

24 January 2018

Lord Mayor Clover Moore
City of Sydney
GPO Box 1591
Sydney NSW 2001

Dear Clover

DA 2017/1705 Multiple DAs on Darlinghurst Rd Potts Point

I write to object to the proposed redevelopment for 83 apartments with two liquor licences and one retail space. There is significant community concern about this proposal and I have been contacted by a number of residents.

The redevelopment does not reflect a strategic plan established with community consultation. The lockout laws have curbed growth in late night trading venues but this should not result in carte blanche rapid conversion of existing and potential floor space into residential apartments.

Large development projects like this should not be considered until there is an agreed vision on how Kings Cross should look in the future.

Diversity

Kings Cross has a long history of social and cultural diversity supported by a broad range of facilities, services and entertainment venues in the precinct, with densely populated residential buildings surrounding the area. The proposed development will result in the loss of a pharmacy, medical centre, commercial space, serviced apartments and two hotels through the conversion to a predominantly residential based building. The replacement of a mix of uses with a large residential block in this part of the Cross puts this diversity at risk and could permanently transform Kings Cross into a less vibrant area.

Consideration has not been given to retaining a greater mix of uses, such as dedicating the first floor to innovative commercial ventures such as co-working spaces, artist spaces or design studios.

The loss of aesthetic and architectural diversity from the proposed development will detrimentally impact on the character of this important heritage precinct. Darlinghurst Road Kings Cross provides a variable street front with different façades, setbacks and heights. The site currently includes mainly three storey buildings with the exception of 30A Darlinghurst Road and the proposal would present a homogenous bulky wall of six storeys along the street front.

Heritage

Kings Cross has a rich social and architectural heritage recognised through its status as a Heritage Conservation Area. As such, all planning decisions in the region must conserve heritage significance.



The proposal breaches a number of conditions set out in the City of Sydney Heritage Development Control Plan 2006 (DCP) and will detract from the area's heritage values.

The Heritage DCP specifies that "large expanses of solid walls are to be broken up" in Heritage Conservation Areas but the proposed building creates a uniform six storey wall across the block along Darlinghurst Road. It is bulky and represents a poorer outcome from the site's current frontage of variable heights and façades, including façades recognised as contributing to the area's heritage character and separate buildings that curve around the streetscape. It is incompatible and unsympathetic with the surrounding Darlinghurst Road built form and pattern of development.

The proposal to demolish the buildings at 20 and 22 Darlinghurst Road, which are recognised as contributing to the area's heritage significance, should be rejected.

The application justifies demolishing 20 Darlinghurst Road because it has been "significantly and irreversibly altered" and 22 Darlinghurst Road because it is "highly degraded", but these buildings make an important and significant contribution to the heritage character of Kings Cross and 22 Darlinghurst Road is especially recognised by the local community for its beautiful historic façade.

The alterations to 20 Darlinghurst Road from a late Victorian terrace retain contributing features through its inter-war façade which compliments the Art Deco heritage architecture of the area. The 1890s building at 22 Darlinghurst Road includes beautiful detailed masonry arched openings and balustrades that reflect the area's Victorian architecture heritage. Of particular heritage interest are the arched verandas which retain valuable remnant interiors with original tessellated tiles, Corinthian columns, balustrades and arches. The way the building angles back from the street creates charm. These features are highly visible from many viewpoints in Kings Cross and Potts Point and loss of these buildings will detract from the area's heritage. I understand this is the last Victorian façade left on Darlinghurst Road.

The low rise façade on Roslyn Street also contributes to the heritage streetscape.

The proposed development would breach a number of recommendations for the management of the area within the Office of Environment and Heritage's Potts Point Heritage Conservation Area Policy. These include not amalgamating existing subdivisions, retaining contributing buildings and restricting further development in recognition that the area is already densely populated.

The proposed design fails to exhibit design excellence. It is bland, has no unique characteristics, does not respond to its heritage context and looks like a building from any contemporary in-fill redevelopment anywhere. It does not comply with heritage controls and should be rejected.

Height

The proposed development is too high for this sensitive heritage streetscape. Not only would it drastically increase the scale from existing buildings, but it would breach the 22 metre height control across the site, with heights reaching up to 26.7 metres. The proponent states that these breaches occur due to lift overruns, stairs, roof sections and portions of apartments on the upper levels. The wording is used to make it seem like breaches only occur in small areas as part of facilities but the breaches are more than a storey over the limit in some instances and include apartment floors. This is unacceptable and heights must be reduced to ensure compliance.

