

OBJECTION TO
DEVELOPMENT AT 241-249 WHEAT RD, COCKLE BAY

PRESENTED TO

The Independent Planning Commission Panel comprising

Chair, Peter Duncan AM and IPC Panel Members
Alice Clark and Dr Peter Williams.

BY

Neil Ingham LFPIA, R.S., MIS (retired), Post Graduate Dip TCP, Syd.

I. INTRODUCTION

This is an objection to the development proposed at 241-249 Wheat Rd, Cockle Bay. It is made on behalf of the residents of One Darling Harbour, Pyrmont, who directly face the site across Cockle Bay. It is also made on my own behalf as a town planner with over 40 years experience in city planning, as an ex member of the Central Sydney Planning Committee and as a person interested in the form and future of the City of Sydney.

The objection is based upon four grounds that conclude that development should not proceed in the form proposed. These four grounds, which will be discussed in more detail later in this objection, are as follows.

Objection 1. The proposed tower is much too close to Pyrmont Bridge (a significant heritage item), is inconsistent with the low horizontal form of the bridge and with other long held principles relating to Cockle Bay.

Objection 2. The proposed development has ignored and not bothered to mention or discuss the “exceptional heritage significance” of Sydney Harbour and its foreshores as set out in the SREP (Sydney Harbour Catchment) 2005.

Objection 3. The proposed tower building is much too high and is unreasonably close to Cockle Bay.

Objection 4. The proposal is totally inconsistent with the view of the Sydney Harbour Foreshore Authority (as it existed in 2016).

II. DISCUSSION OF THE OBJECTIONS TO THE PROPOSAL

The proposed development does include some positive elements. There is no objection to the use of the site for retail or commercial use. There is no objection to the reconnection of Pyrmont Bridge with Market St or to the use of part of the site as open space. The objection is to the scale and form of the proposed uses.

- II. 1 Objection 1. The proposed tower is much too close to Pyrmont Bridge (a significant heritage item), is inconsistent with the low horizontal form of the bridge and with other long held principles relating to Cockle Bay.

The application suggests that the horizontal form of Pyrmont Bridge will be enhanced by a contrasting building with a height of 195 metres. This is an opinion which is not mirrored by any previous studies or findings. Indeed, previous studies have all required buildings of substantial height to be set back from the waters of Cockle Bay and ensure protection of the heritage significance of Pyrmont Bridge.

From an urban design perspective Pyrmont Bridge is a heritage item which has suffered much abuse throughout its history. The cutting of the direct link of the Bridge with Market St and the construction of the monorail to mention two.

However, the fact that the heritage significance of the Bridge has been abused in the past is no reason to create another abuse.

The proposed tower building will dominate Pyrmont Bridge and diminish the heritage significance of the Bridge. The argument that the provision of a large public open space area between the tower and the bridge is not a justification for a tower building. The open space could still be provided with a low scale building.

The E.I.S. argues that the verticality of the tower will complement the horizontality of the Bridge. But it will stand as a very fat goal post, which must damage the significance of the Bridge. It will be seen as a very large vertical element compared with the more graceful receding horizontal form of the Bridge.

If a tower is to be built at all, it needs to be set back to at least as far as the western edge of the Western Distributor. Because it is located in the context of Darling Park it needs to be a smaller tower than is now proposed and located further from Cockle Bay.

The Sydney Harbour Foreshore Authority has, throughout its history, ensured the protection and preservation of the valley floor between the Pyrmont ridge and the City ridge along Hyde Park, by requiring a low rise building to be close to the waters of Darling Harbour and Cockle Bay, before the development of a high rise building takes place.

The proposed tower building totally destroys the principle by being located very close to Cockle Bay, without any separate low rise building being located on the western side of the tower. It is now only 6 metres from the Cockle Bay foreshore and the tower is only 11.2 metres from the foreshore. Approval of this tower would create a precedent for numerous other high rise redevelopment schemes adjacent to the waters of Darling Harbour.

The heritage significance of Pyrmont Bridge and the significance of the valley form would be destroyed by the proposal.

