

Part 3A Preliminary Assessment

Barangaroo Concept Plan Modification Request for DGRs and PEAR

Submitted to
Department of Planning
On Behalf of Lend Lease Development

February 2010 ■ 10051

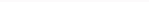
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 19 February 2010

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A Master Plan Drawings

Rogers Stirk, Harbour + Partners

1.0 Introduction

This preliminary assessment is submitted on behalf of Lend Lease (LL) to the Department of Planning (hereafter referred to as the Department) to assist the Director General in determining the level and scope of the environmental assessment required to accompany a modification to the approved Barangaroo Concept Plan (Concept Plan), and an amendment to the existing provisions in Schedule 3 State Environmental Planning Policy (Major Development) 2005 (Major Development SEPP).

The application to modify the Concept Plan and amend the Major Development SEPP is proposed to reconcile the established underlying planning framework with LL's winning bid.

This preliminary assessment includes the following information relevant to the proposal:

- a background to the proposal;
- a description of the project;
- project staging and proposed scope of applications; and
- identification of the environmental issues associated with the project.

1.1 Project Background

LL was successfully appointed as the preferred proponent to develop the Stage 1 delivery of the Barangaroo site on 20 December 2009.

LL's appointment follows approximately 18 months of open and subsequently selective tendering by multiple consortia. At each stage of the process, the consortia were required to develop and submit increasingly detailed designs for Blocks 1-4 of the Barangaroo site, which were evaluated by the Barangaroo Delivery Authority (BDA) and its judging panel.

The Stage 1 bid chronology can be broadly summarised as follows:

- April 2008 – Stage 1 Expression of Interest released;
- June 2008 – Stage 1 Expression of Interest closes;
- September 2008 – Shortlist of 5 proponents (including LL) announced and invited to compete in Preliminary Final Phase selection process;
- August 2009 – LL and Brookfield Multiplex chosen as final 2 proponents to compete in the Final Phase selection process;
- November 2009 – Final Phase bids close; and
- December 2009 – LL announced as winning preferred proponent.

The scheme submitted by LL and selected by the State Government was chosen as the winning bid (**Appendix A**) on the basis that it exhibits the urban structure, place making, sustainability, and financial drivers required to ensure the viability of Barangaroo's southern precinct. Whilst the distribution of built form and Gross Floor Area (GFA) differs from the Concept Plan and Major Development SEPP, LL's scheme maintains the principles of the approved Concept Plan, including:

- an enlarged Southern Cove;
- reconnection of the western edge of the City with the waterfront;

- creation of a variety of experiences along the foreshore that contribute to the liveliness of the area, create landmarks and differ from the more naturalistic parklands experiences to the north;
- provision of unobstructed public access around the entire perimeter of enlarged water intrusion and along the foreshore including Globe Street;
- retention of significant views across the site to the waterfront and across the Harbour from Millers Point and Observatory Hill;
- retention of existing view corridors from the elevated portions of the existing Napoleon Street;
- preservation of the pedestrian desire lines along the foreshore by way of a bridge, thereby retaining Globe Street as the site's western spine; and
- provision of high quality architectural and urban design underpinned by the engagement of world-renowned architects.

It should be noted that LL is continuing to work with the BDA to resolve several outstanding design matters arising out of the BDA's assessment of the scheme. The proposed Concept Plan modification may therefore slightly differ from the attached plans which illustrate the scheme. LL proposes to update the Department regularly on these changes to ensure that the Director General's Requirements remain valid.

2.0 The Project

2.1 Concept Plan Modification

LL's winning scheme envisages a mixed use development comprising approximately of 500,000m², including:

- approximately 450,000m² of mixed uses GFA across Blocks 1–4;
- between 80,000 – 100,000m² of residential GFA;
- approximately 42,000m² of tourist, residential and public uses GFA for the purposes of a landmark building; and
- approximately 7,500m² of GFA within the RE1 Public Recreation Zone.

The plans attached at **Appendix A** illustrate LL's proposed distribution of built form and building envelopes in section, and the typical conceptual ground floor and upper floor level plans as currently proposed for the site. As discussed in Section 1, the scheme attached at **Appendix A** is currently undergoing further minor design development and therefore may change slightly. Notably, the Department of Planning has confirmed that the scheme can be dealt with as a modification.

