

**Objection to MP 09_0044 Proposal - Park Hyatt Hotel 7 Hickson Rd, The Rocks
Internal refurbishment, external alterations, amendment to
Sydney Cove Redevelopment Authority Scheme (SCRA)**



Jacob Janssen "Sydney Cove 1842" – Collection: Tasmanian Museum and Art Gallery (Being Aspect from Dawes Point Park & Precinct)

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Aspect in 1970's to Iconic Dawes Point Park Across Approximate Position of Park Hyatt Hotel
Location Source City Of Sydney Photo Archives



Aspect 1930's From Iconic Dawes Point Park Across Approximate Position of Park Hyatt Hotel
Location Source City Of Sydney Photo Archives

My name is Mary Sutton. As a Sydney resident, I am a frequent user of Dawes Point Park, enjoy visiting The Rocks area and take pleasure in everything these unique environments have to offer. My address is apartment 905, 63 Crown St, Woolloomooloo, Sydney, 2011.

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I object to the proposal in application number MP 09_0044 lodged by the Park Hyatt Hotel and I reserve the right to make further submissions in support of this objection as information arrives.

I object to the Park Hyatt Hotel proposal, MP 09_0044, to the extent to which it relies upon previous approvals in 2005 and 2009, as the proposed envelope is not generally consistent with these previous approvals.

I object to the proposal, MP 09_0044, lodged by the Park Hyatt Hotel, as the proposed envelope is not generally consistent with the Development Consent number 87/DA/14.

My objections to the proposal, MP 09_0044, lodged by the Park Hyatt Hotel, include:

1. The breaching of the existing envelope controls;
2. Unacceptable visual intrusion in a “special area of outstanding aesthetic, cultural, historic and architectural value”, e.g. State Heritage Register Listing Numbers 01543 and 01682;
3. The undesirable precedent in respect of the building’s
 - a) height and bulk,
 - b) obstruction of views and vistas from public spaces to the waterway,
 - c) obstruction of views of landmarks and features,
 - d) failure to preserve views of special natural features, landmarks, or historic items;
4. The detrimental impact on views both to and from the Harbour;
5. The severe impact of the building envelopes and landscape plans on
 - a) Dawes Point Park, Dawes Point Battery and site and
 - b) the Dawes Point Precinctheritage significance, curtilage and setting.
6. The heritage conservation requirements in The Rocks and The Rocks overlapping curtilage should prevail. As the Park Hyatt Hotel proposal has an adverse heritage impact, the proposal, which requires amendment to the SACA envelope controls of Development Consent number 87/DA/14DA, should be rejected.

Sydney Harbour Foreshore Authority (SHFA) published “*The Rocks Heritage Management Plan*” in April 2010. The SHFA Plan describes The Rocks as:

“a major symbol of Australian history. The history of The Rocks, in its spectacular Harbour setting, is reflected in a rich array of landscape features, built elements, stories and memories. As a waterfront historic precinct in the heart of Sydney, The Rocks continues to be one of the most visited places in Australia.”

Further the SHFA Plan states:

“The principal item on display in The Rocks is the place itself. Its lanes, modest and grand structures, its variety of building material and fabrics, and its vistas, both inwards and outwards, mark it out as a special place of life and contemplation.”

“Growing outward from its original perch on rocky slopes, The Rocks now encompasses the western shore of Sydney Cove and Dawes Point.”

“Setting (overlapping curtilage) – These elements contribute to the significance of The Rocks and extend beyond its recognised boundaries-Figure 2.8.”

“Any changes considered to these overlapping elements beyond the heritage curtilage of The Rocks would effect the significance of The Rocks and the effect of these changes would need to be considered in relation to the significance of The Rocks. Conversely, any change to these elements inside The Rocks would have effect beyond The Rocks that require consideration (figure 2.8).” See p4 overleaf.

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“Figure 2.8 **Setting (overlapping curtilage)** – These elements contribute to the significance of The Rocks and extend beyond its recognised boundaries.”

Source: Sydney Harbour Foreshore Authority “*The Rocks Heritage Management Plan*” of April 2010.

