

SUMISSION RE CROWS NEST METRO STATION DEVELOPMENT AND THE TWIN 27 STOREY TOWERS

- 1 Whilst acknowledging that the new metro line will bring significant, and welcome, benefits including new jobs in the St Leonards and Crows Nest area as well as considerable improvement to transport options for local residents and people who work in the area, the 2 proposed twin 27 towers above the proposed Crows Nest Metro Station:
 - are ***much too high*** ;
 - will, of themselves, do no more to increase employment or amenity - than much smaller buildings could provide;
 - and are not in keeping with, and will irreparably damage, the low-rise village atmosphere of Crows Nest.
- 2 The NSW Government's proposal for the erection of the twin 27 towers will result in a significant part of the Crows Nest area being irreparably transformed from that of its current village-like culture and atmosphere to a Hong Kong and Manhattan-like precinct.
- 3 With no disrespect intended to the residents of Hong Kong and New York, I do not wish to live in a city which is like Hong Kong or New York. I, and many of my neighbours, like Sydney as it is although I and many people acknowledge that appropriate development is required to cater for the city's growing population and that appropriate and sensitive change is, in consequence, required.
- 4 Construction of twin 27 storey towers above the new station in Crows Nest will set a precedent giving property developers a green light to construct a solid wall of disproportionately tall buildings along Pacific Highway from St Leonards through to North Sydney, from St Leonards northwards to Chatswood and elsewhere:
 - (a) irreparably damaging the character of Crows Nest in particular and the Lower North Shore in general;
 - (b) degrading the amenity of local residents and their children and that of workers in terms of reduction of access to natural sunlight, degradation of air quality, increase in cars, overcrowding and clogging of already congested roads; and
 - (c) providing considerable opportunities and benefits to property developers.

- 5 The NSW Department for Planning & Environment (“*the Department*”) informed and consulted with a small number of selected local residents in early 2018, the majority of whom, as well as other people who, whilst not notified but who nonetheless became aware of the consultation meetings, expressed a *common opposition and hostility* to the *excessive height* of the proposed twin towers. Whilst stating in its recently published material that it learned valuable insights into the thoughts of local residents about its plans, the Department’s failure to adequately acknowledge the extent of opposition and hostility expressed by residents at those initial meetings about the excessive height of the proposed structures, not unlike Nelson holding his telescope to his blind eye at Trafalgar and declaring:

“I see no ships”

is of both of concern and provides an appearance of a tokenistic approach to public consultation in respect of decisions already made by the Department behind closed doors between unknown persons, without consultation with, amongst others, the relevant local councils and members of the public.

- 6 The Department’s persistence since the early 2018 consultation meetings, notwithstanding the clear public opposition and hostility - bordering upon incandescent rage, with its proposals for twin 27 storey towers above the new metro station has, to date, demonstrated that it is unwilling to modify those plans notwithstanding the evident opposition of local residents and from people who work in the area.
- 7 The Department does not, from what I have read, appear to have explained whether it is already putting these behind closed-door decisions into practical effect in the excavation, engineering of foundations and building works already carried out and currently being undertaken at the new station site. When I raised this question recently at an open day at the Crows Nest Civic Centre, none of the Department’s employees I spoke to were able to answer that question and they suggested that I raise that issue in a submission. Clarification in this regard would I suggest assist the public in deciding whether the public is really being invited to have its say and whether any such submissions will have any real effect on the eventual structures above the new station.
- 8 Whilst, for reasons which remain unclear, the Department has not, to date, acknowledged the opposition and hostility to the height of the twin 27 storey towers, it has, however, acknowledged constructive comments made concerning the need for public space, public services and amenity. Such space and amenity can *as equally* be provided by two 10 storey, or smaller, buildings – as by two 27 storey buildings. The only conceivable benefits of having 27 storey (as opposed to, say, 10, storey buildings) are:
- (a) additional funds being made available from purchases of land by property developers from the State Government – which can be applied in funding other useful public transport projects; and
 - (b) greater profits to property developers.