Attached as Appendix I are images included in the E.I.S. illustrating the impact of the proposed tower on the context of Pyrmont Bridge. How it can be said that the tower will complement the heritage of the Bridge is difficult to understand. The reduction in height proposed in the revised DA does not, to any degree, overcome the height problem.

Attached as Appendix II are images included in the E.I.S. illustrating the relationship between the tower building and Pyrmont Bridge, together with the relationship with the existing Darling Park buildings and the proximity to the exceptional heritage qualities of Darling Harbour. The images illustrate the uncharacteristic height and bulk of the proposal to Cockle Bay.

Unfortunately, I do not have any images directly from the south to illustrate the destruction of the valley floor between Pyrmont ridge and the City ridge.

- II. 2 Objection 2. The proposed development has ignored and not bothered to mention or discuss the “exceptional heritage significance” of Sydney Harbour and its foreshores as set out in the SREP (Sydney Harbour Catchment) 2005.

The SREP (Sydney Harbour Catchment) 2005 includes the site within the area covered by the SREP. The SREP has as its first aim the following.

“(1) This plan has the following aims with respect to the Sydney Harbour Catchment:

(a) to ensure that the catchment, foreshores, waterways and islands of Sydney Harbour area recognized, protected, enhanced and maintained:

vii. as an outstanding natural asset, and

viii. as a public asset of national and heritage significance, for existing and future generations.”

The SREP identifies the whole Sydney Harbour Catchment, including its foreshores and waterways, as “a public asset of national and heritage significance.” Nowhere in the Heritage Impact Statement is there any discussion of the waterway and foreshore of Darling Harbour being of “national and heritage significance.” It is submitted that, as stated by the SREP, the location of the foreshore of Cockle Bay is such a location and that the tower building proposed would significantly impact on the “national and heritage significance” of Cockle Bay because of its height and its proximity to the waters of Darling Harbour. It would introduce a jarring element into the locality which would destroy the principles which have applied at Darling Harbour for at least 28 years. Nowhere within the revised DA is it acknowledged that Cockle Bay, adjoining the proposed development, is a heritage item.

The SREP goes on to reinforce the inclusion of Darling Harbour (Cockle Bay) as a heritage item. Under the heading of Heritage Conservation it states the following.

“The planning principles for heritage conservation are as follows:

(a) Sydney Harbour and its islands and foreshores should be recognized and protected as places of exceptional heritage significance.”

If the foreshore of Sydney Harbour is mandated to be protected as a place of ‘exceptional heritage significance,’ it is difficult to understand why it has not been mentioned or discussed in the Heritage report and why there is no mention of its ‘exceptional heritage significance’ in the E.I.S.

It is to be noted that the boundary of the SREP (Sydney Harbour Catchment) 2005 extends well beyond the Cockle Bay location to embrace a land area including part of the site. Cockle Bay is shown as being within a WI Maritime Waters Zone.

In 2006 a Darling Harbour Building Heights study by Tony Caro included a diagram which showed building heights increasing as buildings moved away from the Harbour. While the

Study did not discuss the heritage of Pyrmont Bridge, it did indicate that where the proposed tower is now located, that a height limit of 0 to 5 metres (adjacent to Cockle Bay) and 5 to 30 metres (to the Western Distributor) should apply.

It is stated on page 9 of the revised E.I.S. that a Design Committee was established to consider the public and agency submissions which had been received during the first public exhibition. The Design Committee included the architects (FJMT) as well as Tony Caro of Tony Caro Architecture, who in 2006 in a Darling Harbour Building Heights study (as previously stated) had indicated that where the proposed tower is now located the height limit should be 5 metres (adjacent to Cocked Bay) and 5 to 30 metres (to The Western Distributor). The E.I.S. does not indicate whether there was any dissenting voice on the Design Committee as it appears the Committee consisted, predominantly, of people working for the applicant, ensuring its lack of independence.

There are no grounds upon which ignoring these standards is justified in the E.I.S.

