyrmont Bridge via Union Street. The Pyrmont Bridge Road footpath East of Bulwara Road narrows with the corner of a building jutting out and obscuring the vision of oncoming cyclists and pedestrians, creating a safety hazard. And there is no prospect of widening Pyrmont Bridge Road to accommodate a dedicated cycleway beyond this point.
- **Public Transport** – We are mystified as to why bus services which travel along Glebe Point Road and go nowhere near the Blackwattle Bay precinct are included in the *TMAP* (p87) as servicing the precinct under consideration. To access bus stops for the 370, 431 and 433 services people would have to walk ~500m from the precinct to the bottom of steep stairs climbing from the Bay to the Glebe ridge, maybe with heavy shopping, if visiting the SFM. Even with the Metro,

Pyrmont is poorly served by public transport, especially in the SW corner of the Peninsula. Additionally, as Pyrmont has grown, bus service accessibility has declined with the removal of bus stops (at the bottom of Miller Street at Jones Street and near the Pyrmont Bay Ferry stop); and the removal of the (irregular) 449 service to Broadway Shopping Centre.

The TMAP (p166) proposes a public transport strategy which we strongly support. In particular we propose a regular bus service running from the Northern end of Harris St to Parramatta Road, stopping at UTS, Broadway Shopping Centre, Sydney University, RPAH then via Lyons Road to Pyrmont Bridge Road and back to Harris St via Glebe, the SFM, Bank St and Bowman Street. This would not only provide resident/worker access to Broadway, but an easily accessible link to businesses and major institutions which are part of the Innovation Corridor.

We also seek the reinstatement of the 389 bus stop near the Pyrmont Bay Ferry stop, noting that there is an unused bus shelter in Murray Street near both the ferry stop and the Pyrmont Bridge which could be brought into service to assist those who live in the south east sector of the Peninsula.

We have long sought a ferry service for the Bays Precinct and suggest that it also incorporate White Bay as part of this service.

We strongly support an increase in the number of light rail services between Dulwich Hill and Central, noting that carriages (in non-Covid affected periods) are often at full carrying capacity.

We note the proposal for Walking School Bus and Cycling School Bus (TMAP p155) but point out that the only public schools in the area – Ultimo Primary School and the Blackwattle Bay Campus of Sydney Secondary College are some distance from many parts of Pyrmont, requiring a dedicated school bus to pick up and drop off primary students. The nearest Junior Secondary Schools are at Leichhardt and Balmain, not easily accessible by public transport from Pyrmont or Ultimo. Blackwattle Bay Senior College is accessible by light rail and walking. It is noted that P/U students are excluded from the catchment of the new Inner City Secondary School more easily reached by public transport from the Peninsula than Leichhardt and Balmain.

Recommendation 15 – We support: construction of a pedestrian tunnel linking Metro platform with Fish Markets LR station; additional services on the Dulwich Hill to Central Light Rail line; a new bus service from Pyrmont via Harris St to Broadway, Parramatta Road to Sydney University, RPAH, Pyrmont Bridge Road to Glebe, Sydney Fish Markets, Bank/Bowman Street to Harris Street; reinstatement of 389 bus stops; new ferry service to Blackwattle Bay to include stop at White Bay; inclusion of Pyrmont/Ultimo students within the catchment of the new Inner City High School. We oppose extension of the cycleway in Pyrmont Bridge Road beyond its intersection with Bulwara Road.

PARKING

The BBSSPS (p139) barely addresses the challenges associated with provision of parking to serve the precinct. We note the aspirations for a reduction in private vehicle use to 20% and the already approved limit on parking at the new SFM such that this facility will only accommodate the same number of vehicles as at the current facility, despite plans for a tripling of visitors to the site. However, parking provision for businesses and residents in the new precinct is addressed in the PPPS (p67) in which it is proposed that “a multi-utility hub for sustainable precinct-scale solutions such as integrated parking, electric vehicle charging, battery storage, recycled water and organic waste systems, or bike facilities”

be investigated. We support this proposal and suggest that this hub be located beneath the Western Distributor and approach to the Anzac Bridge as this space is required to be kept free of structures to enable inspection and repair work to these elevated roadways. In the event that Chinese tours return to levels operating pre-pandemic, we also strongly recommend provision of off-street tour bus parking beneath these flyovers. We also request provision of sufficient numbers of disabled parking spaces, including on-street such parking directly outside the residential and commercial buildings.

Recommendation 16 – We support provision of a multi-utility hub for integrated parking, public fast electric charging, and other precinct services located under the Western Distributor and Anzac Bridge approaches. We also propose off-street tour bus parking similarly located and provision of adequate and accessible on-street disabled parking spaces.

STREET HIERARCHY

Whilst the street hierarchy proposed for the current SFM site is satisfactory, the approaches to the site, especially for pedestrians remains unsatisfactory and unappealing, and pedestrian access from Wattle Street and Pyrmont Bridge Road/Harris Street require long delays at traffic lights. We have been unsuccessful in our requests for pedestrian priority in the phasing of lights associated with the Pyrmont Interchange and recommend that the best solution would be provision of an overpass at the Wattle Street intersection and, further East, an underpass from Bulwara Road/Pyrmont Bridge Road linking to the Gipps Street extension within the site. In particular, we support the proposed Park Street which will provide a much-needed short-cut from Wattle Street to Miller Street for local vehicular traffic (BBSSPS p85) and will reduce traffic congestion at 2 sets of lights for vehicles entering the Anzac Bridge approach. It may even be able to be used for our proposed new bus service as outlined above.

