

Dear Sirs

COCKLE BAY WHARF REDEVELOPMENT (CONCEPT PROPOSAL) SSD 7684

I object strongly to the proposal for there redevelopment of the site including:

- development area of 24,900 m²
- demolition of existing site improvements
- building envelope providing a podium and tower form with a maximum height of 183 m
- built form and public domain guidelines to guide future development within the building envelope and the public domain
- a maximum gross floor area of 75,000 m² for commercial and 14,000 m² for retail development
- minimum of 6,000 m² and maximum of 15,000 m² open space
- amendments to Wheat Road and a maximum 150 car parking spaces.

My overall grounds for objection are that the scale, massing and nature of the development have an unacceptable impact both on the visual setting of the Pyrmont Bridge but, more importantly, the original planning intent of Darling Harbour. The Proposal fails to comply with the NSW State Government's own best practice guidance in relation to heritage, to urban development and to design, and to SEARS requirements. Whilst SSD need not comply with the State Government's own guidelines, it is appropriate that the State Government should demonstrate best practice through abiding by guidelines that it expects others to follow.

The reasons for my objection are:

1. The impact of the scale, massing and location of the development on the character and amenity of Darling Harbour
2. The precedent set by the development for the rest of Darling Harbour - the development will set a new benchmark for other developments in the area
3. The lack of evidence for the demand for this volume of additional office space and the lack of assurances that the final development will provide office space and not residential space
4. The provision of amenity space for office workers rather than new green space for Darling Harbour
5. The failure to address potential cumulative impacts of development as required in the SEARS
6. Further canalisation of Darling Harbour and increased pressure for floating facilities that encroach on open water
7. Inadequate response to Community Consultation
8. Inadequate heritage impact assessment which omits relevant historical information and relevant heritage impacts and does not adequately address Heritage Council guidance
9. The impact on the vision for Sydney as a global city - which requires the city to maintain a distinctive identity. In the case of Sydney, the relationship with the harbour is critical to this identity. By locating tall buildings and dense urban development along the very edges of the most visited part of the harbour there is a real risk that this special relationship will be lost.

Further detail is provided below:

1. The impact of the scale, massing and location of the development on the character and amenity of Darling Harbour

Historically the east side of Darling Harbour provided a transition from the city to the wharfs and harbourside. The Heritage impact statement includes an image of the skyline of the city - with the QVB tower and St Andrews towers dominating at the top of the hill leading down to the wharves of the harbour and Pyrmont Bridge.

By increasing the podium and creating a tall tower hard on the edge of Darling Harbour, any remaining semblance of a slope down to the harbour is lost. The tower and enlarged podium become a hard, tall wall that drops abruptly.

The 20th century concept of Darling Harbour has been as a place for public enjoyment and tourism. A tall office tower, with a small amount of green space located at its base does not complement that in any way.

Finally the key impact is that by locating the green space away from Darling Harbour, and creating a sheer wall rising up from the harbour side (not ameliorated by the podium) the development in effect turns its back on Darling Harbour.

The proposal should be rejected because it fails to comply with the original vision for Darling Harbour.

2. The precedents set by the development including the height of the tower, the scale of the podium and the proximity to the water

The EIS explicitly states that:

The distinctive character of Darling Harbour, with its public open space, relationship to the water has been so eroded by new developments that these now form the standard by which further new developments are measured

The impact of the proposal on the scenic qualities of the Harbour and its foreshores must be seen in the balanced context of the site's CBD location, and the recent and planned development in Darling Harbour and Barangaroo which is having a transformative impact on the locality.

The tower is consistent in height with the urban topography of the CBD and that of a growing number of towers within the western fringe of the CBD.

The proposed tower element ... aligns with an emerging new character and condition on the Harbour's edge and the broader Pyrmont and Haymarket locale.

The fundamental premise seems to be that there are a large number of new developments that have or will transform the character of the area including

- very tall buildings
- tall buildings very close to the harbours edge
- the reduction of public amenity space
- the lack of facilities for residents
- reducing the amount of open water

In the absence of height restrictions and FSR ratios for Darling Harbour, or a coherent masterplan, this is in effect development by precedent.