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7. The Park Hyatt Hotel has failed to establish grounds for their departure from the terms of Development Consent number 87/DA/14 and accordingly, their proposal in MP 09_0044, should be refused.

It is well established that The Rocks, Dawes Point Park (including the Dawes Point Battery and site) and the Millers and Dawes Point precincts' collectively, is a special area. Crucially, the area also contains rare and important views to and from the Harbour, Pinchgut, Government House and gardens, the Opera House, Harbour Bridge, heritage town, maritime and street scapes and Colonial era terrace houses.

Any impact on these long standing and unique characteristics is severe and should not be permitted. The challenge is for the Park Hyatt Hotel to establish a compelling case as to why the Hotel should be permitted to adversely impact these characteristics. MP 09_0044 fails to establish such a case. The Park Hyatt Hotel has been granted guardianship of an iconic location for safekeeping – please see photos page 2. Constructed pursuant to Development Consent number 87/DA/14, the original Park Hyatt Hotel development acknowledged and respected its unique setting and there is no proper basis for this proposal.

I object to the proposal MP 09_0044, lodged by the Park Hyatt Hotel, for the following reasons:

1. **The proposal failed to consider the severe impacts to the unique setting and curtilage.**

- 1.1 **Cultural Landscape**

Millers Point and Dawes Point Village Precinct remains a living cultural landscape greatly valued by both local residents and the people of New South Wales. Key features of Dawes Point include the skyline presence of the Harbour Bridge and broader views across the inner harbour to Pinchgut and beyond.

The precinct is of state significance for its ability to demonstrate, in its physical forms, the development of colonial and post-colonial settlement in Sydney and New South Wales.

The Millers Point and Dawes Point context is strengthened by the contribution of the local community, which is firmly committed to the preservation of the suburb's unique character and sponsored the heritage listing nomination to ensure the protection of Millers Point. The area is held in deep affection by the residents, many of whom have family connections that can be traced through preceding generations of the Millers Point and Dawes Point population, and/or have links to maritime industries.

The historic, social and physical fabric of Millers Point and Dawes Point precinct cannot therefore be considered as separate components, but rather must be seen as interwoven traits making up the precinct, resulting in an unusually high and rare degree of social significance being ascribed to the area.

- 1.2 **Historical**

Millers Point and Dawes Point Village Precinct is of state significance as a rare, if not the only, example of a maritime harbourside precinct that contains evidence of over 200 years of European settlement and activity that spans all historical phases in Australia. While there are other historical maritime precincts in Australia that might show a comparable mix of historical and contemporary values, none are as old or so intimately associated with the spectrum of historical, social, aesthetic, technological and research values that have shaped Australian society.

As recorded in State Heritage Register listing number 01682 Millers Point and Dawes Point Village Precinct has evolved in response to both the physical characteristics of its peninsular location, and to the broader historical patterns and processes that have shaped the development of NSW since the 1780s, including the:

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- a) British settlement of the continent;
- b) cross-cultural relations; convictism;
- c) defence of Sydney;
- d) spread of maritime industries such as fishing and boat building;
- e) transporting and storing goods for export and import;
- f) immigration and emigration;
- g) astronomical and scientific achievements;
- h) small scale manufacturing;
- i) wind and gas generated energy production;
- j) growth of controlled and market economies;
- k) contested waterfront work practises;
- l) growth of trade unionism;
- m) development of the state's oldest local government authority the City of Sydney;
- n) development of public health, town planning and heritage conservation as roles for colonial and state government;
- o) provision of religious and spiritual guidance;
- p) as inspiration for creative and artistic endeavour; and
- q) evolution and regeneration of locally-distinctive and self-sustaining communities.

1.3 Architectural

The location of Millers Point and Dawes Point, with the relationship to the waterfront, was ideally suited for shipping purposes, and merchants tapped in to its potential by erecting private jetties, wharves and storage for goods.

The villages of Millers Point and Dawes Point became a definitive precinct in the early 1830s, as maritime and other related enterprises began to radiate outwards from Sydney Cove, bringing with it residential and commercial facilities. Access to Millers Point and Dawes Point was gained through a set of rough-cut steps leading through from the Rocks.