Recommendation 17 – We support the street hierarchy as proposed and the use of Park Street by local vehicular, bus and active transport, to cut congestion at the Pyrmont Interchange. We recommend improvements in pedestrian access from outside the BB Precinct, including provision of over- and under-passes.

Fig 29, Public Domain Plan (p81) depicts a road (Bank Lane) encircling the towers which appears to abut the Western Distributor. Currently there are a number of mature fig trees growing in this area, most if not all likely to be removed. We propose that NSW, in consultation with the City of Sydney, examine the feasibility of transplanting them in existing parks, or in those planned for the BB precinct. In the construction of the Jacksons Landing precinct a number of mature figs were moved successfully to locations in the new parks constructed as part of the public domain, including Refinery Square and Waterfront Park.

Recommendation 18 – NSW and City of Sydney to investigate the relocation of mature figs currently growing at the site of the proposed Bank Lane.

SOCIAL INFRASTRUCTURE

- **Community Space** - Despite the huge increase in residential and worker population over the 30 years of its transition from redundant industrial precinct to one which supports a vibrant and active community, there is a growing shortfall of community space to meet our needs. Whilst the Commonwealth provided funding through its Better Cities Program for the construction of the Ultimo Community Centre and Library, noting provision of additional community space by the nearby Uniting Church, Pyrmont's community Centre (PCC) has been unable to meet the current demand for space for community activities and programs. We have long sought the redevelopment of the City of Sydney-owned Maybanke Community Centre site as a Community Sports and Recreation Centre. This facility currently comprises 2 small courts and a

small building which was once a toilet block, but remains largely inaccessible as the City has not provided the required staffing to run it. The site is centrally located and close to Metro, bus and light rail stops and has the potential to be re-developed into a high quality indoor Sports and Recreation Centre enabling junior and senior teams to be formed and to both train and compete on full-sized courts.

We attach our case for the Maybanke redevelopment (Attachment 2) and propose that rather than include public courts in a precinct on the fringes of the Peninsula as proposed in the BBSSPS, developers should be required to make a contribution towards the development of this much-needed Sports and Recreation Centre located close to the PCC and easily accessed by workers and residents from all parts of Pyrmont and beyond. It should be noted that the City has recently approved inclusion of 2 public courts in the major mixed development currently underway in nearby Wattle Street. It should also be noted that the City operates a public library located at the Ultimo Community Centre, with a Library Link at the PCC. Volunteers also manage a Book Exchange at the PCC.

Recommendation 19 – We strongly urge provision of a new Maybanke Community Sports and Recreation Centre constructed on the City of Sydney-owned Maybanke site in Harris Street, funded by BB developer contributions, rather than provision of public community facilities at Blackwattle Bay.

- **Educational Facilities** – The *Infrastructure and Contributions Review* (Attachment 22 p28) outlines the schools located within Glebe and Ultimo (noting that Pyrmont has no schools) but only two are within 800m of the Study Area – Ultimo Primary School and the Blackwattle Bay Senior Secondary College. Whilst there are 3 private secondary schools also located within Glebe and Ultimo, the report fails to mention that the only public Junior Secondary School campuses are located well outside the Study Area in Leichhardt and Balmain, neither of which is served by convenient public transport for Peninsula students.

The *BB Social Sustainability Assessment* Attachment 16 (p41) states the “consultation with the Department of Education conducted by INSW has identified that the development will not trigger demands for new schools” but it is also noted in Attachment 22 (p36) that “an enquiry to the (Blackwattle Bay) campus indicated that they were at capacity and not accepting out of area enrolments”. Assuming that approximately 100 children from the Study Area attend the school, enrolments would increase to around 880 and this doesn’t include children moving to new developments constructed elsewhere in the Pyrmont Peninsula. However, it is also reported that “under current Department of Education policy, new local students would be required to be accepted and accommodated by the school.” [Note that in a recent personal conversation with the current head of the Blackwattle Bay Campus, I was advised that this campus has the largest number of HSC students of any Public school in NSW.]

The Department of Education has a poor record when it comes to predicting future school capacities. This is illustrated by the fact that in recent years the Ultimo Primary School has had to be rebuilt twice over a period of just 10 years in order to accommodate the unanticipated rapid increase in demand associated with the first period of the Peninsula’s transformation. The situation is made worse by the Department’s exclusion of Pyrmont and Ultimo high school students from the catchment of the new Inner City High School which is more easily accessed by public transport than Balmain or Leichhardt. Given that the projections only related to increases associated with the BB Study Area and did not take into account all the other developments, including residential, proposed in the PPPS, it is almost certain that demand will outstrip supply associated with existing schools in the vicinity of the Peninsula.

Recommendation 20 – NSW to seek further independent investigations into the veracity of the Department of Education’s demand forecasts for places at accessible public education campuses and require identification of those campuses with “a capacity for future growth” (Infrastructure and contributions Review p36)

- **Childcare** – A new 80 place work-based childcare centre has been incorporated recently in the newly completed 21 Harris Street office building, with another 40 places incorporated within the re-built Ultimo Primary School. A new 80 place centre is also proposed for the recently approved development on the former Council depot site at Wattle/Fig Streets, close to the Blackwattle Bay Precinct. However, with the projected additional 8,500 residents and 22,935 workers projected to be attracted to the Pyrmont Peninsula (PPPS pp 48-74) with the implementation of the Place Strategy, it is certain that demand for places from both local families and workers will rise substantially. This demand can be met by the inclusion of childcare facilities in major commercial/mixed developments in most of the sub-precincts, including Blackwattle Bay Precinct.

