



10051
17 October 2013

Mr Sam Haddad
Director-General
Department of Planning and Infrastructure
23-33 Bridge Street
SYDNEY NSW 2000

Attention: Cameron Sargent

Dear Mr Haddad

**PREFERRED PROJECT REPORT
CONCEPT PLAN MODIFICATION 6 (MP06_162), BARANGAROO SOUTH**

1.0 INTRODUCTION

Modification 6 to the Barangaroo Concept Plan (MP 06_162) (herein after referred to as Concept Plan (Mod 6)) was submitted to the Minister for Planning and Infrastructure by Lend Lease (Millers Point) Pty Ltd (Lend Lease) in June 2013.

The Environmental Assessment Report (EAR) for Concept Plan (Mod 6) was publicly exhibited between 26 June 2013 and 26 July 2013 (the 'Exhibited Modification').

In response to the public exhibition, it is understood that the Department of Planning and Infrastructure (the Department) received four (4) submissions from the City of Sydney Council, Roads and Maritime Services (RMS), Environment Protection Authority and Sydney Water. No submissions were received from the general public.

Lend Lease and its specialist consultant team have reviewed and considered the submissions and, in accordance with clause 75H(6) of the *Environmental Planning and Assessment Act 1979*, this Preferred Project Report (PPR) sets out the Proponent's response to the issues raised and sets out its Preferred Project for approval.

This PPR should be read in conjunction with the EAR dated June 2013 prepared by JBA and forms part of that application.

2.0 PROPONENT'S RESPONSE TO ISSUES RAISED IN SUBMISSIONS

Attachment A identifies each of the matters raised by the Council and State agencies made in response to the Exhibited Modification and provides a detailed and considered response by Lend Lease to each of those matters.

The Department requested that the matters raised in the RMS submission be given thorough consideration and be supported by a Traffic Impact Assessment. A detailed response to the RMS' submission and a Traffic Impact Assessment is included at **Attachment B**.

3.0 PREFERRED PROJECT

Consistent with the modifications described as part of the Exhibited Modification, the Preferred Project seeks approval for:

- Realignment of the development block boundaries for Blocks 3, 4A and 4B.
- Revisions to the approved Urban Design Controls to reflect the realigned block boundaries.
- Amendment to Conditions A1 and B4(1) and (2) 'Built Form' to clarify the wording of the conditions relating to the quantum and distribution of community uses floorspace at Barangaroo.
- Amendment to Condition B4 'Built Form' to allow for architectural roof elements and building management units to be excluded from the maximum height limits.
- Amendment to Condition C4 'Car Parking' to replace the reference to 'City of Sydney Council rates' for 'other uses' with the specific rates used for other uses in Sydney Local Environmental Plan 2005, which applied at the time of Concept Approval.

In addition to the above, the Preferred Project seeks to modify Statement of Commitment 47 relating to bicycle parking rates in order to legitimise the bicycle parking rates that applied under the City of Sydney planning controls at the time of the Concept Plan (Mod 4) approval, and to change the previously proposed amended wording of Conditions A1, B4(1) in relation to the provision of community uses floorspace at Barangaroo, to clarify the proposal with respect to the minimum quantum of community uses to be provided across the whole of the Barangaroo site. The modifications to Conditions A1 and B4(1) will work together with the previously proposed modification to Condition B4(2) relating to the provision of community uses GFA within Barangaroo South, and are proposed in response to matters raised in submissions and by the Department. These further modifications are set out below.

Statement of Commitment 47

During exhibition of the Exhibited Modification, it came to light that the same issue identified with the car parking rates, as proposed to be modified in this Concept Plan, was also an issue with the bicycle parking rates.

Commitment 47 currently refers to providing bicycle parking and shower facilities in accordance with City of Sydney Council rates.

At the time the Concept Plan was determined, the relevant rates for bicycle parking that were referred to in Commitment 47 were located in Central Sydney DCP 1996. However, at the same time the TMAP prepared for the site set out to achieve a journey to work bicycle mode share split of 4%. To achieve this mode share target, and to also achieve the Green Star aspirations for the site, the approved buildings have adopted a bicycle parking rate higher than the TMAP mode share split at 5% of the building's commercial population, and 1 space per residential dwelling. This was in excess of the Central Sydney DCP rate referred to in Commitment 47.

In December 2012 the new Sydney DCP 2012 was adopted, repealing Central Sydney DCP 1996. The new DCP applies bicycle parking rates that are inconsistent with (and higher than) the TMAP adopted for the Barangaroo South Site.

Accordingly it is proposed to modify the Commitment to refer to the TMAP bicycle parking rates adopted for the site rather than to the DCP rates.

In the absence of a specific rate identified in the TMAP for 'other uses' it is proposed to adopt the former Central Sydney DCP 1996 rate of one car space for every 100 car spaces, which, based on AS2809.3 equates to 6 bicycle spaces. This is the rate that applied at the time the Concept Plan was approved.

The modified commitment is as follows (additions are shown in **bold** and deletions in ~~bold strikethrough~~):

47. *Off street bicycle parking and shower facilities to be provided within buildings in line with the following minimum rates: ~~City of Sydney Council's rates.~~*

- **Commercial: the number of bicycle spaces shall be 4% of the Commercial GFA / 20sqm; the minimum number of showers shall be 1 for every 10 bicycle spaces;**
- **Residential: 1 space per dwelling; and**
- **Other uses: 6 bicycle spaces for every 100 Other Uses car parking spaces**

Note: residential spaces can be provided within the dwelling's basement storage area.