Retention of the façade of the existing building at 30A Darlinghurst Road is used to justify breaches in height. However, the applicant's own heritage report does not recognise the heritage value of 30A. Furthermore the heritage value of 22 Darlinghurst Road, which is earmarked for demolition, is superior. In addition, a design of varied heights would be preferable and 30A could be retained without the need to fill in the rest of the site.

Of great concern is the failure to provide shadow diagrams. The affected community must know the shadowing impacts for homes, businesses and public space including footpaths, pedestrian access routes and open space so that meaningful concerns can be raised.

The claim that there are no shadowing impacts on homes is misleading. Nearly all of Kingsley Hall's south western wall will be covered by the development and this includes internal hallways and stairwells, which will lose natural light and ventilation. Flats 44 to 84 have windows that open on to the light-well and light to their homes will be significantly diminished. They will also lose important views of the surrounding area.

Apartments on Barncleuth Lane will have less light and brightness, particularly homes on the ground floor. Reducing the height of the proposed building will prevent this detrimental effect on people's homes and amenity.

Car Parking

Providing 101 car parking spaces is excessive and unacceptable given the proximity to a well serviced train station, two bus services and growing car share facilities, and the access to the large numbers of jobs and services within walking and cycling distance. Kings Cross and surrounds already experience significant traffic congestion and bringing so many new vehicles to the area will only make things worse. I am particularly concerned about impacts on pedestrian and cyclist safety.

Visitor and staff parking is rare in inner city retail spaces and there is no reason to supply it in this development. Kings Cross has a public parking station close by that visitors can use. There is a risk that residents, who increasingly are giving up cars to use public transport and walk, will lease their car spaces to commuters, adding significantly to congestion.

The excessive parking provisions result in the need for basement excavation that will have massive construction impacts on local residents and businesses, and could have ongoing impacts on neighbours.

There is significant community alarm that access to the car park will occur via Barncleuth Lane. While not specified in the application, this would appear to require converting this narrow and sometimes already congested lane into a two-way street. It is unclear how the lane would cope with additional and two-way traffic and there would likely be noise impacts for residents of the lane. I am concerned about the loss of much needed public car parking spaces at night and agree with residents' concerns that public parking spaces should not be removed to make way for new private parking spaces.

Construction

Construction activities will cause significant impacts for residents and businesses in Kings Cross, particularly for residents and owners of the adjoining Kingsley Hall.

The proponent has provided little detail on the construction process such as expected impacts and how these will be limited, providing no certainty for neighbours, businesses and visitors.

Demolition and excavation plans will be developed after approval and there is no Noise Management Plan and no Vibration Management Plan. It is not enough to provide broad statements that demolition and excavation will comply with current laws and guidelines for such a major project; the community needs to know details about limits on impacts and what to expect so that input can be provided before a determination is made. This is a very sensitive area as the site walls adjoin two properties and Darlinghurst Road is a major artery within a densely populated precinct with restricted access.

Construction for this development will go on for years and neighbours and businesses will be subject to significant disruption including noise, vibration and dust. Truck movements on Darlinghurst Road will reduce access and amenity of the area. Businesses will suffer, particularly ones that have footpath dining. The Construction Management Plan fails to indicate or limit how many truck movements will occur if the project proceeds, giving residents and businesses no guarantees. Conditions of consent are needed to protect homes and businesses from this intrusion.

Excavation will be from six to nine metres deep with an additional 1.5 metres for the lift shaft. There is community concern that changes in ground water levels could impact on ground stability and foundations for adjacent buildings as well as local trees. This concern must be addressed.

I am very concerned about impacts on Kingsley Hall: residents will experience significant disruption over a prolonged period affecting wellbeing and property value. Kingsley Hall also adjoins the property at 20 Darlinghurst Road which is earmarked for demolition. It is not clear whether this property provides structural support to Kingsley Hall and the application has not considered whether the loss of the adjacent wall will affect its stability. This must be independently assessed and necessary consent conditions identified before approval. Independent assessment of the structural integrity of all adjacent buildings must occur to ensure any damage can be detected.

I support calls that Barncleuth Lane must continue to operate throughout construction.

Liquor Licence

There is little detail on the operations of the two licensed venues to be retained on the ground floor.

Both existing licences include poker machines and if gaming is retained in single floor premises, it would dominate. There is strong evidence on the negative impacts gaming has on community and on the diversity and vibrancy of a precinct. This would be a damaging outcome for Kings Cross and must be prevented through conditions of consent.

It is essential that any new licensed premises add to the diversity and vibrancy of the Kings Cross late night economy.

Kings Cross is a vibrant and diverse inner city hub within a Heritage Conservation Area. The proposed development breaches height and heritage controls and presents poor public outcomes in terms of architecture, diversity and traffic. I ask that the application be refused.

Yours sincerely



Alex Greenwich
Member for Sydney