

MP 06_162 Concept Plan Modification (MOD 6)

RESPONSE TO AGENCY SUBMISSIONS



Key Issues Raised		Lend Lease Response
City of Sydney		
1	<p>Consideration of the modification request is premature until a Concept Plan modification associated with the hotel/casino is submitted.</p> <p>To achieve holistic and well considered planning outcomes on site, issues including block design, road and intersection performance, urban design controls, community floor space and car parking rates, can only be properly considered in conjunction with the hotel/casino modification.</p>	<p>It is not appropriate to delay the determination of Mod 6 based on the unknown outcome of Crown's unsolicited proposal, which is still under consideration by the NSW Government.</p> <p>Mod 6 relates to minor changes to the Concept Plan that are independent of any future potential changes to relocate the hotel on the site.</p> <p>Should a future modification to the Concept Plan be required it will be designed to have regard for Mod 6 and assessed on the basis of its merits.</p>
2	<p>It has not been demonstrated by the proponent that the proposed modifications are an impediment to the efficient delivery of the development.</p>	<p>Mod 6 is critical in facilitating the orderly and efficient development of Barangaroo South.</p> <p>The proposed modification reflects Lend Lease's desired layout for Globe Street which has a direct impact on the Commercial Building C3, and the ability to deliver Globe Street and the Stage 1A public domain as soon as possible. Construction of Commercial Building C3 has commenced, however, the major works have been placed on hold until the site layout under Concept Plan (Mod 6) and Project Approval modifications are determined. Not proceeding with Concept Plan (Mod 6) at this stage would result in significant and detrimental delays to the delivery of Commercial Building C3.</p>
3	<p>No in principle objection to the realignment of the development block boundaries is raised, except for the following concerns:</p>	<p>Noted.</p>
4	<p>An urban design and visual analysis has been completed to justify the proposed realignment. The City places no weight on this analysis given the context of the Concept Plan is to change drastically once the hotel/casino Concept Plan modification is lodged.</p>	<p>As discussed above, this modification reflects the current intent for development on the site and is independent of any future modification which may or may not occur. Should a future modification to the Concept Plan be required it will be designed to have regard for Mod 6 and assessed on the basis of its merits.</p>
5	<p>The realignment of Globe Street brings the intersections of Napoleon Street and Sussex Street, and Globe Street and Hickson Road under the spacing for two sets of signalised intersections generally accepted by the RMS. In order for the City to be satisfied the realignment of Globe Street will not result intersection signalisation conflicts, the Department should seek in-principle RMS agreement to signal locations. What should be avoided is a situation where an intersection is locked in but cannot be signalised due to the proximity of other signalised intersections.</p>	<p>The Roads and Maritime Services (RMS) have not raised an issue with the proposed location of the intersections. It is noted that the future detailed design of these intersections will be undertaken in consultation with RMS.</p>
6	<p>The modification request proposes to realign Concept Plan development block boundaries, but specifically proposes no change to:</p> <ul style="list-style-type: none"> the height boundaries shown in the Major Development SEPP; and the Indicative Maximum Building Height, Locations and Dimensions Map endorsed as part 	<p>It is unnecessary to alter the SEPP to reflect the exact layout of the Concept Plan as under the Clause 3B(2)(d) of Schedule 6A of the <i>Environmental Planning and Assessment Act</i> (EP&A Act) it states that:</p> <p><i>A consent authority must not grant consent under Part 4 for the development unless it is satisfied that the development is generally consistent with the terms of the approval of the concept plan,</i></p> <p>Therefore any development on Block 4B will not be capable of achieving a height of RL209, regardless of</p>

