



\$649-million Cockle Bay redevelopment approved as Commission allays overshadowing concerns

13 May 2019

A multi-million-dollar redevelopment of Sydney's Cockle Bay Wharf has been given the go-ahead after the state's Independent Planning Commission found any additional overshadowing of the proposed Town Hall Square would not happen during 'peak-use' times.

DPT Operator Pty Ltd and DPPT Operators Pty Ltd (the Applicant) have sought concept approval for the \$649-million revitalisation project, which includes new shops, bars and restaurants, along with a commercial office tower up to a maximum height of 183m.

The Department of Planning & Environment sent the State Significant Development application to the Commission for determination after receiving objections from City of Sydney Council and the public.

Three Commissioners, Mr Peter Duncan AM, Professor Alice Clark and Dr Peter Williams, were appointed to make the final decision. They met with the Applicant, Department and Council, and held a public meeting to listen to the community's views on the proposed redevelopment.

The Commissioners also inspected the site and surrounding areas.

The City of Sydney Council stated the application was inconsistent with the draft Central Sydney Planning Strategy. The Council signalled the importance of its proposed Town Hall Square and expressed concern about the potential for overshadowing and wind impacts from the proposed redevelopment.

Residents expressed concern about visual amenity and overshadowing impacts, particularly on the nearby Astoria Tower and Millennium Tower, as well as private view loss.

After examining all the evidence and weighing the community's views, the Commission has today (Monday 13 May 2019) approved, subject to conditions, the concept plan and stage one works – citing the benefits the redevelopment will provide to the public through the creation of additional open space and improved connectivity between Darling Harbour and the CBD.

In making its determination, the Commission acknowledged Council's concerns regarding potential overshadowing impacts of the proposed Town Hall Square development. However, it noted the draft Central Sydney Planning Strategy, which seeks to introduce solar access protection in the afternoon by restricting any further overshadowing of the future square until sunset, had not been exhibited and, as such, did not carry any statutory planning weight.

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The Commission noted the application is consistent with existing planning controls which seek only to protect solar access to similar public spaces before 4pm.

“The Applicant has reduced the building height and reconfigured the building envelope to reduce any overshadowing impacts on the proposed Town Hall Square,” it stated. “A result of these amendments has been the reduction of overshadowing days and on days where an impact is anticipated, this would be limited to a maximum of 30 minutes on two days of the year, between 4-4.30pm. The Commission accepts ... this would be outside of the time that the space will experience peak utilisation, such as lunch time hours.”

Two existing pedestrian bridges over the Western Distributor will be demolished as part of the redevelopment, making way for a deck and large publicly-accessible open space over the motorway. A third footbridge connecting the CBD with Cockle Bay (at Druiitt Street) will be upgraded. The Commission concluded the provision of open space on the site represents a public benefit.

“It will make a valuable contribution to the area through creating active and passive open spaces, landscaping, enhancement of the Darling Harbour foreshore... and will “overcome the existing physical barrier of the Western Distributor and improve connectivity between Darling Harbour and the CBD,” the Commission stated.

The Commission added that the bulk and scale of the redevelopment is acceptable – and noted that the Applicant’s design excellence strategy, incorporating a competitive design process, was appropriate and would ensure “future development on the site achieves design excellence”.

In its *Statement of Reasons for Decision*, the Commission found the application:

- would be consistent with the principles of *the Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005*,
- would be consistent with the applicable Region and District Plans,
- would have reasonable and acceptable impacts on view loss and overshadowing on the Astoria Tower,
- would have reasonable and acceptable impacts on view loss and overshadowing on the Millennium Tower,
- would ensure no additional overshadowing of the proposed Town Hall Square within the time of peak utilisation and complies with Council’s existing overshadowing controls,
- would have marginal wind impacts on the area, which can be mitigated after further future assessment,
- would create social and economic benefits,
- would create a public benefit by providing additional open space and improving connectivity between Darling Harbour and the CBD,
- would not have any adverse heritage impacts,
- is consistent with the objects of the *Environmental Planning and Assessment Act 1979*, and
- is in the public interest.

The Commission’s Statement of Reasons for Decision can be read in full here:

<https://www.ipcn.nsw.gov.au/projects/2019/01/cockle-bay-wharf-redevelopment-concept-proposal>

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