In a Darling Harbour South Masterplan of 2010, prepared by JPW, states that the overall height of built form steps up as it rises away from the valley floor towards the Ultimo Pyrmont Ridge and more significantly towards the city ridges of George Street and Hyde Park.

The proposed tower building ignores this design principle.

In 2014 a study titled "The Western Harbour Precinct Design Guidelines" by Woods Bagot referred to building height adjacent to the waters of Darling Harbour. It said that low lying buildings were to front the water and to embrace the public realm and provide an important human scale to the waterfront.

The proposed tower building ignores the stepping principle established by the three studies mentioned.

The proposed tower building ignores the fact that it will create significant shadow on the public promenade along the eastern side of Cockle Bay. This is contrary to established development principles on both sides of Cockle Bay. This issue will be discussed later in this objection.

II. 3 Objection 3. The proposed tower building is much too high and is unreasonably close to Cockle Bay.

Design principles have been applied to Darling Harbour and to Cockle Bay for at least 28 years. There has been a long-standing principle that any building close to waters of Darling Harbour (and Cockle Bay) should be low rise with any taller buildings set back behind the low-rise buildings. This principle has been applied along the whole of the foreshores of Darling Harbour and Cockle Bay. I am not aware of any exception to this principle, apart from the casino building in Barangaroo where the building is set back significantly from the Harbour.

Yet here an application is lodged which ignores the well-established principle.

As previously stated, a study in 2006 (Darling Harbour Building Heights study), followed by a Darling Harbour South Masterplan in 2010, followed by “Western Harbour Precinct Design Guidelines” in 2014 and followed by a Darling Harbour Urban Form Strategy in 2016 all promoted the concept of low rise buildings set back from the water of Cockle Bay.

The 2010 study stated that the overall height of built form was to step up as it rises away from the valley floor towards the Ultimo Pyrmont Ridge and more significantly towards the city ridges of George St and Hyde Park. Historically, all of the recent studies embrace the principle of buildings stepping up as their distance increases from the waterfront. The proposed development ignores them all.

The proposed tower building turning its back on this principle may be graphically seen from the photomontages forming Appendix I and II.

As previously stated, approval of this application would destroy the long held principle and encourage other high rise buildings next to the waters of Darling Harbour.

Appendix I and II clearly illustrate the inappropriateness of the proposed tower building in the context of Pyrmont Bridge and of the central Sydney location.

- II. 4 Objection 4. The proposal is totally inconsistent with the view of the Sydney Harbour Foreshore Authority (as it existed in 2016).

In 2016 the Sydney Harbour Foreshore Authority (prior to it being extinguished) produced a document titled “Darling Harbour Urban Form Strategy”. This document set out “Urban Form Principles” for Darling Harbour and specifically for any redevelopment of Cockle Bay Wharf. The principles established are set out below. They are not discussed in the development application.

COCKLE BAY WHARF GUIDELINES

“The Cockle Bay Wharf is a food, beverage and entertainment complex on the eastern side of Cockle Bay.

Landowner guidelines:

- Maintain a balance between built form of foreshore buildings on the eastern and western side of Cockle Bay. (Not satisfied)
- Ensure no net reduction in the amount of sunlight to the public promenade and waters of Cockle Bay. (Not satisfied)
- Set back buildings and outdoor eating areas at least 20 metres from Cockle Bay to provide adequate public access and gathering opportunities. (Not satisfied)
- Present an attractive and active frontage to the public foreshore promenade to enhance the visitor experience. (Not satisfied)
- Respect the heritage significance of the Pyrmont Bridge, including its visual setting and approaches. (Not satisfied)
- Design buildings which are restrained and unpretentious and subordinate to the landmark ICC Sydney buildings on the south western side of the Bay. (Not satisfied)

It seems that in considering the context, scale and form of buildings on the site, the applicant has ignored all of the historical principles and development standards for the site. They Sydney Harbour Foreshore Authority set out clearly its principles for any further redevelopment at Cockle Bay Wharf.

The principle that there be no net reduction in the amount of sunlight to the public promenade and waters of Cockle Bay is ignored by the applicant. The tower building creates very substantial additional overshadowing of both the public promenade and the waters of Cockle Bay.