Those who chose to live in the area comprised both the successful wharf-owners and employees, labourers and artisans.

Millers Point and Dawes Point Villages Precincts have a range of architectural styles that are both intact and excellent examples of type, many of which are rare surviving colonial housing and hotels' amenities.

It demonstrates characteristic dramatic harbourside topography that has been modified for human purposes, boasting extensive views, and is regarded as a complete and cohesive area due to contributory materials, form and scale, with clear definition brought about through the location of the Sydney Harbour Bridge and Bradfield Highway.

Much (but not all) of the *colonial-era and later Regency-era development* was removed in the mass resumptions and demolitions following the bubonic plague outbreak of 1900.

What remains of the Colonial and Regency era is substantially represented in:

- a) some of the remaining merchants villas and terraces in Lower Fort Street, notably;
 - (1) the remnant of William Walker's 1828 villa, Milton House (located within the Victorian era Milton Terraces numbers 1 to 19),
 - (2) numbers 21 to 23 built by John Nicholson Harbour Master in 1832,
 - (3) numbers 25 to 33 built by George Morris in 1833,
 - (4) numbers 35 built by Jeffreys (Customs Controller) in 1834,
 - (5) number 37 built by Edwards and Hunter (Jardine Matheson) in 1834,
 - (6) numbers 39 to 41 designed by John Verge for Frederick Peterson in 1834,
 - (7) number 43 "*Clydebank*" built for Robert Campbell Junior in 1844; and
- b) their long standing heritage panoramas and vistas of both Harbours, the Government Domain, Lighthouse and Pinchgut.

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1.4 Aesthetic

Aesthetically, Dawes Point contributes to the magnificent landscaped setting for the internationally recognized icons of Australia - Sydney Harbour Bridge, the Opera House and Sydney Cove.

The sheer size of the Harbour Bridge and its massive construction components are awe-inspiring when viewed from Dawes Point. The whole Bridge composition remains remarkably unaltered since its completion in 1932.

The Bridge and Harbour as viewed from Dawes Point continue to be the inspiration for works of art.

Millers Point and Dawes Point Village Precinct is of state significance for its:

- a) landmark qualities as a terraced sandstone peninsula providing an eastern backdrop to the inner harbour (see oil painting on page 1 of this document) and supporting the fortress-like southern approaches to the Sydney Harbour Bridge;
- b) aesthetic distinctiveness as a walking-scale, low-rise, village-like harbourside, district vistas and glimpses of the harbour along its streets and over rooftops; and
- c) sounds of boats, ships and the smells of the sea and harbour waters.

The Precinct has long been a source of creative inspiration, being imaginatively depicted by painters such as:

- a) Joseph Fowles, James Taylor, Frederick Gosling, Eugene Delessert, Rebecca Hall, Samuel Elyard and John Rae in the mid-19th century; and
- b) Lionel Lindsay, Sydney Long and Harold Greenhill in early to mid-20th century;

by photographers such as:

- a) Johann Degotardi and Bernard Holtermann in the 1870s,
- b) John Harvey and Melvin Vaniman in the early 20th century, and
- c) Harold Cazneaux and Sam Hood in the 1930s;

as well as being cartographically rendered by colonial map makers such as:

- a) Dawes (1788),
- b) Lesueur (1802), Meehan (1807) and
- c) Harper (1823) and

later engravers working for Gibbs Shallard (1878) and Illustrated Sydney News (1888).

1.5 Public Open and Green Oasis in an Increasingly Urban Space

Dawes Point has a long history of accommodating leisure usage, by the local residents and the wider community. The recreational use of the Point, formally recognized in 1878, is representative of Sydney's strong association with its Harbour, beyond its transport and industrial uses. It was a popular place for recreation from the earliest days of British settlement. Over the intervening years more of the site was dedicated for public use until the current Park was proclaimed in 1933.

As public open space Dawes Point is strongly linked to the 21st century Rocks and Miller's Point communities as an oasis of green in an increasing urban society.