- 9 Whilst it is of course difficult to argue with the benefits of the former, the benefits of the latter should not be a reason for building such excessively buildings.
- 10 Although my home in Atchison Street in St Leonards is about 150 metres from the proposed new station, I, and as far as I am aware, no-one else in my building comprising around 100 apartments received written notification from the Department of the initial consultation meetings in early 2018 at which I, and as far as I am aware, others, including local councils, first became aware about the decisions made by the Department and the State Government in respect of the 27 storey twin towers. Fortunately, however, a friend who lives in Crows Nest a significantly greater distance from the proposed new metro station did, however, receive written notification which she passed on to me. Whilst I acknowledge that this was unlikely to have been deliberate lack of notification by the Department of some closely affected local residents, it appears indicative of the Department's, and State Government's, apparent lack of adequate concern, or steps taken, to take note of what local councils, local residents and workers think about their plans which radically and detrimentally affect Crows Nest and other parts of this area.
- 11 It is not clear from the documentation provided recently by the Department whether it has considered the health effects of the reduction in exposure to natural sunlight to residents and their children of Wollstonecraft, St. Leonards and Crows Nest and/or the effect on air quality which may result from the increase in traffic consequential upon the erection of the twin 27 storey towers and the extra traffic which will be attracted by the various levels of proposed above ground parking and the residential and commercial occupants of two 27 storey towers.
- 12 My understanding is that, currently there are insufficient primary and secondary schools to cater for the children of the residents who will occupy the Twin Towers. The Department's literature does not appear to explain adequately, or state specifically, where these children will be schooled.
- 13 Unlike Crows Nest, St Leonards has many tall buildings. It appears appropriate, therefore, that there be a *gradual transition* from the existing and proposed tall buildings in St Leonards *downwards towards Crows Nest*. This is not, however, what the Department is proposing.
- 14 465 Pacific Highway, immediately to the north of the proposed Metro station, was built about 3 years ago, no doubt after the developers diligently took all necessary planning application steps. It comprises 16 storeys.
- 15 A downwards transition south eastwards towards Crows Nest would necessitate that the twin towers be *no higher than, say, 10 storeys* at most.
- 16 On the contrary, the twin 27 storey towers would represent a significant upwards spike from No.465 to the detriment to both:
 - (a) the owners of apartments in No. 465 who presumably bought their apartments in good faith expecting:
 - (i) the metro development to be something closer to the single storey sketch initially presented by the Department in its initial

promotional material, than the Manhattan-style twin towers planned behind closed doors and now proposed; and

- (ii) that no-one in Australia is above *not only the letter*, but also the *spirit*, of the *law* and that there could not possibly be one planning law in an Australian city applicable only to the Department which would allow important decisions to be made behind closed doors by persons unknown about such huge constructions out of keeping with the rest of Crows Nest and which law was radically different to the planning laws applicable to all other (non-NSW Government) planning applicants; and

(b) the other residents and workers in this area.

17 Given these sweeping nature and extent of the planning powers available only to the NSW Government, which it has granted to itself, and the significant consequences of such decisions, there needs to be *transparency* in, and *accountability* in respect of, decisions made by the Department to dispel any appearance of:

(a) "*spot-zoning*" and/or:

(b) that there is not one law that applies to the Department - and another which applies to all other planning applicants.

18 It is not, in my view, unreasonable to expect that property developers will now be saying words to the effect:

"If the NSW Government can build such huge buildings in Crows Nest out of keeping with the rest of Crows Nest, why can't we?"

19 Is the Department's proposal, when such comments are made by planning applicants, to reply to reply to such arguments?

- "*Do as we say – not as we do*" –

or, *is it*, alternatively:

- "*Well yes of course you can – why not?*".

Clarification as to how the Department proposes to reply, or instruct councils to reply, to such submissions by property developers would be appreciated.

20 Local Councils should be allowed to make their own decisions, at an appropriately early stage, about such developments as that proposed above the new station, or at least be adequately consulted, before the Department makes such decisions of this nature.

21 There should be:

- (a) consultation with the public and local councils *before* (and *not after*) such important decisions as the development of the new metro station are made by the Department behind closed doors; and
- (b) evidence of adequate *scrutiny* of, and *accountability* by, those making such important decisions.

22 With all due respect to our elected representatives, the New South Wales Government is capable of better governance than it has so demonstrated in relation in general to the overcrowding occurring in Sydney and, in particular, to the structures to be developed above the new metro station and the residents of the Crows Nest/St Leonards area are entitled to, and deserve, real, not tokenistic, but adequate consultation before, and not after the event, and say about, and accountability in respect of, such important decisions. If the Department elects to disregard the views of local residents then it should at least:

- (a) acknowledge such opposition views;
- (b) the extent of such opposition; and
- (c) say why it is doing so.

It has, to date, failed to do any of the above.

23 Please clarify:

- (a) whether there have been any formal, or informal, dealings or discussions between prospective property developers and members of the Department or State Government and developers to date with regard to the proposed twin 27 storey towers; and
- (b) in the event that there have been any such informal, or formal, discussions, please confirm that the Department and State Government either has already provided , or, alternatively, will immediately provide, full disclosure in that regard of the identities of the parties to any such discussions and as to the matters discussed.

24 Rather than disregard the views of local residents already expressed by large numbers of people, the Department's planners should, with respect, now:

- (a) rethink their ill-considered proposals;
- (b) go back to the drawing table; and

(c) return to the public with some further plans for perhaps two new buildings of *no greater than 10 storeys* and about which both the public and the local councils concerned can genuinely have their say.

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