Recommendation 21 – We support provision of childcare facilities within the podium of the mixed use development as proposed (BBSSPS p100)

- **Cultural Facilities** – The *Arts and Culture Strategy* Attachment 30 (p10) states that “there is little or no current active arts and cultural presence in the Blackwattle Bay precinct” ie “no resident arts organisations and little regular programming of arts and cultural activities”. We would contend that this lack extends across much of the Peninsula, as few, if any, licenced venues and party boats (which often broadcast very loud recorded “music” as they cruise past foreshore residential precincts around Sydney Harbour) offer live music. We appreciate the presence of the Lyric Theatre at The Star and the National Maritime Museum and welcome the continuing operation of the Powerhouse in Ultimo but have recently lost the not-for-profit *Culture at Work* organization with the sale of its publicly-owned heritage-listed premises by Property NSW. This organization provided affordable studio space, hosted an Artist-in-Residence program, exhibition space, and free art lessons to local children. A number of regular cultural activities are organized by community volunteers including the local choir, Pyrmont Sings!, the Pyrmont Players theatre group, the Pyrmont Ukelele Group, Pyrmont Photography Group and the Pyrmont Women’s Art Group which meet, exhibit and perform at the Pyrmont Community Centre in sub-optimal conditions.

Prior to the pandemic, musical performances have been included in local festivals and commemorative events, including the Pyrmont Food and Wine Festival organized by the local Chamber of Commerce, Christmas in Pyrmont, a street fair organized by local volunteers which regularly raises ~\$100,000 for local charities, the local Anzac Day Service and Nativity and Carol performances held in Quarry Green, Ultimo and Union Square respectively. Monthly Farmers Markets were conducted at Pyrmont Bay Park until around 5 years ago and were very popular providing both visiting and local vendors opportunities to sell their goods to both visitors and locals.

We note, with interest, the response of stakeholders attending the focus group workshops who “stressed the importance of the precinct’s natural environment (especially the water) and its working harbour, local community and inclusiveness” (Attachment 30 (p13) and endorse their aspirations listed on p14, as well as those associated with the celebration of First Nations culture and heritage and First Nations engagement and collaboration. We also strongly support the recommendation (p25) for the provision of affordable space for arts practitioners, creative industries and local communities and have proposed above the inclusion of affordable studio space at 1-3 Bank Street. We are not convinced of the financial sustainability of a min 2,000 sqm

multi-purpose space in a new development, if it is to be accessible for those who may wish to use it but can't afford to, unless it is subsidized by the City of Sydney, or by State or Commonwealth Government grants.

The proposal to “foster synergies and collaboration between the area's knowledge-based industries and its arts and cultural programs” (p27) is welcome. Provision of both indoor and outdoor events space which is accessible to artists, performers, knowledge-based start-ups, possibly subsidized by more established ICT companies, education and tourism sectors is supported. [NB I worked at the Australian Technology Park for 10 years from its beginning and observed how successfully the re-purposed design of both the former Locomotive and Carriage Workshops facilitated collaboration between the scientists, aspiring entrepreneurs and more experienced business people as well as the establishment of technology start-ups, often through serendipitous and informal interactions in the large atriums served by cafes, or through attending events held both indoors and the large outside spaces.]

We strongly support provision of space dedicated to First Nations artists and arts and cultural programs, with the space being integrated such that it provides opportunities for cultural and knowledge exchange between residents, workers and visitors to the precinct. We note and support reference to the importance of early introduction of arts and cultural spaces, even before project completion (p31) and endorse the recommendation that “permanent event infrastructure and event DA provisions” are implemented across potential activation areas of the public domain. The insecure arrangements governing the monthly Growers Market saw its demise; and the organisers of the annual Pymont Food & Wine Festival have experienced considerable annual uncertainty in gaining the required approvals, making it difficult to plan the event. We also endorse “an activation strategy to accompany the master planning process” (p32) thus providing certainty to both event organisers and local residents who may be impacted.

In the Implementation Recommendations (p36) we note the absence of any reference to consultation or collaboration with members of the local community, including those engaged in or organizing the many local cultural activities and events. We recommend that NSW ensure community engagement in the implementation of the Blackwattle Bay Arts and Culture Strategy.

Recommendation 22 – We support: provision of dedicated space for First Nations artists and arts and cultural programs and heritage; provision of affordable space for arts practitioners; collaboration between knowledge-based industries and arts and cultural programs; inclusion of community in the implementation of Blackwattle Bay Arts and Cultural Strategy.

PUBLIC HOUSING

As part of the first transformation of the Pymont Peninsula, planners successfully integrated provision of new Public and Affordable Housing, owned and administered by the Department of Housing and City West Housing. Regrettably, the quantum of such housing forecast in the City West Housing Agreement between the Government and the City of Sydney was not realized as Affordable Housing levies for such purpose raised through Pymont developments were re-directed to other areas of the City undergoing redevelopment. As the residential population has grown, an active and caring community has grown and flourished comprising residents from all walks of life, including those living in well-placed Public Housing, who look out for one another and step in to help when needed.

