

30 April 2015

Ms Sara Roach
Planning Officer
Department of Planning and Environment
23-33 Bridge Street
SYDNEY NSW 2000

Dear Sara,

RE: Submission – MP06_0162 MOD 8 – Modifications to Barangaroo Concept Plan

1 Introduction

This submission is prepared on behalf of Primary Millers Point Pty Ltd, the lessee of the Dalgety Bond Stores located at 1-3 Munn Street, Millers Point also known as 25 Hickson Road, Barangaroo (the site). Primary Millers Point Pty Ltd has entered into a long term lease over the site, with expiry in 2093.

The site is legally described as Lot 100 in DP 838323. The existing building is a five storey brick and sandstone building with a saw-toothed pitched metal roof currently used as commercial office space.

As a stakeholder in the Barangaroo Precinct, Primary Health Care Ltd welcomes the opportunity to comment on the public exhibition of Modification 8 to Barangaroo Concept Plan (MP06_0162 MOD 8). Whilst Primary Health Care Ltd supports the redevelopment of the Barangaroo site, we wish to draw your attention to an inconsistency/error in the exhibition material, specifically the proposed land zoning maps found in the exhibition material.

This submission provides an overview of the existing planning controls; identifies the inconsistencies between the zoning maps on exhibition; and makes a recommendation to address this.

2 Existing Zoning

The subject site is zoned B4 Mixed Use under State Environmental Planning Policy (Major Development) 2005. This permits development consent for range of land use, including the current use of the site for commercial premises.

3 Inconsistency between Exhibition Documents

The exhibition material associated with the Modification 8, specifically Appendix I of the Environmental Assessment Report (EAR) depicts an RE1 Public Recreation zone over the subject site (see Attachment A). However, the proposed land zoning map which accompanies the exhibition material for the State Environmental Planning Policy (Major Development) 2005 amendment retains the B4 Mixed Use zoning over the site (see Attachment B).



From discussions between Primary Health Care and the Barangaroo Redevelopment Authority, it is understood that it is not the intention of the modification application to rezone the site to RE1 Public Recreation as shown in the EAR exhibition material. This position appears consistent with the content of Modification 8 where there is no strategic justification for a rezoning of the Dalgety Bond Store site:

4 Recommendation

To avoid any doubt, we request that Appendix I of the EAR be modified as part of and preferred project report or submissions report so that the map in the EAR is consistent with the current zoning map under State Environmental Planning Policy (Major Development) 2005. This would require amending this map as follows:

- The subject site (Lot 100 in DP 838323) shown as B4 Mixed Use.

As you can appreciate, any proposal to rezone the subject site from B4 Mixed Use to RE1 Public Recreation represents a significant change in land use planning for the site. For this reason, it is integral that the mapping and documentation accurately retain the current B4 Mixed Use zone for the site.

5 Conclusion

We thank you for the opportunity to comment on the exhibited documentation and look forward to this matter being addressed.

Should you wish to discuss this submission, please do not hesitate to contact me on 02 8233 7678 or cbrown@urbis.com.au.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Clare Brown', is positioned above the printed name.

Clare Brown
Director - Planning



Attachment A – Mod 8 Masterplan SEPP Maps Land Zoning
Map

Attachment B – Proposed SEPP (Major Development) 2005
Barangaroo Land Zoning Map (sheet LZN 001)

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Submission to NSW Planning Barangaroo Modification #8

Introduction.

We appreciate the opportunity to review the MOD #8 documents and would also appreciate a response to the following concerns raised by the Friends of Sydney Harbour (FoSH).

FoSH would like to draw your attention to some concerning elements of the "Proposed Changes to Barangaroo Planning Controls"/Proposed SEPP Amendment (Barangaroo) known as Modification #8.

Who is FoSH?

www.friendsofsydneyharbour.org.au

Friends of Sydney Harbour is a not for profit community organisation representing concerns that impact on the public amenity and public enjoyment of Sydney harbour. We believe that the harbour is there for everyone to share into the future and should not be considered as vacant real estate to be filled in for urban development.

FoSH was formed by Hon Malcolm Turnbull, M.P, Ian Kiernan AO, and John Molyneux, in 2012 after the NSW Government announced a proposal to build a floating heliport – without consultation nor consideration, and in violation of major concerns, including safety for other craft, inconvenience to harbour traffic, dawn to dusk noise and disturbance, overflying aircraft safety – and the general lack of due process. A united public outcry resulted in the government commissioning the Loxton Review which it is hoped has become a source of reference for NSW Planning.

FoSH has worked with the NSW Government since 2012 to prevent ill-conceived developments on or adjacent to the harbour that would impinge on the public use and enjoyment of the nationally significant Sydney Harbour. Not only is the Harbour a source of public enjoyment and recreation for Sydney residents but it is also a key drawcard for tourists and their enormous contribution to our economy.