	<p>of Concept Plan Modification 4.</p> <p>This means where whole development blocks are now restricted in height under the SEPP and the approved Indicative Maximum Building Height map, sections of blocks, namely Block 4B, will now be capable of achieving a height of RL209 as opposed to the originally approved RL175. If any block boundary amendment is to be considered, the SEPP and the Indicative Maximum Building Height, Locations and Dimensions Map should also be amended in order to provide certainty.</p>	<p>the SEPP height limit of RL 209, as this would be inconsistent with the Concept Plan.</p>
7	<p>The opportunity to adopt conditioned design amendments into the modified drawings is acceptable, however the following concerns are raised:</p>	<p>Noted.</p>
8	<p>No justification has been provided to amend Control 7 to replace the DERP with the BDA. It is noted that Building C3, the building subject to Control 7 within Block 3, received approval from the Director General 24 April 2012.</p> <p>The amendment is not supported as the test of design excellence and innovation falls to the consent authority and land owner. Advice should continue to be sought from the Barangaroo Design Excellence Review Panel.</p> <p>Concern is raised with the precedent that modifications would set for achieving design excellence and independent design review across the Barangaroo precinct.</p>	<p>The DERP no longer exists and therefore advice can no longer be sought from this body. In addition to the Design Excellence Process that continues to apply to the site under both the SEPP and condition C2 of the Concept Plan approval, the BDA has its own design review process which it undertakes for all buildings on the Barangaroo site.</p> <p>The most recent approved projects on the Barangaroo site, such as Residential Buildings R8 and R9 have followed the BDA design review process and demonstrated a high level of design excellence.</p>
9	<p>An objection is raised to the amendment of Condition B4(2) as it places the delivery of the 12,000sqm of community floor space at risk, and will exclude the opportunity for additional community floor space.</p> <p>The position that the provision of community use GFA on site restricts the delivery of the GFA on the overall site is unfounded. To date the Department has assessed the provision of community floor space outside of the GFA maximums imposed for each development block within Barangaroo South.</p> <p>By removing the minimum requirement, there is then no requirement for the 10,000sqm of community floor space within Barangaroo South to be provided. Without the minimum requirement the Department is left open to a claim of unallocated GFA that the Proponent may seek to locate elsewhere on site.</p> <p>An objection is raised to any amendment to the Concept Plan that reduces the responsibility to deliver 12,000sqm of community floor space within the Barangaroo development. This is especially the case where the Proponent is seeking to increase worker/resident numbers on site through a future hotel/casino modification. An increase in such uses should deliver a proportionate increase in community use floor space and on site key worker housing.</p>	<p>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.</p> <p>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.</p>
10	<p>Consideration of the car parking rate and intersection amendment is premature. The future hotel/casino modification will require another road to be located north of this revised Globe Street/Hickson Road intersection. The hotel/casino entry and car park entry will be from this new</p>	<p>As discussed above, this application is independent of the potential changes that may occur as a result of the relocation of the hotel. Any future change to the intersections / road layouts will have regard to the</p>

	road and the car park is likely to be larger than the current approved basement car park.	<p>Concept Plan Mod 6 and be assessed as part of that application.</p> <p>The proposed modification to specify parking rates, simply seeks to clarify that the rates referred to in LEP 2005 that applied at the time the Concept Plan was determined, continue to apply to the Concept Plan.</p>
11	An objection is raised to changes to Condition C4. The proposal to set specific rates for the 'other uses' within the site without knowing the scale to which those other uses are going to take is not supported. Any future hotel/casino will need to be assessed on its merits and the scale of the impact the traffic will have on the surrounding road network.	<p>As above, the proposed modification to specify parking rates, seeks to clarify that the rates referred to in LEP 2005 that applied at the time the Concept Plan was determined, continue to apply to the Concept Plan. There is no actual change proposed to the approved car parking rates.</p> <p>It is noted that any future modification will be assessed on its merits, and is not relevant to the assessment of this application.</p>
Roads and Maritime Services		
1	Feedback previously provided by Transport for NSW to the Department for application MP 06_0162 MOD 4	<p>ARUP has provided the following response (see Appendix B):</p> <p><i>Responses previously provided to Transport NSW regarding feedback for application MP 06_0162 MOD 4 remain applicable under this modification. These responses are outlined in both Appendix A (response to agency submissions) and Appendix J (response to public transport issues) of the preferred project report, issued to the Department of Planning in November 2010.</i></p>
2	<p>The proposed intersection of Globe Street/Hickson Road will be closer to the intersection of Hickson Road/Napoleon Street/Sussex Street/Barangaroo Basement exit. The shorter distance proposed between intersections and the additional demands that the car park exit will generate on the intersection requires detailed review of traffic operations along Sussex Street, Hickson Road, Erskine Street, Lime Street, Shelley Street and Globe Street.</p> <p>Amended network intersection designs and lane configurations may be required as a result of this change.</p>	<p>ARUP has provided the following response (see Appendix B):</p> <p><i>The future detailed design of new signalised intersections on Sussex Street and Hickson Road will be undertaken in consultation with RMS, with traffic signal design plans to be submitted prior to the commencement of works. Lend Lease will continue to work with the RMS network operations team to assess whether modifications to intersection designs and lane configurations may be required.</i></p> <p><i>It should be noted that the new car park exit opposite Napoleon Street will reduce the overall level of traffic through the Hickson Road / Globe Street intersection. The operation of intersections in the precinct under the revised layout – including the shorter distance between the two signalised intersections on Hickson Road - was previously assessed as a component of the approvals for MP10_0023 MOD 5.</i></p> <p><i>The traffic modelling demonstrated that the Hickson Road / Globe Street signalised intersection would operate at acceptable levels of service during the commuter peak hours. The operation of the Hickson Road / Napoleon Street intersection will be dependent on the operating conditions of intersections further downstream on Sussex Street – particularly at King Street and Market Street.</i></p>
3	It should be noted that the assumed permanent full closure of Shelley Street between Lime Street and Sussex Street is proposed as part of the Wynyard Walk project and is currently only approved for partial closure to facilitate construction works associated with the project.	Noted.
4	Traffic analysis should be undertaken in accordance with Roads and Maritime Services (RMS) Traffic Modelling Guidelines, not necessarily using LINSIG as is currently specified in the DGRs.	Noted.