The open space is representative of the pressure placed on Sydney Council from the late nineteenth century to provide 'promenade' access to the Harbour and this continues to be a dominant theme in the planning of inner Sydney to this day.

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1.6 Dawes Point Heritage Precinct-Park, Battery Site, Lower Fort St-& Southern Lift Tower Indicated By Arrows

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1.6 Dawes Point Heritage Precinct

In terms of significance, Dawes Point, as part of Sydney Cove and the setting of the international icons of Sydney Harbour, Pinchgut, Government House, Kirribilli, the Harbour Bridge and the Opera House *is revered by the majority of Australians*. A photographic representation of the Dawes Point Precinct is shown above at page 8.

The Park Hyatt Hotel proposal fails to record both the importance of the preservation and protection of this important Australian historic asset and the severe impact of their proposal on this historic social and cultural asset.

Dawes Point juts out into the Harbour providing spectacular vistas both up and down the harbour. Dawes Point is a prominent landmark in Sydney Harbour, terminating the western arm of Sydney Cove. The Point forms part of Sydney's historic Rocks precinct.

Dawes Point has a rich documented history beginning with the one of the earliest recorded cultural exchanges between the Eora Aboriginals and the First Fleet. Subsequently Dawes point remained in government ownership both as a place of strategic administration, defence and transport and as a place contributing to the magnificent landscape of our harbour city. Established as Crown land from a very early date, the site was a military compound between 1791-1900.

Public access was allowed from 1878. The whole area was vested as a public domain following the opening of the bridge in 1932. Since its completion in the 1940's, Dawes Point Park has contributed strongly to the experience of Inner Sydney Harbour and it has been a site of celebration for occasions such as the Bicentennial, the Olympics, Australia Day and New Years Eve.

The Dawes Point Conservation Management Plan (CMP) as summarised in the State Heritage Register listing number 01543, details conservation policy and management recommendations, including to maintain:

- a) The current open plan landscape of Dawes Point as a setting for the monumental character of the Sydney Harbour Bridge;
- b) And enhance the existing pedestrian network to and through Dawes Point reflecting its long term use as a place of promenading beside the Harbour;
- c) And enhance significant views and vista to and from and within Dawes Point; and
- d) And do not obscure the existing overall form of the Park.