Unfortunately, with the approval of the PPPS, Public Housing residents face the prospect of their homes being sold to private developers, as they are perceived as sites providing “opportunities for

redevelopment" in a similar manner to those sold, or proposed to be sold to developers in Glebe, Erskineville and Waterloo, to be replaced by much smaller units which will not decrease the number of those on the housing waiting list (numbering over 50,000), let alone those displaced by the sale and demolition of their homes.

We note (BBSSPS p143) that "the Greater Sydney Region Plan includes Affordable Rental Housing Targets for very low to low-income household... generally in the range of 5 – 10% of new residential floor space subject to viability". NSW has adopted the lower figure of 5% for affordable housing through developer contributions (percentage unspecified). To go anywhere near addressing the need for Public Housing in a wealthy city in a wealthy country, a minimum of 20% of new housing developments should be dedicated for Public and Affordable Housing to reduce the number of homeless – currently at a level to shame those in all levels of Government – in line with the views of those who participated in the consultation process (Revitalising Blackwattle Bay p4). Affordable Housing developer contributions should be used to provide such accommodation within the Pyrmont Peninsula not elsewhere in Sydney or NSW.

Recommendation 23 – A minimum of 20% of new residential development in the Pyrmont Peninsula should be dedicated to provision of Public and Affordable Housing, involving a mix of studio, 1, 2 and 3 bedroom apartments to ensure families eg those escaping domestic violence, as well as couples and singles can be accommodated with security of tenure.

ZONINGS

The BBSSPS proposes developments comprising 48% for employment and non-residential uses and 52% for residential uses (BBSSPS p79). We have not reached a consensus on the mix of uses of buildings in the precinct, with quite a few members favouring non-residential uses, including a mix of community, retail and commercial uses; and the remainder favouring a mix of uses, including provision for affordable housing within the Precinct. However, all members have concerns about the suitability of towers for residential purposes, given the impacts associated with the Western Distributor and the Hymix plant, and the consequential need to keep windows closed thus depriving residents of the cross ventilation, so necessary to meet Sustainability standards. Given the lack of consultation prior to the incorporation of the BBSSPS in the PPPS, we propose that further consideration be given not only to the height and scale of the proposed buildings but to the allocation of building uses across the precinct in consultation with the community.

Recommendation 24 – NSW to reconsider the mix of uses of buildings within the BB Precinct in consultation with the community.

SUSTAINABILITY

In line with commitments to actions to reduce carbon emissions, including the NSW Government's commitment to attain net zero emission by 2050 and 35% emissions reduction by 2030 compared with 2005 levels (p9); and the City of Sydney's aspirations to achieve 70% reductions by 2030 from 2006 levels (p11), the *Ecologically Sustainable Development Report* (Attachment 32) recommends the adoption of the Green Star – Communities governance framework to "inform decision making and design development", noting that this framework is being upgraded and new Future Focus tools developed. The Report also recommends the use of these tools to "ensure the latest standard of sustainability governance is applied..." (p17) in order to "achieve a much greater rating than the currently used 5-Star Green Star Communities Future Focus rating..." in the Precinct. We support this recommendation. Sustainability measures are summarized below:

Passive Design - We support the inclusion of Passive Design as a non-negotiable requirement to reduce power demand for all projects within the Precinct (p19). This approach includes consideration of "building orientation, layout, shading, thermal mass, natural ventilation, insulation, window placement and design, and sky-lighting". Given that views will include those from the West or North-West, adoption of this recommendation will be challenging to implement. Challenges will also be faced in that achieving natural ventilation may require opening east-facing windows with the possibility of noise and poor air quality impacts emanating from the adjacent elevated freeways. In considering building orientation, account needs to be taken of the impact of prevailing strong winds, north-easterly in summer, and SE and Westerly winds in winter, noting that balconies in many of the taller apartment buildings in Pyrmont facing in these directions are unusable for much of the year. Residents have experienced the movement of heavy furniture by strong winds such that glass balustrade panels and windows have been damaged.

The report also explores other initiatives for a reduction in energy consumption and emissions including: energy efficiency measures eg effective insulation and smart lighting; building electrification requiring a transition from gas to electricity; use of renewable electricity; installation of on-site renewable energy (PV systems) which "can assist in meeting and exceeding several targets set for the precinct" (p22), noting that "it is likely that off-site renewable energy will be required to contribute in meeting the target of 50% renewable energy in the precinct" (p23); installation of precinct-scale microgrids requiring central governance (p24); long-term power purchase agreements for electricity generated by off-site renewables (p24); green infrastructure eg green roofs and vertical gardens (p25) which is described as "corresponding well to priorities for the BB sub-precinct" in the PPPS; use of cool roofs and pavements using light-coloured materials to reflect solar radiation is also an option. Whilst all these options are explored, the report makes no firm recommendation as to which option or suite of options will achieve the best ESD outcome. It does, however, recommend that all designs undergo in-house review, review by the Design Advisory Group, Project Working Group and the Project Review Panel, and reference to Design Review Panels (DRPs), as well as consideration of the incorporation of community feedback in future design processes (p48). It should be noted that DPIE has recently arranged for Community Observers to sit in on sessions of DRPs examining the concept Master Plans for The Star and UTS Ultimo and Haymarket Key Sites making presentations to the Panel and providing further comments following a Q&R session with the proponents. We recommend this inclusion as one measure to ensure community views are taken into consideration during the assessment process.