During the bid process, LL redistributed the GFA across the site which has resulted in the following departures from the approved planning framework:

- additional GFA in Block 1 above the approved 11,800m²;
- additional height across Blocks 1–4 above the maximum building height parameters;
- a 10m encroachment of the Block 1 building envelope into the RE1 Recreation zone (equating to approximately 6,000m² additional GFA in the RE1 zone above the already permitted 1,500m² of recreation uses);
- expansion of the Concept Plan area to include:
 - the proposed landmark building west of the Barangaroo site's western edge;
 - sections of Hickson Road where LL proposes to construct overhead pedestrian bridges and other ancillary works; and
- non-compliance with four of the Built Form Controls identified in Concept Plan Approval (as modified).

Accordingly, these components of LL's scheme will require a Concept Plan modification and also form the basis of this request.

2.2 Major Development SEPP Amendment

The Barangaroo site is already listed as a State Significant Site in Part 12 of Schedule 3 of the Major Development SEPP. The Major Development SEPP zones the land part B4 Mixed Use and part RE1 Public Recreation.

Maximum building heights and GFA restrictions are established for nominated development blocks within the B4 Mixed Use zone. There are no maximum building height or GFA restrictions imposed by the Major Development SEPP on land within the RE1 Public Recreation Zone.

As outlined above, LL's redistribution of GFA across the site to respond to the enlarged southern cove has resulted in the block specific GFA and height controls being exceeded. A small portion of the Block 1 building envelope and the proposed landmark building are also inconsistent with the current Major Development SEPP provisions that apply to the site.

LL proposes to amend Part 12 of Schedule 3 of the Major Development SEPP to:

- reconcile the height and GFA controls to reflect LL's winning scheme;
- adjust the boundary between the B4 Mixed Use and RE1 Public Recreation to facilitate the Block 1 commercial building envelope as envisaged in LL's winning scheme; and
- permit the proposed landmark building located west of the site's western edge.

2.3 Project Applications

LL is also proposing to lodge a series of individual project applications for site works, remediation, basement car parking, public domain and individual buildings in quick succession to commence works on site.

A separate Preliminary Assessment has been prepared to address the proposed Project Applications, which collectively will seek approval for:

- Demolition and site establishment works;
- Bulk excavation and basement car parking;
- Block C1 commercial building;
- Block C4 commercial building; and
- DECCW declared remediation and land forming works.

2.4 Staging

LL is proposing to lodge the Concept Plan Modification and SEPP Amendment in May 2010.

3.0 DGRs and SEPP Amendment Requirements

On 15 February 2010, the Department confirmed that LL's proposed Concept Plan scheme does not constitute a radical departure from the approved Concept Plan, and that LL should pursue a Section 75W modification to the approved Concept Plan. This conclusion was drawn on the basis that the proposed changes generally relate to the distribution of massing and mix of uses on the site.

Having regard to the above, it is requested that the Director General issue the requirements for an environmental assessment to accompany the lodgement of a Concept Plan modification for the proposed development. The requirements will identify the key issues to be addressed, the level of assessment required in relation to these issues and any other requirements in accordance with the environmental assessment guidelines.

The information below has been prepared to assist the Director-General in identifying the general requirements and key environmental issues associated with the project. The key environmental considerations associated with LL's scheme are as follows:

- Compliance with the existing Concept Plan Approval and Major Development Schedule 3 listing
- Design Excellence & Urban Design
- Traffic & Access (pedestrian, cycleways, public transport)
- Streetscape and Public Domain
- Heritage and Archaeology
- Social and Community
- Contamination
- Drainage and Stormwater
- Utilities, Services and Infrastructure
- Sustainability

3.1.1 Compliance with the approved Concept Plan and Schedule 3 Listing

Consistent with the approved Concept Plan, LL's scheme proposes a mix of uses dispersed over the site to create an integrated development combining residential, office, tourist and retail accommodation. Retail at ground level is also proposed to activate public spaces around the site.

The proposed range of uses across Blocks 1-4 is permissible within each of the five development blocks and is consistent with the intended development outcomes under the approved Concept Plan. LL's scheme also complies with both the total maximum block and residential GFA for Blocks 2-4 (inclusive) permitted by the redistribution of any GFA between Blocks 2, 3, 4 and 5, that is displaced by the encroachment of the enlarged southern cove (required by Concept Plan Modification 2). The modification to the southern cove, the reconfiguration of the development blocks and transfer of GFA, has however resulted in additional GFA in Block 1 and increased heights on Blocks 1-4. In the preparation of its winning scheme, LL also took the opportunity to rearrange and relocate GFA outside of Blocks 1-4.

The Environmental Assessment Report (EAR) for the Concept Plan modification will be benchmarked against the relevant provisions of the existing Concept Plan Approval and Major Development SEPP provisions to demonstrate compliance, and where relevant justify any departures.

