

## Resolution of Council

**26 July 2021**

### **Item 3.2**

#### **Blackwattle Bay Redevelopment**

##### **Minute by the Lord Mayor**

To Council:

For decades, The Blackwattle Bay Precinct (previously known as The Bays Market District) has been investigated by the NSW Government for its urban renewal potential.

But there is much to be concerned about the release of Infrastructure NSW's State Significant Precinct Study and proposed planning controls for redevelopment of the existing Sydney Fish Markets site and adjoining properties, which are currently on public exhibition until 20 August 2021.

Spanning approximately 10.4 hectares, the redevelopment area includes both public and privately-owned land (which includes the Hymix concrete batching plant), along the Blackwattle Bay waterfront up to the Anzac Bridge.

##### **The Proposal**

Acting as the NSW Government's developer, Infrastructure NSW is seeking the approval of the Minister for Planning and Public Spaces to change the City's planning controls to allow towers up to 156 metres (45 storeys) in height with new zoning that permits residential development in this location for the first time.

This wall of towers built adjacent to the Western Distributer will cast excessive shadows on the future public domain and waterfront. It may even cast shadows on the solar panels of the new Fish Markets' roof, or onto existing and future parks.

I support revitalising Blackwattle Bay to deliver a vibrant and sustainable place that maintains public access to Sydney's iconic harbour that will help stimulate the economy and aid our recovery from Covid-19.

However, this is already a densely populated area. Any new development should be sensitive to and enhance the character of Pyrmont and prioritise employment growth with clear public benefits. Re-opening of the Glebe Island Bridge cannot be left to deteriorate anymore and should also be incorporated as part of this plan.

Equally concerning about this proposal is that Infrastructure NSW is also asking the Minister to:

- Declare Blackwattle Bay a “public authority precinct” like Barangaroo and Darling Harbour. That means future public domain areas would be designed, delivered, managed, and controlled by the NSW Government outside normal planning processes, even if the development is completed and owned by private interests.
- Make changes to multiple State Environmental Planning Policies (SEPPs) and Sydney Regional Environmental Plans (SREPs) to allow, amongst other things, the design and delivery of open space and public domain to be exempt development, requiring no approvals and public consultation.
- Declare any subsequent development applications with a value of more than \$10 million as ‘state significant’. This would mean that future private developers would be excused from important processes and scrutiny that would normally occur if an application was assessed by the City of Sydney.
- Seek to avoid the City’s long-standing design excellence requirements and propose an adequate response to affordable housing.
- Postpone identifying what infrastructure will be provided to support the redevelopment until after the planning controls are changed, which is unlike what is expected of every other developer.

I am also concerned that plans for the redevelopment of Blackwattle Bay are proceeding before work is completed on the Pyrmont Peninsula Place Strategy.

### **Consultation**

The package of information currently on public exhibition includes over forty technical studies on which the City, agencies and the community are invited to provide comment.

On 6 July 2021, I wrote to the Minister asking for the public exhibition period to be extended until 10 September 2021. This would allow time for the community to more thoroughly review the proposal and give feedback to the Department of Planning, Industry and Environment.

Disappointingly, the Minister has extended the public exhibition period by just two weeks, until 20 August 2021. This leaves very little time for the City to share its analysis with the community and to encourage residents and businesses to make their own submission.

### **COUNCILLOR CLOVER MOORE**

Lord Mayor

Moved by the Chair (the Lord Mayor), seconded by Councillor Phelps –

It is resolved that:

(A) Council note:

- (i) the NSW Governments' State Significant Precinct Study and proposed planning controls for the redevelopment of Blackwattle Bay has been released for public consultation;
- (ii) following a written request by the Lord Mayor, the Minister for Planning and Public Spaces granted a two-week extension to the public exhibition period until 20 August 2021;
- (iii) there are significant concerns about the scale of the proposal and resultant amenity impacts on the existing character of Pyrmont and the communities that live and work there;
- (iv) there are also serious concerns about requests being made by Infrastructure NSW to:
  - (a) declare Blackwattle Bay as a public authority precinct meaning future public domain areas would be designed, delivered, managed, and controlled by the NSW Government even if the development is completed and owned by private interests;
  - (b) make changes to multiple state planning policies to allow the design and delivery of open space and public domain to be exempt development, requiring no approvals or public consultation processes;
  - (c) declare any subsequent development applications with a value of more than \$10 million as 'state significant' meaning that future private developers would be excused from important processes and reviews that would normally occur if an application was assessed by the City of Sydney;
  - (d) avoid the City's long-standing design excellence requirements and propose an adequate response to affordable housing; and
  - (e) postpone identifying what infrastructure may be required to support the redevelopment until after the planning controls are changed;
- (v) the proposal for the redevelopment of Blackwattle Bay is proceeding before strategic planning work has been completed to guide growth and change under the Pyrmont Peninsula Place Strategy; and
- (vi) the petition begun by Councillor Linda Scott and Mayor Darcy Byrne expressing serious concern about this redevelopment has garnered several hundred signatures in a short period of time; and

- (B) the Chief Executive Officer be requested to:
- (i) prepare a submission on the State Significant Precinct Study and proposed planning control changes for Blackwattle Bay to the Department of Planning, Industry and Environment that identifies and strongly opposes redevelopment that is out of keeping with the character of Pymont, that does not protect and maintain high quality access to the Harbour foreshore and that is without clear public benefits;
  - (ii) undertake a design review for the consideration of Council via the CEO Update identifying improvements that can be made to this renewal project; and
  - (iii) before the submission deadline, share the City's key concerns about the proposal to community and business leaders from The Bays Precinct to inform their submissions to the Department of Planning, Industry and Environment; and
- (C) the Lord Mayor be requested to write to the NSW Premier and the Minister for Planning and Public Spaces about Council's concerns with the proposal for Blackwattle Bay outlined in (A) above.

The Minute, as varied by cosent, was carried on the following show of hands –

Ayes (9)      The Chair (the Lord Mayor), Councillors Chung, Kok, Miller, Phelps, Scott, Scully, Thalys and Vithoukias

Noes (1)      Councillor Forster.

Minute carried.

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