- **EV Charging Infrastructure** – Noting that by 2040 EV's are projected to account for 70 – 100% of new vehicle sales we strongly support incorporation of fast EV charging stations in the proposed parking and services hub foreshadowed for this Key Site (PPPS p67). It is not clear whether it is proposed that parking in this hub would be restricted to residents and workers associated with the precinct, or include public parking. If public parking is excluded from the hub, we urge provision of fast EV charging in public parking areas, and if private parking is to be provided within developments, slower, off-peak EV charging could be accommodated. At present, the transition from conventional fossil-fueled vehicles to EV is inhibited by the lack of public charging points, including in the City of Sydney, and the difficulty and cost of retro-fitting existing apartment and office buildings. The decreasing cost of EVs combined with increasing improvements in the efficiency of batteries enabling progressively faster charging and longer travel distances, will see take up accelerate, so provision of public and private EV charging points is critical in ensuring that the BB Precinct meets the Government's and City of Sydney's emissions reduction targets.

- **Water Recycling** – The ESD Report makes a distinction between the management of stormwater and rainwater (p31). We support all measures recommended in this report. In particular, we encourage collection of the large amounts of water which emerge from the cliff face of the Western Escarpment opposite the proposed Bank St park noting that the aquifers which fed Tinkers Well (providing fresh water to the First Nations people living and using the area, as well as the early settlers after colonisation) are still very much in operation, even in prolonged dry periods. Until recent improvements to the road drainage system, this section of Bank Street was frequently flooded during heavy downpours. Capture and re-use of this water will ensure a continuous supply for the maintenance of the proposed park. We also support the use of water absorbent materials and grass, rather than concrete wherever possible in public spaces throughout the precinct, noting that the manufacture of cement accounts for over 6% of global emissions.

Recommendation 25 – We support: adoption of Green Star Communities national framework to drive ESD planning in the precinct; mandatory Passive Design measures for all precinct buildings; energy efficiency measures and installation of on-site renewable energy systems and battery storage; installation of fast public EV charging stations, and within the proposed services/parking hub; maximizing on-site storm/rainwater collection and recycling across the precinct; maximizing use of absorbent surfaces in public spaces.

FIRST NATIONS' RECOGNITION

We strongly support the recommendations in the *Aboriginal Cultural Heritage Assessment Report* Attachment 27 (p32) in relation to the 1A and 1-3 Bank St sites, that further archaeological testing be carried out in these areas. It appears that 1A, in particular, has had relatively little disturbance, with the "potential for intact preserved natural soil profiles and therefore for intact Aboriginal objects or places" to be identified. Table 9 (p 33) confirms the moderate to high historic and scientific significance of Blackwattle Bay investigation area and the rarity of such sites in an area which has been subjected to so much destructive development. The report (p35) goes on to suggest that "ground disturbing works" may be undertaken on these sites which are zoned Public Recreation. 1A Bank St accommodates possibly the only area of relatively undisturbed bushland in the precinct and should only be lightly disturbed for the investigation of its archaeological significance for that reason.

We support the views of Registered Aboriginal Parties that despite disturbances, the Precinct is "in a foreshore location once highly utilized by local Aboriginal people and its associated cultural values are therefore high and not limited to archaeological potential" (BBSSPS p162). We also support the strategies and recommendations developed by City People outlined Table 21 (BBSSPS pp163-165), ensuring the highest degree of involvement of First Nations people, but recommend that there be more than one First Nations arts and culture representative on the proposed arts advisory panel. Every effort should be made to include First Nations people in all aspects of the implementation of all strategies associated with their archaeology, history, culture and artistic expression in the development of the precinct, noting that 17 First Nations stakeholders registered as holding cultural knowledge relevant to the determination of their cultural values but only 2 people attended the site visit on 17 June, 2017, or provided feedback on the draft report (ACHA pp 8-10).

Recommendation 26 – Support recommendations to further test sites identified as having possible archaeological significance; ensure only light disturbance on the 1A Bank St site.

Recommendation 27 – Support strategies and recommendations developed by City People ensuring highest degree of involvement of First Nations people; increase First Nations' representation on proposed arts advisory panel and other implementation bodies.

We highly commend the document *Gallumban Gabami: Connecting with Country Framework for Tjerruing Blackwattle Bay* (Attachment 28) prepared by Bangawarra in March 2021, as a guide to appropriate First Nations' recognition in the design of the precinct. In particular, we share the frustrations of the authors of this seminal work expressed in the observation that "it is highly offensive to approach communities with an already established design and strategy to request approval and sign off for a tick-a-box outcome" (p48). The primacy of Country, and living respectfully with Country should be the guiding principle for any development and Governments, developers and local non-First Nations members of communities are asked to take care not to "succumb to the inherently racist, colonial impositions on local Aboriginal cultures and continue the erasure and silencing of Aboriginal peoples". (p15).

Recommendation 28 – Primacy of Country should be the guiding principle for precinct development.