1.7 Semi Permanent Bridge Repairs Area

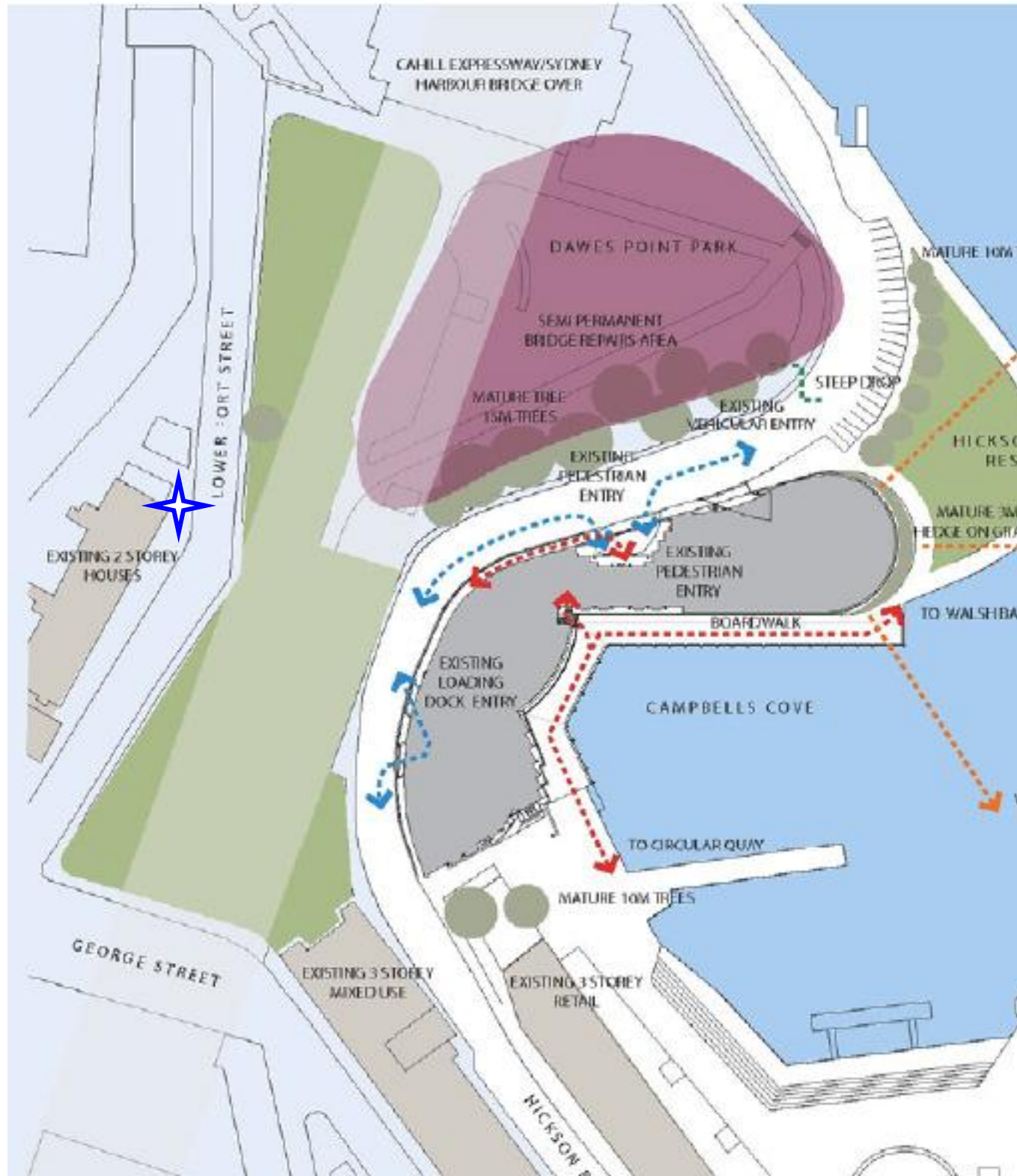
As portrayed in the photographic evidence at page 8 above, the physical fabric of the Dawes Point Precinct includes the southern Sydney Harbour Bridge Piers and Southern Abutment Tower, the Dawes Point Park and Hickson Road Reserve including the landscaping and plantings. Further, in the State Heritage Register listing number 01543, Dawes Point Battery and remains and site are listed as:

“being of State historical and scientific cultural values. The site and building are also of State heritage significance for their contribution to The Rocks area which is of State significance in its own right” and as having characteristics consisting of *“a large grassed area of relatively undeveloped land north of The Rocks below the Harbour Bridge.”*

This is in stark contrast to the representation of Dawes Point Park in MP09_0044 at Figure 4 “site plan analysis” reproduced overleaf, as consisting largely of **“Semi Permanent Bridge Repairs Area”**, with misleading implication that any adverse impact on the Park is unimportant. It also fails to recognise that the current work on the Bridge and the shutting off of parts of the Park is temporary, (to address the safety concerns regarding the removal of lead paint) not “semi-permanent”.

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Figure 4 – Site Analysis Plan



From MP 09_0044 proposal – Park Hyatt Hotel 7 Hickson Rd, The Rocks

1.7 Note Misleading Reference to “Semi Permanent Bridge Repairs Area” in Dawes Point Park to Suggest a Lesser Impact Arising From the Proposal, Contrasted to the Actual Severe Impact on Heritage Panoramas

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2. The consultation process did not allow fair opportunity to adequately gauge, or properly consider the severe impact of the proposal on private houses, Lower Fort Street and Dawes Point Park and Precinct; particularly as the *site balloons* were limited in number, unclear as to correct positioning, some deflated or fell, all were only in position a few days - please refer Dawes Point Park panorama below with site balloons - and not all view lines were recorded.

