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Mr Matthew Rosel,
NSW Planning & Environment,
GPO Box 39,
SYDNEY NSW 2001

Dear Mr Rosel,

Response to Submissions – Cockle Bay Wharf (SSD 7684)

We responded to the initial Concept Proposal on 1 February, 2017 and then again to the Amended Concept Proposal on 4 December, 2017. Despite some further tweaking, we continue to have concerns about this redevelopment:

Precedent – Although the CBD, already the location of many high-rise buildings may provide a context for an office tower and podium on its Western edge, we continue to have grave concerns that approval of a building of the scale proposed in this latest amended Concept Plan will be used to justify a building of similar scale at the Western edge of the Pyrmont Bridge (Harbourside redevelopment) and the proposed residential/hotel tower at The Star). Pyrmont/Ultimo is currently the area of greatest urban density in Australia with a large residential population. It is **NOT** the CBD and was redeveloped in line with various Master Plans which established a predominantly residential precinct. We deplore the “rules free” environment at Darling Harbour which has allowed massive redevelopment, walling in Pyrmont/Ultimo from its harbour setting and removing from residents and workers access to light and views. *The Department of Planning & Environment should acknowledge the likelihood that proponents of the Harbourside redevelopment and of the residential/hotel tower at The Star have, and may continue to cite as a precedent the height/bulk of other buildings in the “rules free” vicinity of Darling Harbour to justify the imposition of out of context towers and bulk on the Pyrmont community. The assessors must disregard any such claims in future development assessments.*

Scale of Project – Whilst a further reduction in height of 12m has been proposed, it appears that the overall scale of the tower and podium has not been markedly reduced as the Southern façade of the tower has been extended 15m further south, even taking into account the movement of the northern tower façade 8m further away from the Pyrmont Bridge. It is proposed that the tower will accommodate approximately 42 commercial storeys, far more than the 35 storeys we proposed in our recommendations (4 December, 2017), although it is unclear whether this includes the storeys associated with the podium. We are advised that the proposed building envelope in the Concept Plan allows flexibility for the stage 2 design excellence process, and the Response (Appendix C, p51) indicates that the final design will be subject to controls and that only 65% of the tower volumetric utilization will prevail, providing certainty that the whole envelope will not be filled. Our recent experience with other large developments or those approved under the former “rules free” Site of State Significance provisions, leads



us to believe that there can never be certainty that developers will not submit MODs two or three years after a project has been approved and conditions applied. We recommend: *that the building envelope be further reduced both in height and bulk and that controls such as those outlined on p51 Appendix C be mandated in such a way that no later Modification of Development can be submitted by the developer to alter the approved controls.*

Building Placement – Whilst the Tower has been moved a further 8m away from the Pyrmont Bridge, the podium has been moved only 2m further from the water, and the proposal endorses the alienation of the harbour by the provision of an over-the-water boardwalk to provide space for pedestrian movement. We recommend: *the setback of the podium should be no less than 24m to ensure that there is no prospect of encroachment over the harbour.*

Overshadowing – The only assessment of overshadowing is associated with a future Town Hall Square. The Response (p26, Introduction/Summary) only refers briefly to shadowing of the Cockle Bay Boardwalk (which we oppose) but not of the harbour which, if Harbourside redevelopment proceeds, is likely to be in shadow for much of the day, with shadowing from the proposed Cockle Bay buildings in the morning, and from Harbourside in the afternoon. *A reduction in scale and further setbacks should be required to mitigate against overshadowing of the harbour.*

Community Benefit – The Response (p31, Introduction/Summary) lists a number of public benefits associated with the proposed redevelopment, and these are welcomed. However, we note that as no adopted contributions plan applies to the site, little consideration has been given to our earlier submissions in which we proposed that a levy should be imposed to ensure that appropriate social infrastructure is incorporated into the development. We, again, urge the provision of a public indoor sporting facility to compensate for the removal of popular sporting facilities from Darling Harbour some years ago. There is also a need for childcare facilities and, possibly, a community Centre to encourage and support social cohesion within the CBD and Haymarket. There should be early and genuine community consultation in this regard with the residential, worker and visitor population who live, work and play in the vicinity of Darling Harbour (including the Pyrmont/Ultimo and Haymarket communities). *Developer contributions should be levied to provide social infrastructure to meet both current and future inner city community needs through a genuine consultation process.*

Access – The Response does not address our request for improved access from Pyrmont/Ultimo via the Fig/Harris Street walkway which currently terminates at Darling Harbour West. As previously stated this walkway provided direct access to the CBD but was truncated when an additional bus lane was built on the Western Distributor. Repeated requests for the reinstatement of this well-used link have been refused by RMS, but *we again urge the developer to work with RMS to ensure that this direct link be reinstated as part of this redevelopment.*

Traffic and Transport – We note that detailed traffic studies will be undertaken at a later date and this may explain why issues raised by us in both our previous submissions have



not been addressed in the Response. The detailed studies should examine traffic impacts, not just in the immediate vicinity of the development, but look at the cumulative impacts of future developments associated with WestConnex, Packer's Casino development, Harbourside, The Star hotel/residential development and the Bays Precinct. As stated in our submission of 4 December, there could be impacts even as far away as Harris Street, Pyrmont which has been identified as the second most congested road in Australia. We note that our recommendation for improved public transport options to serve not only the proposed development, but also Pyrmont/Ultimo have not been addressed in the Response. The site is not well located to existing and future public transport services in the area. *We recommend that detailed traffic studies be undertaken taking into account new and proposed developments in the Darling Harbour area; that new and improved public transport services be implemented to serve Darling Harbour/Pyrmont Ultimo as part of an integrated plan for P/U and the CBD, involving meaningful consultation with community and business representatives.*

In summary, the Cockle Bay Wharf redevelopment should implement the following recommendations.

The Department of Planning & Environment should acknowledge the likelihood that proponents of the Harbourside redevelopment and of the residential/hotel tower at The Star have, and may continue to cite as a precedent the height/bulk of other buildings in the "rules free" vicinity of Darling Harbour to justify the imposition of out of context towers and bulk on the Pyrmont community. The assessors must disregard any such claims in future development assessments.

that the building envelope be further reduced both in height and bulk and that controls such as those outlined on p51 Appendix C be mandated in such a way that no later Modification of Development can be submitted by the developer to alter the approved controls.

the setback of the podium should be no less than 24m to ensure that there is no prospect of encroachment over the harbour.

A reduction in scale and further setbacks should be required to mitigate against overshadowing of the harbour.

Developer contributions should be levied to provide social infrastructure to meet both current and future inner city community needs through a genuine consultation process.

We again urge the developer to work with RMS to ensure that this direct link be reinstated as part of this redevelopment.

Detailed traffic studies be undertaken taking into account new and proposed developments in the Darling Harbour area; that new and improved public transport services be implemented to serve Darling Harbour/Pyrmont Ultimo as



part of an integrated plan for P/U and the CBD, involving meaningful consultation with community and business representatives.

This submission should be read in conjunction with our earlier submissions dated 1 February, 2017 and 4 December, 2017.

Please keep us advised of the progress of this Concept Proposal assessment.

Yours sincerely,

Elizabeth Elenius, Convenor