The clear implication of the EIS is that in agreeing to this proposal, the State Government will be establishing a precedent for further towers of this height.

The height of the tower is very much greater than that of other neighbouring already tall buildings. Reducing the height by 12m does not mitigate this. This will set a new norm for the height of towers around Darling Harbour.

The tower breaks forward from the existing building line to create a new precedent for high development close to the waters edge. Increasing the set back by 6m does not ameliorate this.

The height of the podium, crowded close to the water's edge, also sets a precedent for similar proposals elsewhere in Darling Harbour. Accepting this envelope and proximity to the waters edge and Pyrmont bridge will set a precedent for other podia in the vicinity.

The development should be rejected on the grounds that a site which is so critical global city such as Sydney requires a proper masterplan and planning framework. Continuing to develop Darling Harbour on a 'precedent' basis both rejects the normal rules of planning and risks creating unintended consequences.

3. The lack of justification for a commercial office tower at all in this area, let alone one of this size and scale, and the long term impact of this on services, public realm, neighbourhood amenity

I apologise if I have overlooked the information, but I am not clear about the justification for additional office space of this size and scale in the light of the predicted need for office space in Sydney and the recent conversion of many office towers to residential use. I also note that the proposals for the Mirvac development opposite were originally presented as a commercial tower but rapidly changed to a residential tower.

An office tower will provide few benefits for local residents, and will not contribute to the character or current uses of Darling Harbour.

The provision of office space also does not appear to conform with the vision for Darling Harbour.

The amenity space appears to be geared towards users of the tower rather than the wider public realm.

The development should be rejected on the grounds of a lack of clear justification for this amount of office accommodation.

4. Inadequate 'public open space'

The new 'public open space' is one of the key frequently cited benefits of the proposal and was much cited as a benefit in the Community Consultation. The community consultation found that the primary aim for many consultees was better open space.

The proposal notes that there will be 'up to' 1200 m² (between 6000 and 15000m² in the title of the proposal) located not in Darling Harbour, but at a higher level above the freeway, adjacent to a small underused space that currently provides some amenity for office workers in the nearby

Darling Park towers. The space will not add to Darling Harbour, is not integrated with or easily accessible from Darling Harbour.

It is difficult to see how it will be accessed and part of the Harbour precinct - instead it appears to be amenity space for office workers. There is a real risk that it will simply extend the already underused office amenity space that already exists.

The development should be rejected on the grounds that the opportunities and benefits of the new 'public space' at the base of the commercial tower have been overstated.

5. Cumulative Impact

The SEARS explicitly asks that the EIS address the cumulative impact of the proposals.

The EIS did not assess the cumulative impact of the proposal in any meaningful way - instead seeking to justify it on the basis that it inflects more of the same (more tall buildings close to the edge of the water).

The EIS did not look at the original vision for Darling Harbour, the current uses, the scale of recent developments, the cumulative impact of those developments on areas such as wind, overshadowing, light, local amenities, open space.

The proposal should be rejected as it does not adequately assess the SEARS requirement for a proper assessment of the cumulative impacts of recent developments on Darling Harbour and the additional impact of this current one.

6. Canalisation of Darling Harbour

A specific cumulative impact is the increasingly rapid canalisation of Darling Harbour.

A comparison between the 1822 map of Sydney and the present configuration of Darling Harbour demonstrates that there has been extensive encroachment on, and in effect 'canalisation' of the water body. The maps provided in the heritage impact assessment further show this, including the building of a stone dyke and reclamation of land.

There continues to be a gradual encroachment on Darling Harbour, as the pedestrian precinct is reduced, the walkway, pontoons and other features that extend over the harbour.

The proposed development involves high density development very close to the waters' edge, with no new green space at ground level.

The extension of the board walk over what is currently open water further narrows the harbour.

The lack of additional new space at ground level in Darling Harbour combined with further retail and office development will only increase pressure to further make use of pontoons and other floating facilities.

The proposal should be rejected on the grounds that the extension of the boardwalk over the harbour, and the lack of additional space at ground level will increase pressure for further pontoons and other floating facilities, further encroaching on the already heavily restricted Darling Harbour.