Outdoor eating areas and buildings are to be set back at least 20 metres from Cockle Bay, a standard which is ignored by the proposed building. The proposed tower building is set back only 6 metres from the waters of Cockle Bay.

Indeed, it is my opinion that none of the design principles of the Sydney Harbour Foreshore Authority in 2016 are satisfied by the proposal.

III. CONCLUSION

The preceding analysis indicates why the proposed development should be opposed.

1. It introduces a tower building which is far too high for this location.
2. It introduces a tower building which is inappropriate in its relationship with Prymont Bridge.
3. It introduces a tower building which is unreasonably close to the waters of Cockle Bay and would destroy the long held principle of protecting the valley form and stepping buildings in height as they recede from Cockle Bay.
4. The proposed development has ignored the SREP (Sydney Harbour Catchment) 2005, which provides that the foreshores of Sydney Harbour (including Cockle Bay) constitute an area of "exceptional heritage significance."
5. The proposed development application has not discussed the views of the Sydney Harbour Foreshore Authority (as it was in 2016) which set forward "Urban Form Principles" for Darling Harbour and Cockle Bay in particular. This document set out guidelines for the development of sites adjoining Cockle Bay, which, in my submission have been totally ignored by the applicant.
6. This submission concludes that the application should be refused.

Neil Ingham

Life Fellow PIA, Post Grad.Dip(Syd), Registered Surveyor NSW (retired).

APPENDIX I

**PHOTOMONTAGES FROM THE EIS ILLUSTRATING
THE DOMINANCE OF THE TOWER BUILDING
OVER THE BRIDGE**

7A - Pyrmont Bridge (West) - Building envelope



50mm - Original Image



50mm

NOTE: THESE IMAGES ARE FOR INFORMATION ONLY.
They have been prepared for view analysts purposes only.

Significant Development Applications are shown for
information and broader contextual and illustrative purposes
only



24mm - Original Image



24mm



50mm - Original Image



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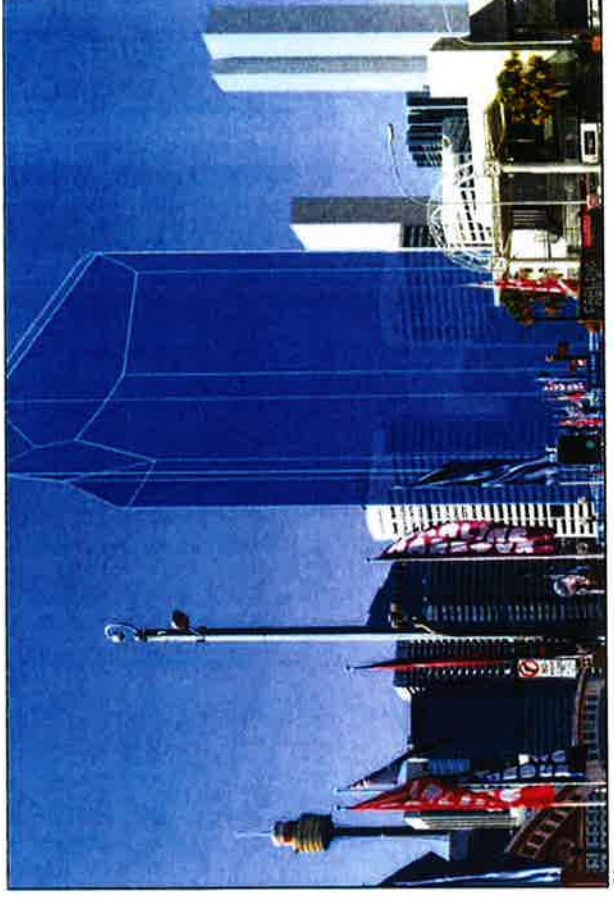
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APPENDIX II

**PHOTOMONTAGES FROM THE EIS ILLUSTRATING
THE RELATIONSHIP OF THE TOWER BUILDING
WITH PYRMONT BRIDGE,
THE WATERS OF DARLING HARBOUR AND THE
EXISTING DARLING PARK BUILDINGS**