In discussing the implementation of principles across Tjerruing Blackwattle Bay, the authors highlight the need of local Sydney Traditional Owners and their Aboriginal Elders and Knowledge Keepers "to have opportunities to share their deep Ancestral knowledges of this place with all those who come to Tjerruing Blackwattle Bay to live, work or visit..." (p29). It is recommended that urban development and landscape need to:

- incorporate complete ecologies, including faunal habitat and locally native planting that is not confined to openings in concrete or planted in areas of monoculture (p31);
- incorporate stories of Country throughout the public spaces of Tjerruing Blackwattle Bay (p32);
- reflect the stories of Country, the features and the creatures of this place in the languages of the local peoples (at the very least D'harawal, Dharug, Eora and Gai-maragal (p33);
- show where the shoreline was, as well as the stories of Country (p33);
- acknowledge the outcrops and peninsula highpoints as ceremonial space (p34) (noting these are outside of the precinct boundary);
- incorporate measures for future anticipated climate change and sea level rise (p36);
- provide a dedicated space where everyone can celebrate local Aboriginal cultures, story, history, performance and knowledges, acknowledging that the proximity to the new fish market also ensures a regular influx of visitors and tourists who would be an enthusiastic prospective audience (p37).

Recommendation 29 – Adopt the recommendations outlined in the Caring for Country Strategy Chapter (pp28 – 37).

In line with the recommendations above, we strongly support the re-naming of the precinct as Tjerruing Blackwattle Bay, the proposed park in Bank Street as Tjerruing Park, with other parks, streets, promenades and plazas also using First Nations words, selection of which should be done in consultation with those with First Nations' association with this Country.

Recommendation 30 – Support using appropriate First Nations' names, including Tjerruing, throughout the precinct in consultation with First Nations people associated with the precinct.

CONCLUSIONS

The amount of material provided with the BBSSPS has been extremely challenging to absorb and assess and has covered a huge range of issues. Whilst we have endorsed a number of features presented, our primary concern remains the height and scale of the proposed developments. These will have a highly significant adverse impact on local residents in particular – and that impact has received little, if any, analysis. There has been scant genuine engagement with the Pyrmont and other affected

communities, with the heights of buildings presented as a *fait accompli*, not only to the communities, but to those developing the Pyrmont Peninsula Place Strategy. We urge the Government (INSW and DPIE) to reconsider the maximum height limits thus established, and reimagine the Blackwattle Bay Key Site as one which "complements and enhances the area", not one which destroys the amenity of the many thousands of residents in Pyrmont, Glebe and beyond.

The Coalition was voted into power with a policy to "return planning powers to the people". With more than 10 years of this government in power, we have seen a progressive and dramatic whittling away of people's ability to influence planning and environmental protection in NSW, and a similar reduction in the planning powers of local governments. Concurrently, we have seen a rise in influence of quasi-advisory bodies such as the Committee for Sydney and the Western Harbours Alliance, whose members include representatives of large development companies and those with vested interests in the extraordinary push for so-called "transformation" of places where the citizens of Sydney live, work and play, turning them into CBD copycats, and in the process substantially reducing the amenity of homes and lives.

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RECOMMENDATIONS

Recommendation 1 - The Minister for Planning, Industry & Environment to require DPIE to review NSW's proposals for Blackwattle Bay, and "allow the time to invest in genuine further consultation" with the community and the City of Sydney in order to meet their expectations of "urban renewal that respects the industrial heritage and architectural scale of Pyrmont without overshadowing the surrounding area" (p4 Revitalising Blackwattle Bay).

Recommendation 2 – The Blackwattle Bay Key Site planning framework should involve preparation of a Master Plan requiring genuine community participation and agreement of the City of Sydney; we reject the Site's State Significant declaration and amendments to the Sydney LEP to permit a maximum building height of RL 156; we seek compliance with SREP 26 provisions to ensure that developments protect and enhance views and the scenic quality of foreshores and waterways.

Recommendation 3 – The BBSSPS provisions must ensure that all developer contributions raised through BB developments are allocated to projects that benefit Pyrmont Peninsula communities and not undermine or offset the funding and delivery of local contributions and infrastructure under the relevant contributions plan. The community must be consulted before any plan for the distribution of contributions is finalized and the agreed (with the City of Sydney and the Pyrmont/Ultimo communities) infrastructure delivered prior to the construction of residential and commercial buildings.

Recommendation 4 – NSW should engage independent consultants to prepare projections of demand for housing and commercial space taking into account the long-term impacts of the Covid pandemic and the worsening relationship between Australia and China.

Recommendation 5 – The cost of construction of the new SFM should be shared between the Government and industries benefitting from the development, enabling a reduction in the height and scale of the proposed Blackwattle Bay Precinct developments.

Recommendation 6 – Building heights should be reduced significantly and "complement and enhance" the existing built form, in line with the views expressed through the consultation process. We reject tall towers and bulky podiums so close to the waterfront.

Recommendation 7 – Building height should take into account adverse wind effects generated by the proposed towers.

Recommendation 8 – Planning for Public Open Space in the Blackwattle Bay Key Site should be conducted under the provisions of the EP& A Act with the City of Sydney as the consent authority for projects under \$10m and the Planning Minister for those over \$10m. The community must be genuinely engaged as stakeholders from the earliest stages of planning for the public realm.

Recommendation 9 – Ensure that BB Key Site developments do not further reduce the economic viability of small businesses located in Pyrmont Village by requiring funding to be directed to provision of centrally located regional community infrastructure eg the Maybank Sports and Recreation Centre (PPPS p75), improved lighting and signage.