7. Inadequate response to Community Consultation

The Community Consultation noted that local residents felt that the area offered few amenities. 'A place to relax' or 'a place to take visiting friends' is not an adequate description of local amenities. There has been a major expansion of residential development in this area with many more residents than hitherto. The office tower and retail podium, and green space for office workers provide few benefits for local residents.

The proposal should be rejected on the grounds that it does not adequately respond to many of the issues in the Community Consultation including providing amenities for the increasing number of local residents in the Darling Harbour area and providing more green space.

8. Inadequate Heritage Impact assessment

The developer has submitted an inadequate heritage assessment.

The grounds for this are:

- The historical overview does not address the the original concept for Darling Harbour, its vision and purposes, or how it has evolved, nor did it address current visions for the precinct. The original planning consideration and framework was as a precinct for people with open space and highly accessible and varied leisure activities. By omitting the 20th century history of the precinct it makes it impossible to assess the overall significance within its broader setting. As many of the concerns relating to the proposal centre on the impact on the precinct, this is a major omission.
- The original assessment does not adequately address the impact on Pyrmont Bridge - one of the most significant aspects of the proposal in any meaningful way. The amended note equally leaves a number of questions unanswered.
- The assessment does not address the cumulative impact of the proposal (as noted in the SEARS). Whilst it notes the survival of the bridge and historic buildings, it does not list the items that have been lost already in this area. The historical assessment for a nearby site listed 4 items in the area and 17 nearby that had been demolished, as a result of which Darling Harbour struggles to present what little remains of its maritime character and distinctiveness.
- The assessment does not address the cumulative impact of developments in Darling Harbour on historic features in the area. For example, the listed Goldsbrough building has now been completely isolated from Darling Harbour and is no longer visible from the water (see Figs 6 & 7).
- The area has clear archaeological potential. Whilst there are proposals for an investigation, there appear to be no arrangements whereby the proposal might be modified to protect, interpret or enhance any remains that might be identified.
- In relation to the impact on Pyrmont Bridge, the assessment fails to explicitly address the guidelines set out in:

Heritage Council Guideline on Heritage Curtilages, 1996 (Heritage Office, Dept. of Urban Affairs & Planning)

Heritage Council Guideline, Design in Context – guidelines for infill development in the Historic Environment, Heritage Office/RAIA, 2005 (particularly case studies 9 and 10 – Urban contexts).

The outline concept should not be approved unless there an adequate heritage impact assessment that explicitly addresses the Heritage Council Guidelines, deals with cumulative impacts, and contains a fully detailed analysis of the impact of the bulk of the tower, the podium on the setting of Pyrmont Bridge, and further details of the impact of the pedestrian access.

9. The impact on the vision for Sydney as a global city

The vision for Sydney as a global city requires the city to maintain a distinctive identity. In the case of Sydney, the relationship with the harbour is critical to this identity. By locating tall buildings and dense urban development along the very edges of the most visited part of the harbour there is a real risk that this special relationship will be lost. Many of the statements used in the Outline Concept are not defined or clear. Much of the impact is justified in terms of the potential for design quality but there is little reference to the commonly used approaches to design quality (scale, massing, character).

Its height and form create a focal point in the eastern entrance to the precinct, and it has been designed to become a landmark tower within the broader Sydney CBD context.

There is no definition of what a landmark tower might be (apart from much taller than other ones).

It will define and activate the eastern foreshore edge of Darling Harbour and deliver a building of scale and form in keeping with the principle of transforming the western fringe of the CBD.

There is no definition of 'activate' or 'reinvigorate' - how will the development activate the waterfront in a way that is not done so already?

It will provide a clear point of reference in the Darling Harbour precinct for pedestrians, identifying an eastern gateway for the re-designed and re-invigorated waterfront precinct.

The idea of a 'gateway' is also not defined apart from it being a very large building.

The outline concept should be rejected as in relation to the scale of new development it fails to demonstrate any meaningful contribution to Sydney as a global city other than a high building.

