



50 Murray Street SYDNEY NSW 2000
www.onedarlingharbour.com

Director, Planning Frameworks
Department of Planning and Environment
GPO Box 39
Sydney NSW 2001

By online submission

31 January 2018

Dear Ms Griffin

RE: Explanation of Intended Effect (“EIE”) for the proposed Environment SEPP - Submission by the Owners of Strata Plan 49249 (“One Darling Harbour”).

One Darling Harbour welcomes the opportunity to make a submission on the proposed new Environment SEPP. One Darling Harbour is located at 50 Murray Street, Sydney and is home to over 750 residents.

In particular, this submission is directed at the proposed repeal and replacement of the Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (**SREP**) by the proposed new Environment SEPP. The SREP is clearly inadequate to control development within the city harbour foreshore areas. Currently there are no planning controls or development standards which apply at Darling Harbour and no masterplan is required to be prepared unless the Minister so directs (clause 41(4) of the SREP). It is unclear at what point in the development application process the Minister might be minded to exercise his or her discretion to require a master plan.

To date, in Darling Harbour, no master plan has been required and the SREP provides no specific planning controls. While the Darling Harbour Development Plan No 1 identifies what development is permissible in the area it contains no maximum building heights or GFA restrictions and no other detailed controls or provisions that guide or restrict the form of development at Darling Harbour.

This planning vacuum for the city foreshore areas has led to a proliferation in Darling Harbour and Cockle Bay of ambit claim development applications contrary to all reasonable principles of urban design. It has also excluded the community from any opportunity to participate meaningfully in developing appropriate planning guidelines for the area.

The city foreshore areas are public assets of national and heritage significance, they are a public good required to be protected by strong planning controls. We request that the

Environment SEPP ensure that the requirement for a DCP also applies to development in the City Foreshore Areas (rather than this being at the discretion of the Minister).

We ask that consideration be given to how the proposed changes will interact with clause 11 of State Environmental Planning Policy (State and Regional Development) 2011 which excludes the application of DCPs to State Significant Development. We also ask that clarification be provided as to how the proposed new Ministerial Directions are intended to be used to guide development, given that it appears that development is intended to be controlled solely by way of DCPs rather than LEPs.

We would be happy to meet with you to discuss these important issues further.

Yours faithfully