Recommendation 10 – Significantly expand the provision of green public recreation areas along the foreshore by reducing the building footprints of all proposed new developments.

Recommendation 11 – Support the re-use or demolition and redevelopment of the buildings on 1 – 3 Bank Street for community, boating and cultural uses, including a café/bar/restaurant to serve both the community and visitors. Support the re-location of the temporary marina to the Southern section of the Precinct. The design for the proposed park at Bank Street, from the earliest stage of planning, should be developed in partnership with community and stakeholders.

Recommendation 12 – The foreshore promenade should be 30m wide along its total length from Urban Park near the new SFM to the path serving the temporary marina.

Recommendation 13 – Parks and reserves to be green and natural and hard surfaces avoided in public areas where possible.

Recommendation 14 – We urge a condition of approval of residential and commercial developments, and of open space development involve the installation of CCTV cameras and strategic lighting to ensure the safety and security of residents, workers and visitors to the BB Precinct; we ask INSW to support the installation of a police station at the Pyrmont Metro station.

Recommendation 15 – We support: construction of a pedestrian tunnel linking Metro platform with Fish Markets LR station; additional services on the Dulwich Hill to Central Light Rail line; a new bus service from Pyrmont via Harris St to Broadway, Parramatta Road to Sydney University, RPAH, Pyrmont Bridge Road to Glebe, Sydney Fish Markets, Bank/Bowman Street to Harris Street; reinstatement of 389 bus stops; new ferry service to Blackwattle Bay to include stop at White Bay; inclusion of Pyrmont/Ultimo students within the catchment of the new Inner City High School. We oppose extension of the cycleway in Pyrmont Bridge Road beyond its intersection with Bulwara Road.

Recommendation 16 – We support provision of a multi-utility hub for integrated parking, public fast electric charging, and other precinct services located under the Western Distributor and Anzac Bridge approaches. We also propose off-street tour bus parking similarly located and provision of adequate and accessible on-street disabled parking spaces.

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Recommendation 21 – We support provision of childcare facilities within the podium of the mixed use development as proposed (BBSSPS p100)

Recommendation 22 – We support: provision of dedicated space for First Nations artists and arts and cultural programs and heritage; provision of affordable space for arts practitioners; collaboration between knowledge-based industries and arts and cultural programs; inclusion of community in the implementation of Blackwattle Bay Arts and Cultural Strategy.

Recommendation 23 – A minimum of 20% of new residential development in the Pyrmont Peninsula should be dedicated to provision of Public and Affordable Housing, involving a mix of studio, 1, 2 and 3 bedroom apartments to ensure families eg those escaping domestic violence, as well as couples and singles can be accommodated with security of tenure.

Recommendation 24 – INSW to reconsider the mix of uses of buildings within the BB Precinct in consultation with the community.

Recommendation 25 – We support: adoption of Green Star Communities national framework to drive ESD planning in the precinct; mandatory Passive Design measures for all precinct buildings; energy efficiency measures and installation of on-site renewable energy systems and battery storage; installation of fast public EV charging stations, and within the proposed services/parking hub; maximizing on-site storm/rainwater collection and recycling across the precinct; maximizing use of absorbent surfaces in public spaces.

Recommendation 26 – Support recommendations to further test sites identified as having possible archaeological significance; ensure only light disturbance on the 1A Bank St site.

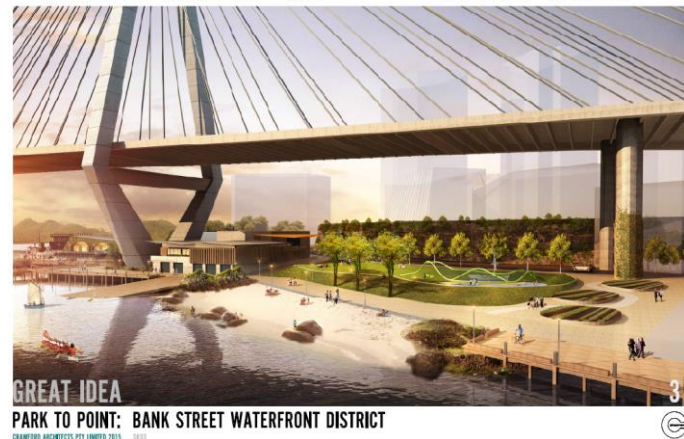
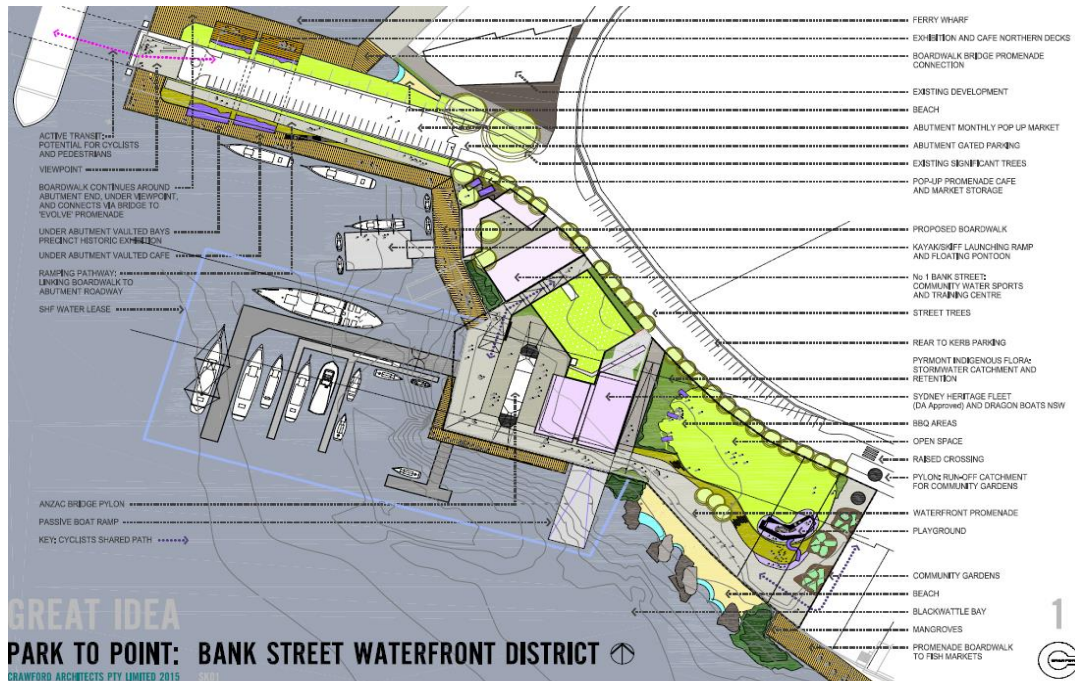
Recommendation 27 – Support strategies and recommendations developed by City People ensuring highest degree of involvement of First Nations people; increase First Nations' representation on proposed arts advisory panel and other implementation bodies.