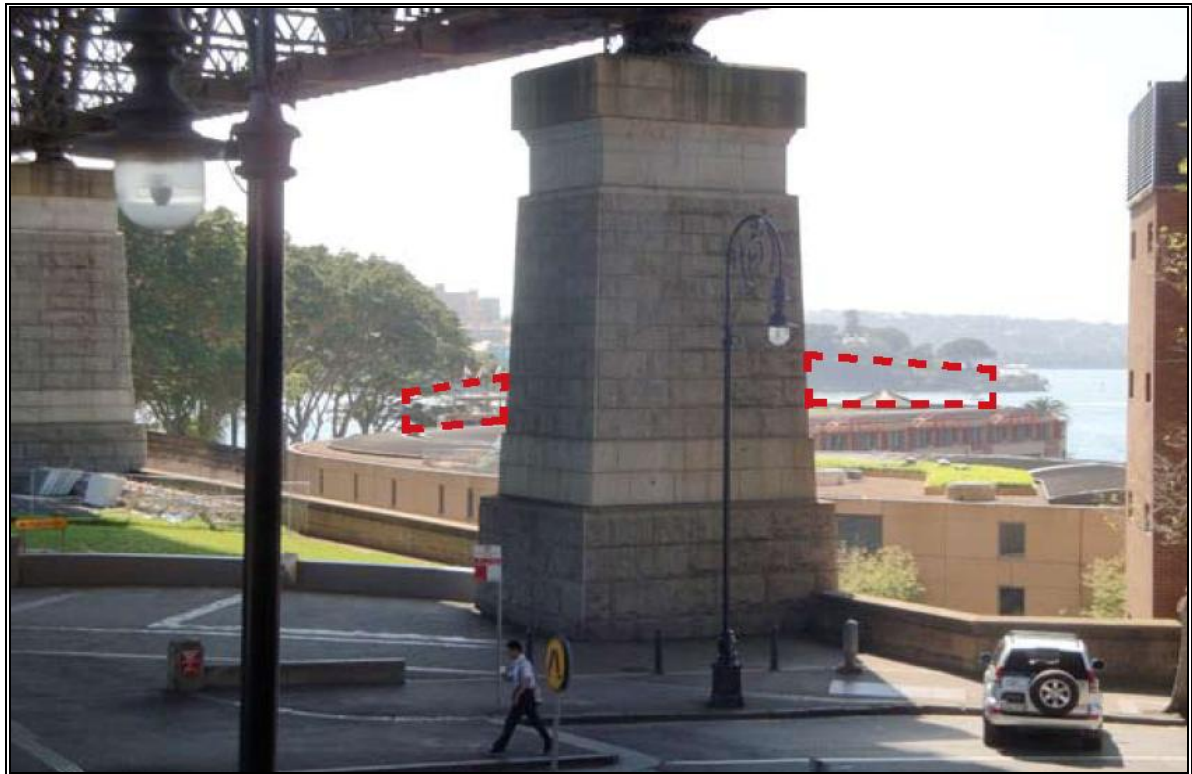


3. Additionally, the proposal did not fairly represent the severe impact on private houses, public town and streetscapes, Dawes Point Park and precinct, heritage and Harbour views and vistas, nor provide adequate information to reflect the increase to the scale and bulk of building and additions, nor provide adequate and timely information to allow for fully considered opinions to be formed. Please refer the following three photos as illustrations.