Yours sincerely

C. Clark MA, FSA, FRGS, MIFA, CIFA.

The cumulative impact of existing and proposed developments on Darling Harbour has not been adequately addressed



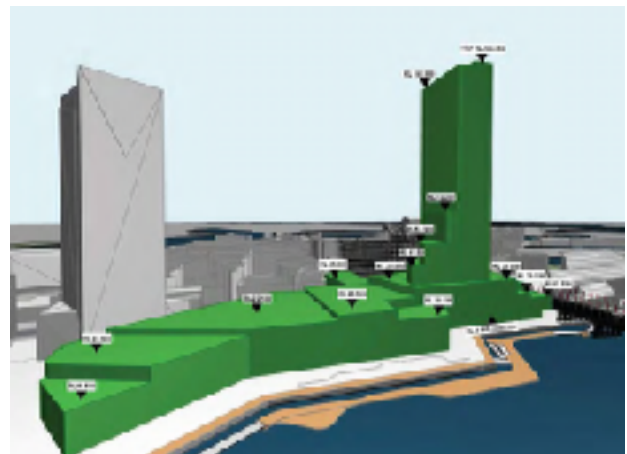
Figure 33 Existing view (Southern Shore of Cockle Bay)

Source: Virtual Ideas



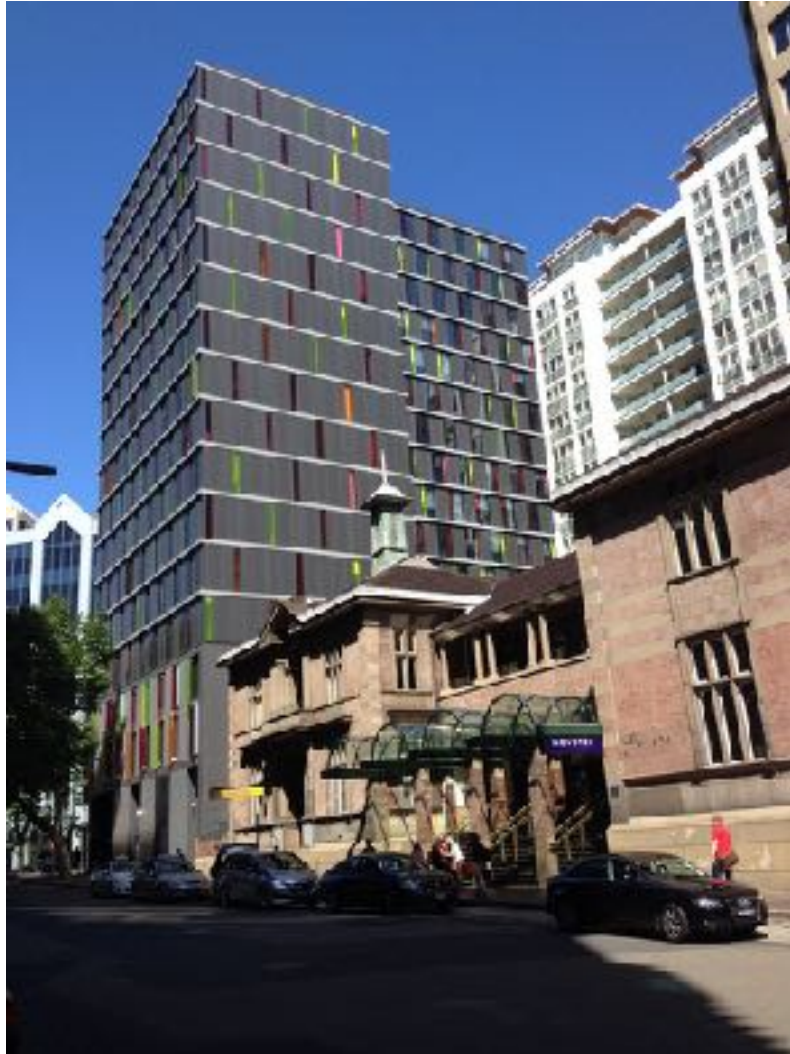
Figure 34 Concept Envelope and building mass currently envisaged (Southern Shore of Cockle Bay)

Source: Virtual Ideas





There has been cumulative development very close to the waters edge in Darling Harbour



Whilst new developments may not always impinge on the historic fabric of buildings, their scale and use of materials can diminish the older building, making it look small, grubby and out of place.