Recommendation 28 – Primacy of Country should be the guiding principle for precinct development.

Recommendation 29 – Adopt the recommendations outlined in the Caring for Country Strategy Chapter (pp28 – 37).

Recommendation 30 – Support using appropriate First Nations' names, including Tjerruing, throughout the precinct in consultation with First Nations people associated with the precinct.

APPENDIX 1 – PYRMONT COMMUNITY VISION FOR BANK STREET PUBLIC RECREATION AREA – OCTOBER 2015



APPENDIX 2 - SPORTING AND RECREATIONAL FACILITIES ON THE PYRMONT PENINSULA

In accordance with the State Significant Plan (SSP) process, submissions from the public are currently being sought regarding the future of Blackwattle Bay. The Pyrmont peninsula is a sub-precinct of Blackwattle Bay and the Pyrmont Peninsula Place Strategy (PPPS) feeds into planning for the Bays precinct as a whole.

This submission relates to the report on the PPPS commissioned by DPIE and undertaken by Cred Consulting (October 2020), *Social Infrastructure assessment*, Part 5: **Gap Analysis and Action Plan – Open space and recreation facilities**, p.118, Specifically Need 6: Increased indoor and outdoor courts for informal recreation.

We draw the planners' attention to the Maybanke site in Harris Street Pyrmont and its eminent suitability and availability for the above purpose. (see attached plan of site area)

Maybanke: its history and current status

1965: The General Manager of the Colonial Sugar Refining Company at Pyrmont offered the site to Council for perpetual use for recreational purposes;

1970: Council accepted CSR's gift;

1979: The site was acquired by Council.

Thus Council owns the site. A small basketball court occupies to the lower level, a difficult-to-access small-sized tennis court the upper level, and there is a small cement-block building.

2007: The potential for redevelopment of Maybanke was acknowledged in 2007, when Council received the *Open Space and Recreation Needs Study* it had commissioned from Stratcorp Consulting. That document proposed a **Capital Works Program**, with an accompanying **Direction: Continue capital works allocations and funding to the open space network and recreation facilities**.

Under **Projects Initiatives/Actions** and the heading **Key current major park and recreation facilities projects** three 'recreation facilities' were listed and rated as short to medium priority, that is, to be finished by 2012:

Ian Thorpe Aquatic Centre
Waterloo Youth Centre
Maybanke Youth Centre.

The first two projects were completed and are operating, but for whatever reason there has been no subsequent redevelopment of Maybanke.

The difficult topography of the site and Council's failure to redevelop means that Maybanke Centre, as it is currently called, is largely unused and unusable.

However, the site has significant advantages which make it ripe and highly suitable for redevelopment:

- It sits on an area of Council-owned land which is large enough to accommodate a several-storey multipurpose sports and recreation centre.
- The difficulties of the site align with a significant potential asset: it sits on the sandstone for which Pyrmont is famous. In 2017 over 1000 blocks of high-quality yellow block sandstone were excavated from a building site almost adjacent to the Maybanke site. It seems likely that similar high-quality sandstone, which is highly sought after for heritage and restoration purposes, could be 'harvested' from the Maybanke site. This would defray the cost of redevelopment.
- A redeveloped Maybanke could accommodate:
 1. Outdoor and indoor recreational activities for children and youth;
 2. multipurpose sports courts;
 3. a gym for adults aged 20 to 35 and young people with focused programs, including those who cannot afford private gym membership;
 4. exercise space and equipment for over 55s;
 5. space and equipment for sporting teams; and
 6. café, meeting spaces, change and shower rooms.

Adapted from previous submissions from:

Friends of Pyrmont Community Centre
Council of Ultimo Pyrmont Associations (CUPA)
Pyrmont Action Inc.
Pyrmont Cares Inc.
Pyrmont Community Group

July 2021

Attachment: Maybanke Plan DP576037