5	Road design should be undertaken in accordance with Austroads and RMS Supplements to them. The DGRs currently reference the RMS Road Design Guide, which is no longer a current document.	Noted.
6	Numerous drawings show marked pedestrian crossings along Sussex Street/Hickson Road adjacent to the Barangaroo South site. Marked pedestrian crossings will not be appropriate future measures and as such it is suggested that they be removed from the drawings.	The referenced drawings marked with pedestrian crossings have been provided for indicative purposes. Any pedestrian works along Sussex Street and Hickson Road adjacent to Barangaroo South will be subject to future applications and approval from RMS.
7	The Traffic Impact Assessment should consider updated cumulative traffic and transport changes, including the announced CBD & South East Light Rail Project, changes to buses in the City Centre and other associated changes' related to these projects. Liaison with Transport for NSW will be necessary to holistically capture these changes.	ARUP has provided the following response (see Appendix B): <i>Lend Lease will continue to liaise with RMS and TfNSW regarding future changes to the CBD transport network and how this may potentially affect the Barangaroo precinct. At the time of writing however, documentation supporting the City Centre Access Strategy and the CBD and South East Light Rail Project (SSI 6042) are still yet to be released.</i> <i>Once further detail regarding these projects becomes available, Lend Lease will consider their potential implications for the transport network in the Barangaroo precinct in any future concept plan modifications.</i>
8	The design of the proposed Barangaroo Ferry Interchange was amended in 2012. Ferry wharves were originally designed to be perpendicular to the sea wall. It is understood that Transport for NSW and the Barangaroo Delivery Authority agreed to an amended design such that ferry wharves are offset at an angle 30 degrees from perpendicular to improve navigation safety at what is a pinch point in Darling Harbour. This attached plan shows a finished level for the waterfront promenade in the vicinity of the ferry wharves of RL2.9. The highest level that will enable safe mobility access to the wharves at low tide without increasing their length and creating further constraints to safe navigation in Darling Harbour is RL2.9. Some of the plans provided in the submission show the amended layout but others and the urban design drawings show the original perpendicular layout RMS requests that all future plans show the agreed amended design.	Noted. Future drawings will illustrate the amended layout as requested.
9	Numerous drawings in state that the width of driveways shall be minimised . This is supported for amenity and safety reasons. The driveway design will also need to ensure that they cater for turning movements of the largest expected vehicle size (large rigid vehicle, fire truck, etc.) without obstructing other concurrent movements at the driveways.	Noted.
10	Appendix D contains a Public Realm Plan that shows light rail vehicles and a light rail stop along Hickson Road/Sussex Street. Whilst light rail could hypothetically be extended to Barangaroo in future, there are no current plans for this. The announced CBD & South East light rail project stops at Circular Quay:	Noted.
11	Proposed landscaping should include appropriate plant/tree size, location and species that provide sight distance for safe intersection and road operations initial and in future as	Noted.

	landscaping becomes more established.	
12	Approval will be required from RMS for proposed traffic lights. Consultation with RMS to achieve suitable traffic light designs is welcomed.	Noted.
13	RMS and Transport Management Centre approval should be sought for any required road or lane closures.	Noted.
14	Access to inspect and maintain any RMS assets must be established and maintained at all times during the development and operation of Barangaroo.	Noted.
Environment Protection Authority		
1	The EPA has reviewed the modification request and agrees in principle that the environmental risks and impacts will not significantly be increased by the proposed modification.	Noted.
2	Any works conducted at the site need to be done in a manner which ensures compliance with all Project Approval and Environmental Protection License (EPL) conditions as varied from time to time.	Noted.
3	The EPA is satisfied that any short-term environmental or amenity impacts associated with the Barangaroo development, including those arising from this proposed consent modification can be controlled by compliance with the EPL conditions.	Noted.
4	The EPA has no objections on environmental grounds to the DoPI granting this project modification request should it decide to do so.	Noted.
Sydney Water		
1	The changes will not impact on Sydney Water servicing or assets and no further comment is provided at this stage.	Noted.