3.1.2 Design Excellence and Urban Design

The design of the proposed buildings has been subject to several reviews by the BDA, its internal Design Excellence Review Panel and other key stakeholders. The EAR will outline the rationale behind the land use mix, bulk and scale and design and will demonstrate the proposals' consistency with the approved Concept Plan and the relevant SEPP controls.

The approved Concept Plan Built Form Controls, building height, gross floor area, setbacks, building separation, landscape design, solar access, orientation and *Crime Prevention Through Environmental Design* will all be addressed in the EAR.

LL will also outline its proposed Design Excellence Strategy, consistent with the approved Statements of Commitment. The Strategy will articulate the process for achieving quality built form and public domain.

3.1.3 Transport and Access

A Transport Management and Access Plan will be prepared by a suitably qualified consultant consistent with the requirements of the Concept Plan Commitments.

The Plan will address:

- existing and future transport networks, traffic generation and circulation, car parking;
- provision of public transport including bus, rail and ferry;
- tourist coach facilities and cruise ship berthing;
- potential to accommodate future specialist transport services – including the capacity to incorporate light rail (e.g. along Hickson Rd or other major roads within the site) and/or boutique tourist services like trolley buses, which may perform a secondary transport role;
- pedestrian and cycle access within and to the site, connecting with all transport services and to key locations outside the site – such as the Rocks/Millers Point, Wynyard and King Street Wharf/Darling Harbour, utilising the harbour foreshore;
- pedestrian connection to heavy rail services and the major bus interchange at Wynyard; and
- Compliance with relevant RTA, Council, AMCORD requirements, standards, controls, and guidelines.

3.1.4 Streetscape and Public Domain

LL's EAR will address the relationship of urban public spaces and their adjoining built form, and demonstrate how urban public spaces are envisaged to be used.

The hierarchy and purpose of street patterns on the site and the scale relationship between streets, footpaths and buildings, and public domain and ground floor uses will also be demonstrated.

The EAR will also:

- Identify links, connections and access conditions between the site and its surrounds and how the proposed connections will function;

- Demonstrate how the public domain will be safe during times of low usage at night;
- Demonstrate LL's ability to introduce harbour water on the site as part of a public domain strategy by enlarging the Southern Cove;
- Detail how the foreshore promenade is configured, how it interacts with adjoining land uses, its relationship with the harbour; and
- Detail the inclusion of parks and public plazas suitable for open air events including festivals, major civic events and markets.

3.1.5 Heritage and Archaeology

The Heritage Impact Statement prepared by CityPlan Heritage for the approved Concept Plan identifies 5 buildings / structures on the site as exhibiting varying heritage significance, and 11 listed heritage buildings / structures within the vicinity of the site. The approved Concept Plan provides for the retention of the 5 buildings / structures on the site, and the Major Development SEPP provisions include these buildings / structures nominated for retention as protected heritage items.

It is not expected that there will be any significant impact on the heritage buildings/structures either on site or within the vicinity of the site as they are predominantly located north of Blocks 1–4. The closest building is Moreton's Hotel which is located west of Hickson Road, and is dislocated from the site. The EAR will however consider heritage impacts as relevant to the scope of the proposal.

3.1.6 Social and Community

The EAR will consider social and community needs as identified by the existing DGRs including:

- the recreation needs along with community facilities;
- the integration of new and existing communities;
- access to employment opportunities and community facilities;
- housing diversity and affordability (e.g. key worker housing); and
- access to retail facilities, employment and transport.

3.1.7 Contamination and Remediation

Previous site investigations have determined that some areas of the site are contaminated due to past activities which were carried out on the site. The EAR will address the scope of contamination present and outline the proposed strategy for remediating the site.

3.1.8 Drainage and Stormwater

The EAR will address drainage and stormwater management issues, including on site detention of stormwater; water sensitive urban design (WSUD); and drainage infrastructure.

3.1.9 Utilities, Services and Infrastructure

A suitably qualified expert will be commissioned to address LL's proposed methodology of decommissioning services and infrastructure; outline any infrastructure which is to be retained on the site; and determine what works will be required to maintain infrastructure which also provides services to surrounding development.

Further discussions will also be held with utility providers regarding the existing and future infrastructure to be provided on the site.

3.1.10 Sustainability

The approved Concept Plan requires future applications to be accompanied by sustainability strategies that address water, energy, micro-climate, environmental quality, landscaping, transport, waste and materials.