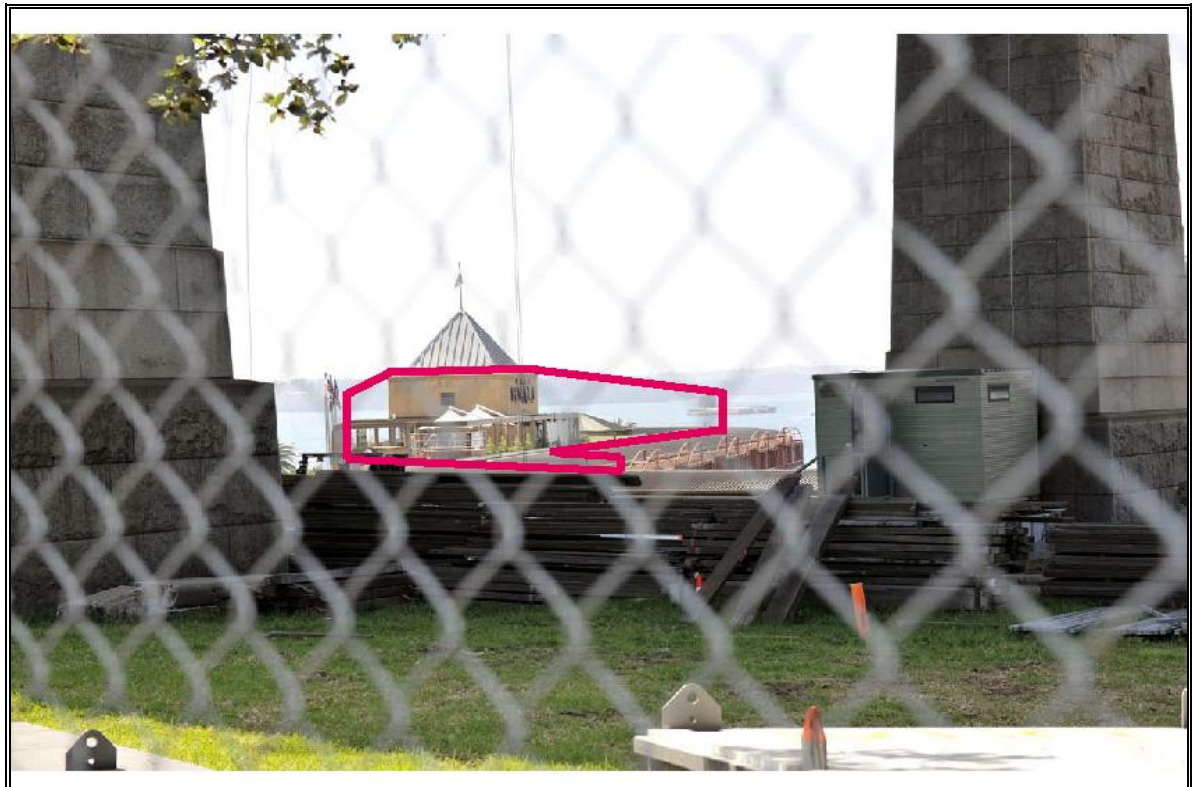


3.1 Aspect From Dawes Point & Battery Showing Almost Complete Masking of Historic and Much of Prized Garden Vistas

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3.2 Aspect From Stone Balustrade At The Side Of Cumberland Street -- Built Circa 1916 As A Promenade With Garden Below And As A Place From Which To View The Harbour. The Fabulous Filtered Panorama Of The Iconic Harbour That Is Currently Visible From This Position Will Be Reduced To Two Slot Views Of The Water That Will Be Meaningless And Not Able To Be Interpreted By Most Viewers.



3.3 Aspect From Dawes Point Park Directly In Line With Public Lane Next To 21 Lower Fort Street Showing Almost Complete Masking Of Iconic Historic Pinchgut and Much of Prized Iconic Harbour Vistas.

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4. The information presented in the Proposal did not allow for a full and proper assessment of the impact of development and further information has been requested – please refer below. No reply has yet been received. When this information is received, I reserve the right to make further submissions to, and in support of, this objection.

**Clover
Moore**
MEMBER FOR SYDNEY

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13 October 2010

The Hon. Tony Kelly MLC
Minister for Planning
Level 34 Governor Macquarie Tower
1 Farrer Place
SYDNEY NSW 2000

Dear Minister

**Park Hyatt Hotel – Extension of Consultation
DA 122-05-05, DA 122-05-05MOD 1, MP09_0044**

I write on behalf of my constituent Mary Sutton and residents of Millers Point and The Rocks who are concerned about the time allowed for comment on the above development.