Concerns raised in response to Barangaroo Modification #8. Generally FoSH is supportive of the development of the northern precinct of Barangaroo, and its well planned access for the public, but has some concerns regarding the siting, take-over of public space and possible minimisation(exclusion) of meaningful public access along the foreshore in front of the planned casino/hotel. The wide Foreshore Promenade interprets the broad tarmac that was created for container shipping in the 1960s. This wide space should be retained not only for interpretive reasons (Sydney was Australia's first seaport) but to accommodate large groups of people walking in both directions as well as a major 2-way cycleway. It should not be pinched back and reduced for an exclusive commercial use.

From a FoSH point of view we have listed our concerns which we believe would if allowed to proceed, without clarification and undertakings from the developer, risk limiting access to the harbour side, lessen the general public amenity, and enjoyment of the harbour side, including the possibly of removing access to the general public along the "foreshore (walk) promenade" outside the proposed casino/hotel. In addition we raise the issues of the Public Wharves and Stormwater disposal to seek clarification from Planning.

The issues we raise are, using your reference terms:

1. Public Domain

Reduced Public walkway width and public use of waterfront access Section 9.3
Page 66 Extracts; quotes

"REI Public Recreation has been reduced in order to accommodate the landmark hotel footprint."

"The outcome... determined that the best location for the Landmark Hotel building was where the 'waterfront park' was located, and the park to be relocated to the east where the Block 4 residential towers were approved."

It would appear that in order to give the casino/hotel a (viable) favourable site, the authorities have swapped a public foreshore park for a casino/hotel, and is now considering granting an extension to the tower from 170 metres to 275 metres. In addition we are concerned that the public could be either excluded from, or at best restricted to a narrow strip of passage between hotel and foreshore. It would be reasonable to expect that this increased height allocation be offset with an increase in public amenity, not a reduction.

Extract/quote;

“an up to 30 metre wide public domain area with a potential 17m wide pedestrian movement zone will be provided along the entire western frontage of the site. The public domain area will include licensed seating areas within the promenade in front of the Landmark Hotel Building.”

This looks like the full length of Barangaroo waterfront will be 30m wide and fully open to the public EXCEPT in front of the casino/hotel which could be reduced by half, and further, could be “blocked”

- a) by shrubbery to deflect the wind channelling created by the extra height of the casino/hotel and further reduced (or eliminated) by
- b) seating for hotel patrons which could easily be “leased” or “licensed” to the hotel and its eateries, forcing the public to go behind the hotel, in effect giving the casino/hotel a waterfront exclusion zone – on what has been designated public open space.

Friends of Sydney Harbour seek clarification from the government that the public will have no less than 30 metre clear and open public access in front of the casino/hotel, that it will not be reduced by private use by the casino/hotel, nor cafe nor restaurant patrons, tables, bars (portable or not) parties, private or public.

This is a critical space continuum for harbour access and enjoyment for the public and must not be “cribbed” by the developer, nor act as a systematic intrusion “by stealth” by the casino/hotel operator nor their licencees – at the expense of the public thoroughfare and architectural legitimacy.

Much is made in the developer’s submission for a “Landmark Hotel building,” FoSH believes the integrity of Barangaroo rests on putting the public interest ahead of the developer’s commercial interest in order to give Barangaroo an iconic “Landmark Public Space,” especially as the developer has already been granted the site that was, and should have remained public foreshoreland.

2. HELIPORT?

a) Floating Water Taxi Dock

Section 9.4.1

Page 70

Extract; quote

"Globe Harbour –

"The indicative design scheme includes the provision for a floating water taxi dock."

Friends of Sydney Harbour has a grave concern that a floating heliport, or indeed a land-based heliport could be sought by the casino/hotel owner in future with little or no modifications needed to what has "popped up" in some but not all drawings labelled as "floating water taxi dock."

No drawings show how this "floating water taxi dock" connects to the shore, nor is there any supporting evidence to allay our fears of the potential to turn a "water taxi dock" into a floating "heliport."

Much has been made in the press of the developer's insistence to turn Sydney harbour into a "Monaco or Hong Kong" – for "high rollers" – gamblers and their desire for a fast transit from airport to Casino.

We seek to have any current or future plans for any Barangaroo heliport, whether for "High Rollers" or anyone else – on water, on land or on any building to be expressly ruled out by the government. Further...

b) Wind disturbances

Section 9.7

Page 78

Much is made in the proposed changes of the concerns created by the height and bulk and siting the casino/hotel regarding the issue of increased/decreased wind, and for the safety and enjoyment by both tenants and guests of the casino/hotel, and particularly the effect upon the public when walking or seated around the casino/hotel and along the foreshore promenade.

