



Australia's property industry

## Creating for Generations

16 September 2019

Dr Sarah Hill  
Chief Executive Officer  
Greater Sydney Commission  
PO Box 257  
PARRAMATTA NSW 2124

Dear Dr Hill

### **Pymont Planning Review**

The Property Council of Australia welcomes the opportunity to provide feedback in respect of the Pymont Planning Review.

As Australia's peak representative of the property and construction industry, the Property Council's members include investors, owners, managers and developers of property across all asset classes, who employ 1.4 million Australians. The Property Council is not a lobbyist therefore does not advocate for specific projects. Hence, our interest in the Pymont area relates to the broader systemic issues and ensuring the vision outlined in the metropolitan and district plans is not stymied by other instruments or decisions which undermine their strategic intent.

Our focus is on the complex processes and statutory planning instruments which do not advance either the housing or economic needs of a global city like Sydney, extensive delays and mounting costs that lead to frustration as well as the uncertainty of outcome and lack of transparency the current system engenders. We welcome the planning review of this peninsula which contains the Sydney Fish Market and parts of the Bays Growth Centre, University of Technology Sydney (UTS), the Powerhouse museum site, the International Convention Centre (ICC) and other parts of Darling Harbour and the Star hotel and casino. The review should not put at risk the development of any significant site that is underway or well advanced in the planning system.

The Pymont peninsula, including Ultimo, is characterised by a rich diversity of land uses including low rise and medium density-housing, employment, tourism, media operations and educational facilities. A period of rapid development commencing with the redevelopment of Darling Harbour and many other former industrial sites has seen a mix of both good and bad planning outcomes realised. A patchwork of planning instruments such as *Sydney REP 26 – City West, Darling Harbour Authority Act 1984* and *Darling Harbour Plan No 1, SEPP 41 – Casino Entertainment Complex* and *Sydney REP (Sydney Harbour Catchment) 2005*. Many former industrial sites in Pymont and Ultimo were transformed into residential apartments during the 1990s under these planning controls.

Property Council of Australia  
ABN 13 00847 4422

Level 1, 11 Barrack Street  
Sydney NSW 2000

T. +61 2 9033 1900

E. [nsw@propertycouncil.com.au](mailto:nsw@propertycouncil.com.au)

[propertycouncil.com.au](http://propertycouncil.com.au)

[@propertycouncil](https://twitter.com/propertycouncil)

It is also relevant that between 2005 and 2011, Part 3A of the *Environmental Planning and Assessment Act 1979* (the Act) and the *SEPP (Major Development) 2005* applied to certain categories of residential, commercial and tourist development and on certain declared sites.

Today, much of the peninsula is subject to local council planning controls, *Sydney Local Environmental Plan 2012* and *Sydney DCP 2012*. The Bays Precinct and Darling Harbour are State Significant Development identified sites under *SEPP (State and Regional Development) 2011*. The provisions of *SEPP (Infrastructure) 2007* and *SEPP (Educational Establishments and Child Care Facilities) 2017* are also relevant considerations for certain land on the Pyrmont Peninsula.

Following the finalisation of the *Greater Sydney Regional Plan* and *Eastern Harbour city District Plan*, there is now a requirement under section 3.8 of the Act for councils to give effect to the relevant district strategic plan. That process recently commenced with the release of the City of Sydney's draft Local Strategic Plan (LSPS). Council has a statutory requirement to update its local environmental plan to implement the regional and district plans.

The outcome of this review must deliver less complexity and avoid adding a new layer of planning controls that would further compound the highly complex arrangement of plans and policies that provide what type and form of development can occur and whether development follows a council managed local development pathway or the State-significant development path.

The Property Council has considered the Terms of Reference for this review issued to the Greater Sydney Commission by the Minister for Planning and Public Spaces and the three questions provided on your online submission form. Our response to these is provided below:

**Question:** The Greater Sydney Regional Plan identifies the Western Harbour Precinct and Pyrmont Peninsula as an emerging innovation corridor – a gateway to global Sydney CBD. How appropriate and effective is the current planning framework in achieving this vision?

**Response:** The planning controls applying to this area must be updated as soon as possible to give effect to the provisions of the new strategic planning documents prepared by the Greater Sydney Commission. It is also important that the planning framework relevant to the review area is simplified to attract business investment into the innovation corridor, including the Pyrmont Peninsula. It would be desirable for all relevant controls to be consolidated into a single document instead of adding a new layer of planning controls that sits over the current planning rules.

**Question:** How appropriate and effective is the current planning framework for the Western Harbour Precinct and Pyrmont Peninsula in delivering quality places for people to live, work and visit?

**Response:** The process of responding to this review has confirmed that the current planning framework applying to the review area is too complex. There have been too many sites excised from the relevant local environmental plan for various reasons and this is compounded by numerous consent authorities for different development types. These arrangements fail to provide clear direction regarding the desired future of the Pyrmont peninsula.

The review area comprises a number of vastly different neighbourhood areas that have evolved over time. There are clusters of heritage terrace houses, multi storey apartment precincts such as Jacksons Landing, the entertainment precinct that extends from Darling Harbour towards the Maritime Museum and The Star's entertainment precinct and the significant TAFE and university precinct of southern Ultimo. The future planning controls for this precinct need to respect and enhance the existing character and future potential of each precinct.

**Question:** Is there anything else you would like to highlight, including any relevant planning documents applicable to the Western Harbour and Pyrmont Peninsula?

**Response:** It is important that this process is collaborative and brings together the key stakeholders including the City of Sydney, Department of Planning, Industry and Environment, Infrastructure NSW, Transport for NSW, the University of Technology, TAFE and other landowners.

A good planning outcome for this review should be to avoid major conflicts between major stakeholders such as the State Government and the City of Sydney so that the full social and economic benefits of this area of Sydney can be realised. It is vital that a collaborative partnership with all stakeholders is adopted. Unless the stakeholders can work together to implement the relevant provisions of the *Eastern Harbour City District Plan* as soon as possible, the planning outcomes delivered in the review area will fail to achieve the expectations of the community and other stakeholders.

Should you have any questions, please do not hesitate to contact Troy Loveday, Senior Policy Advisor on (02) 9033-1907.

Yours sincerely



**Jane Fitzgerald**  
**NSW Executive Director**  
**Property Council of Australia**