Residents tell me that they have a number of concerns about the current development application and the history of development approval for the Park Hyatt Hotel at 7 Hickson Road, The Rocks. I wrote to you on 16 July about these concerns, but have not received a response.

Mary tells me that residents requested information on Development Consents for this site from the Department of Planning on 20 July, but did not receive any information until 10 October. Residents tell me that while the Department has provided 330 pages of documents, not all information requested has been provided contrary to open Government principles.

I understand that the consultation period closes on the 15 October and residents are concerned that this does not provide them with enough time to review the extensive information, obtain outstanding documents from the Department and make a submission.

Residents seek an extension for submissions to allow six weeks for community comment on potential impacts.

Could you please consider residents request to extend the consultation period and inform me what action you will take?

Yours sincerely


Clover Moore
Member for Sydney

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5. Dawes Point Precinct is prized for its unique heritage significance, curtilage and setting. Any Proposal should conserve and reinforce the heritage significance of this special area, including maintaining the existing views and vistas into and out of the Precinct to and from the water. The Park Hyatt Hotel has failed to develop appropriate envelopes in accordance with limitations on height in the original Government competition of 1986 and does not generally comply with the relevant planning instruments which govern characteristics of the surrounding and overlapping settings and curtilage, such as the City of Sydney LEP 2005 and similar, SCRA.

Dawes Point's curtilage, setting and vistas have long been admirably recorded (as evidenced on the cover and second page of this objection) and remain visually prominent (as shown overleaf). The design and siting of Park Hyatt Hotel, on this rare and important site, is the result of a 1986 Government competition, on the bases of architectural design and a monetary bid for land tenure.

Ken Woolley, of AMW, was the principal architect for the Park Hyatt Hotel and author of a statement detailing background and design philosophy. According to Ken Woolley's statement,

*"The guidelines did not impose a limitation to floor space **but included height limits** with provision for necessary exceptions such as lift towers and other vertical features. A **development envelope was subsequently adopted to loosely fit our selected design**. The irregular shape and proportions of the site imposed complex challenges to the hotel that not only addressed the expectations of the SCRA but a design that was financially feasible, on such a visually prominent site. The most significant feature of our proposal was the form, particularly the plan. Its serpentine shape took a cue from the general sweep of Campbell's Cove and the wall behind it, in which we redefined the original land parcels. The necessary lift and equipment towers above the roof were to be resolved as architectural features (please refer photograph overleaf). This required acceptance of their size and location as integrated elements within the built form of a first class hotel. Due to the linear, elongated floor plan and limited height the location of the two lift towers were essential to the functional viability of the proposal."*

"In selecting the original design and approving its subsequent formal development in 1987, it is demonstrated that the Authority has deemed that the guidelines have been met, endorsing adaptation of the building envelope generated by the location and size of the towers, the roof form and its pergolas, beams and roof lobby."

"The hotel's design, now 18 years old, is highly regarded and is very successful commercially. As a visitor facility it is of the highest standard. It received an RAA Civic Design Award."

"Personally, my considered view is that an extra storey on the east end of the hotel is an enhancement of the architecture because it provides a point of emphasis, an expressive architectural gesture."

*"The absence of such a feature at this point of the building, **which for the visitor provides the most dramatic presentation of the Opera House and Sydney Harbour, is the result of the inhibition on height imposed in the original competition.**"*

Submissions (presumably in 2005) surrounding the public interest and the Park Hyatt Hotel's request for improved visitor benefits noted:

*"the proposed extension seeks to accommodate a presidential suite and accompanying suites on the upper level. The concept is to create a private and secure area to serve dignitaries, the entertainment business and **other VIP's**.....as there are certain cultural and high end markets (eg middle eastern, royalty, etc) that require multiple and privately accessed suites."*

The Park Hyatt Hotel acknowledges its visually prominent location and that it enjoys benefits from notable achievements in architectural design, visitor facilities, and commercial success; all within a 1987 development envelope adopted to fit their design. These are all compelling bases for the Proposal's rejection. This current monetary bid for commercial gain by attracting dignitaries and VIP's, is a poor bargain for loss of amenity by local residents and Sydney's public.

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