FoSH will restrict our comments/concerns to the added risk the wind(s) would have for the dangers, the noise and pollution if a heliport was located anywhere near the casino/hotel, nor in fact anywhere in Barangaroo. As the proposed amendment concedes, the strongest prevailing winds are from the south and west – and are at best unpredictable. Further...

c) Prescribed Airspace

Section 9.9

Page 103

Extract: quote

"A number of building envelopes included in the proposed modifications will break OLS. Barangaroo... with a limit of 156 metres AHD.

It appears that at 275 metres the casino/hotel is only exceeded in height by Sydney Centrepont Tower – and the developer has spent a lot of effort convincing The Sydney Airport authorities that it is safe – to overfly.

However we raise this issue in regard to our concern for safety if there was the chance for the developer now, or later to seek to introduce the right to fly helicopters in and out of the airspace, already a concern by aviation authorities.

3. FERRY WHARVES

Section 9.8.2

Although the document goes on and on about the need for *"a landmark hotel,"* and *"thousands of tourists,"* and *"increased ferry arrivals, from north and western areas of the harbour, as well as Circular Quay,"* FoSH is concerned by the apparent lack of public ferry access.

Page 82:

Extract: quote

"all ferry wharves "... are outside the Barangaroo precinct."

This makes no sense; perhaps the Authority is relying on King St Wharf... but with heavy demand on car parking (only 500 spots for casino/hotel even though they claim visitors need up to 800 cars per hour) and a long walk from Wynyard... FoSH would appreciate a response to the lack of public access by ferry to the Barangaroo western foreshore.

4. STORMWATER DISPOSAL

Section 9.15

FoSH seeks reassurance from the developer, and the Authority that detailed plans be incorporated so that both the developer of the casino/hotel and the Authority need to address; the issue of storm water run-off, as well as effective grease trap and recycling technology to prevent harbour pollution from the kitchens and other amenities from the casino/hotel.

5. OVERSHADOWING

The increase in height of the casino/hotel looks like – from the developer's own shadow modelling to have a detrimental impact on the public enjoyment – specifically in the park now proposed behind the proposed casino/hotel. It will also cast shadows over the water in the morning to a much greater degree than a tower of 170 metres, and in fact stretch across to the other side of Darling harbour/Pymont Bay – all the way to the Jones Bay wharf. In winter when the sun's elevation is at 35 degrees above the horizon at midday, the shadow cast by the casino/hotel will exceed half a kilometre overshadowing Globe Harbour, the Foreshore Promenade and the adjacent public park creating a cold, wind-swept and barren place instead of an enjoyable public precinct for public enjoyment. A magnificent world-class harbour promenade will be severely compromised by the massive additional shadowing and the wind effects generated by such an over-sized building.

<http://www.smh.com.au/nsw/james-packers-proposed-tower-to-cast-a-long-shadow-at-barangaroo-20150323-1m5ffm.html>

David Morris, Director,
Friends of Sydney Harbour.

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New South Wales Government
Department of Planning
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(Name withheld) , of Sydney NSW, made the following submission on the project:

State Environmental Planning Policy Amendment (Barangaroo) 2015



I strongly appose this proposed modification to the Barangaroo development plan due to a number of reasons.

The primary concerns I have around these proposed modifications include:

- Significant increase to residential FSR component from the original proposed development (circa 50% increase). This is of significant concern due to a number of factors including the limited road access to Barangaroo predominantly via Shelley street or Sussex street (which is already regularly heavily congested especially at peak hour), limited number of supermarkets and other residential services to residents living near Barangaroo (ie Wynard station is only current closest location), significant increased demand for public spaces caused by additional residential FSR vs if it is commercial / retail or hotel FSR.

By changing the zoning to have a higher component of residential vs other types of floor space it will place a different level of demand on the area (ie office workers are not typically present during weekend or after work hours where as residential living has a more constant demand level on the area and associated services).

- Overall increase in FSR, by adding additional FSR to the overall site which appears to be circa 10% it will again place additional demands on the area especially when you consider that circa 30-40% of the total site area is formed by the headland park this is a significant increase to the floor space of the Barangaroo south which will increase further shading of street and demands for services to the Barangaroo / King Street wharf precinct that already suffers from traffic congestion and lack of parking.

In addition there is also a significant amount of additional residential FSR that is approved or under construction in the CBD (Darling Harbour, China Town, Town Hall etc) which once fully developed and completed will all place additional pressure on CBD roads, service, parking and amenities which has not yet fully been taking into planning and consideration. By adding to the residential space and especially a circa 50% increase it will just further exacerbate the situation, especially when there are only very limited public transport options to reach Barangaroo and heavily congested road networks in the CBD.