7A - Pyrmont Bridge (West) - Building envelope

virtualideas



50mm - Original Image



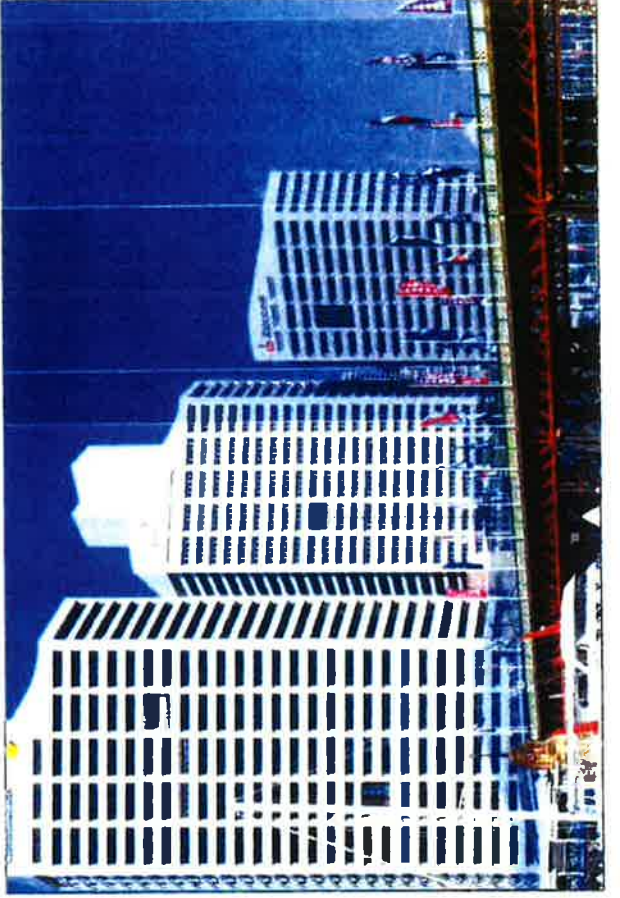
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8 - Darling Harbour Pier 26 - Building envelope

virtualideas



48mm - Original Image



48mm



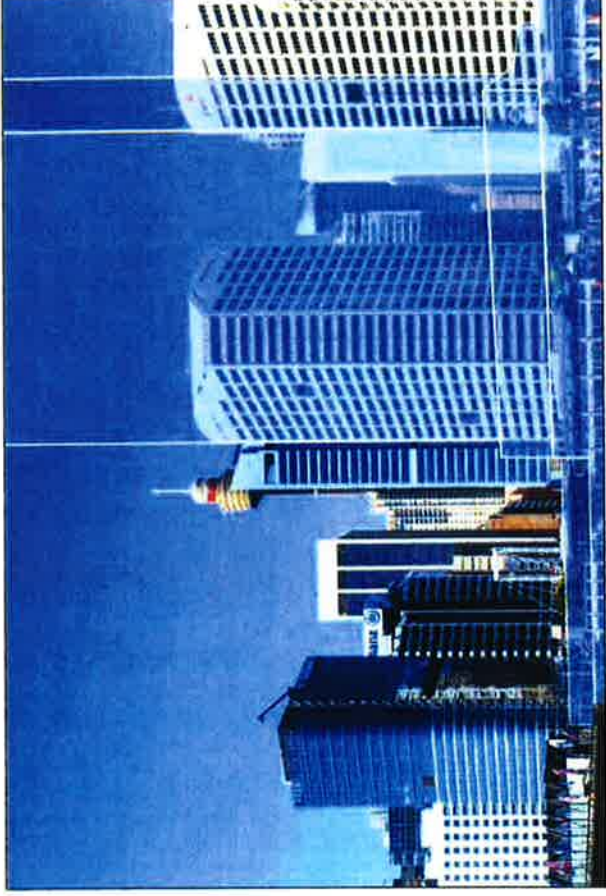
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