Conditions A1 and B4(1)

Under the Exhibited Modification amendments were sought to clarify Conditions A1 and B4(1) to remove the word 'minimum' and replace with 'maximum' when discussing the provision of GFA for community uses. The amendments reflect the original intent of the maximum quantum of GFA for community uses to be provided within Barangaroo.

Following public exhibition and in consultation with the Department, amended wording to these two conditions is now sought to better reflect the original intention of the distribution of GFA for community uses. A minimum of 12,000m² of community uses GFA will be provided across the whole of the Barangaroo site, located where it best serves the needs of the community. As previously proposed, up to 10,000m² of community uses GFA may be provided within Barangaroo South, subject to future decisions regarding the nature of the community uses and thus the most suitable location within the site for their provision.

The proposed modified conditions are as follows (additions are shown in **bold** and deletions in ~~bold strikethrough~~):

Condition A1. Development Description

Concept approval is granted only to the carrying out of the development solely within the Concept Plan area as described in the documents titled "East Darling Harbour State Significant Site Proposal, Concept Plan & Environmental Assessment (Volume 1 & 2)" prepared by JBA Urban Planning Consultants & SHFA (dated October 2006) and amended by Barangaroo Part 3A Modification Report (Volume 1 & 2) prepared by MG Planning Pty Ltd & SHFA (dated June 2008) and amended by Barangaroo Part 3A Modification Report – Headland Park and Northern Cove prepared by MG Planning Pty Ltd on behalf of Sydney Harbour Foreshore Authority and dated January 2009 and amended by Barangaroo South Concept Plan Modification and Major Development SEPP Amendment Environmental Assessment Report prepared by JBA Urban Planning Consultants (dated August 2010) and amended by Barangaroo South Concept Plan Modification Environmental Assessment Report prepared by JBA (dated April 2013) including:

(1) A mixed use development involving a maximum of 563,965sqm gross floor area (GFA), comprised of:

- (a) a maximum of 128,763sqm and a minimum of 84,595sqm residential GFA;*
- (b) a maximum of 50,000sqm GFA for tourist uses;*
- (c) a maximum of 39,000sqm GFA for retail uses;*
- (d) a maximum of 4,500sqm GFA for active uses in the Public Recreation zone (3,000sqm of which will be in Barangaroo South); and*

- (d) a minimum of 12,000sqm GFA for community uses ~~(10,000sqm of which will be in Barangaroo South).~~*
- (2) Approximately 11 hectares of new public open space/public domain, with a range of formal and informal open spaces serving separate recreational functions and including an approximate 2.2km public foreshore promenade.*
- (3) Built form design principles, maximum building heights and GFA for each development block within the mixed use zone.*
- (4) Public domain landscape concept, including parks, streets and pedestrian connections.*
- (5) Alteration of the existing seawalls and creation of a partial new shoreline to the harbour.*

Condition B4 Built Form

- (1) Approval is given to a mixed use development involving a maximum of 563,965sqm gross floor area (GFA), comprised of:*
 - (a) a maximum of 128,763sqm and a minimum of 84,595sqm residential GFA;*
 - (b) a maximum of 50,000sqm GFA for tourist uses;*
 - (c) a maximum of 39,000sqm GFA for retail uses;*
 - (d) a maximum of 4,500sqm GFA for active uses in the Public Recreation zone (3,000sqm of which will be in Barangaroo South); and*
 - (d) a minimum of 12,000sqm GFA for community uses ~~(10,000sqm of which will be in Barangaroo South).~~*

Proposed modified Condition B4(2) remains as previously identified in the Exhibition Modification.

4.0 ENVIRONMENTAL ASSESSMENT

As detailed in Section 3 above, the Preferred Project relates to providing specific bicycle parking rates and provides an alternative amendment to Conditions A1 and B4(1). The Preferred Project does not change the findings, recommendations and conclusions of the environmental assessment undertaken in the Exhibited Modification.

The amended wording sought within this Preferred Project has been developed in consultation with the Department. As proposed, there is no reduction in the overall minimum GFA for community uses that is to be provided across the whole of the Barangaroo site. That is, a minimum of 12,000m² community uses GFA is required to be delivered.

Whilst up to 10,000m² community uses GFA may be provided at Barangaroo South (refer to proposed modified condition B4(2), Conditions A1, B4(1) and B4(2) will work together to allow for flexibility in the distribution of this GFA across the whole site and ensure that the final location and configuration of community uses GFA best meets the needs of the community.

Facilitating flexibility in the final location and configuration of community uses GFA across Barangaroo is reflective of Condition B7(3) of the Concept Plan which allows the Director General to approve the redistribution of community uses GFA across blocks within the Concept Plan if and as deemed appropriate. Enabling the minimum quantum of required community uses GFA to be provided across the entire Barangaroo site as proposed in the proposed modifications ensures that the community uses will be located where they are most relevant to service the needs of the community.

5.0 CONCLUSION

We trust the above information is sufficient to allow a prompt assessment of the modification. Should you have any queries about this matter, please do not hesitate to contact me on 9956 6962 or mrowe@jbaplanning.com.au.

Yours faithfully

A handwritten signature in blue ink, appearing to read 'M. Rowe', with a horizontal line underneath.

Michael Rowe
Principal Planner

Enc.

Attachment A - Response to Submissions

Attachment B - Traffic Impact Assessment