LL is committed to achieving sustainability standards that are beyond what has been achieved on other Australian development sites. The EAR will accordingly outline the strategy for implementing ESD initiatives on the site.

4.0 Conclusion

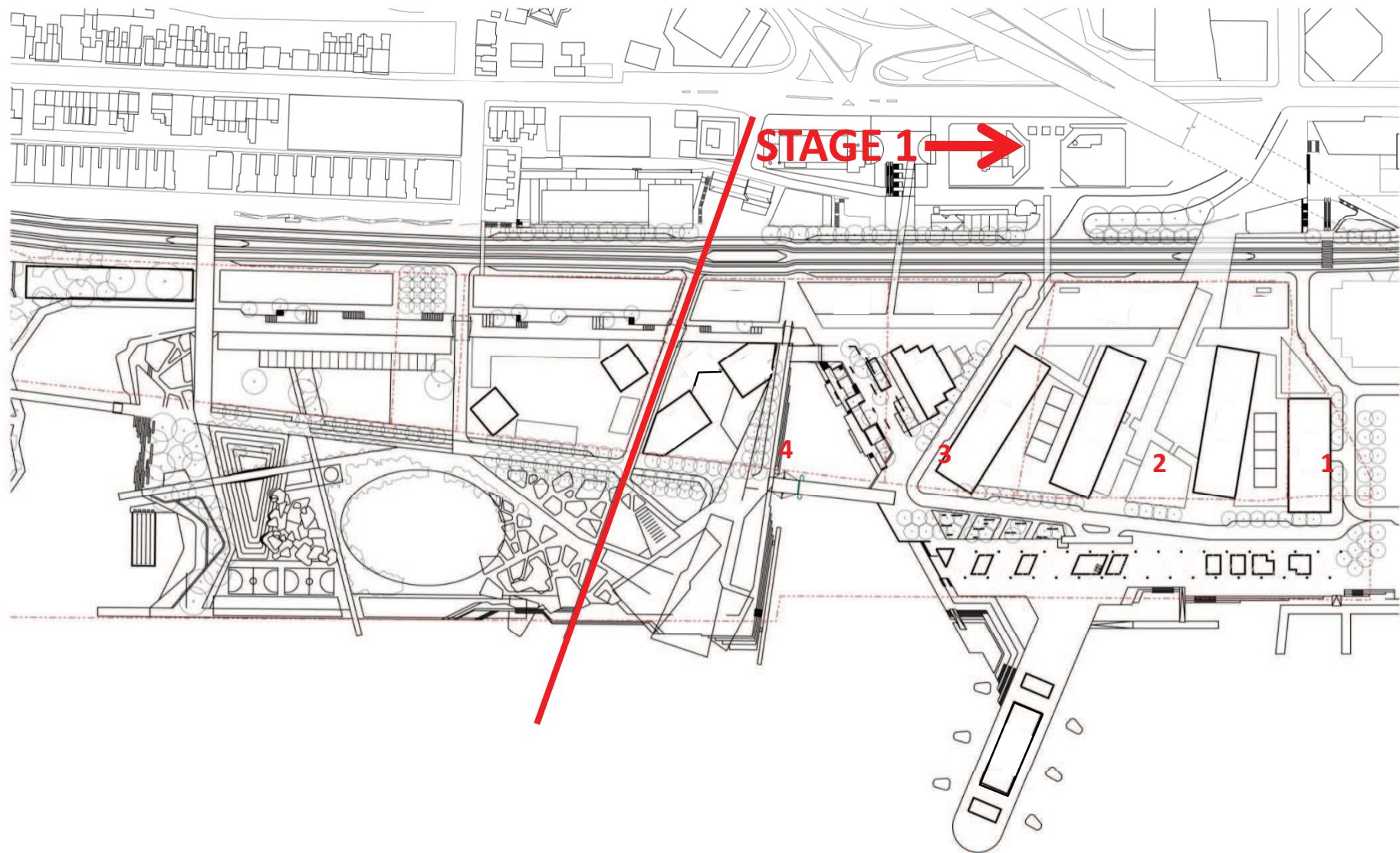
The information contained in this preliminary assessment is to assist the Director General in determining the level and scope of any requirements for an environmental assessment to accompany LL's modification to the approved Barangaroo Concept Plan.

Having regard to the recent advice received from the Department, and in accordance with provisions in Part 3A of the Environmental Planning and Assessment Act, 1979, it is requested that the Director General issue the environmental assessment requirements for the Concept Plan modification.

Master Plan Drawings

Rogers Stirk, Harbour + Partners

Appendix A

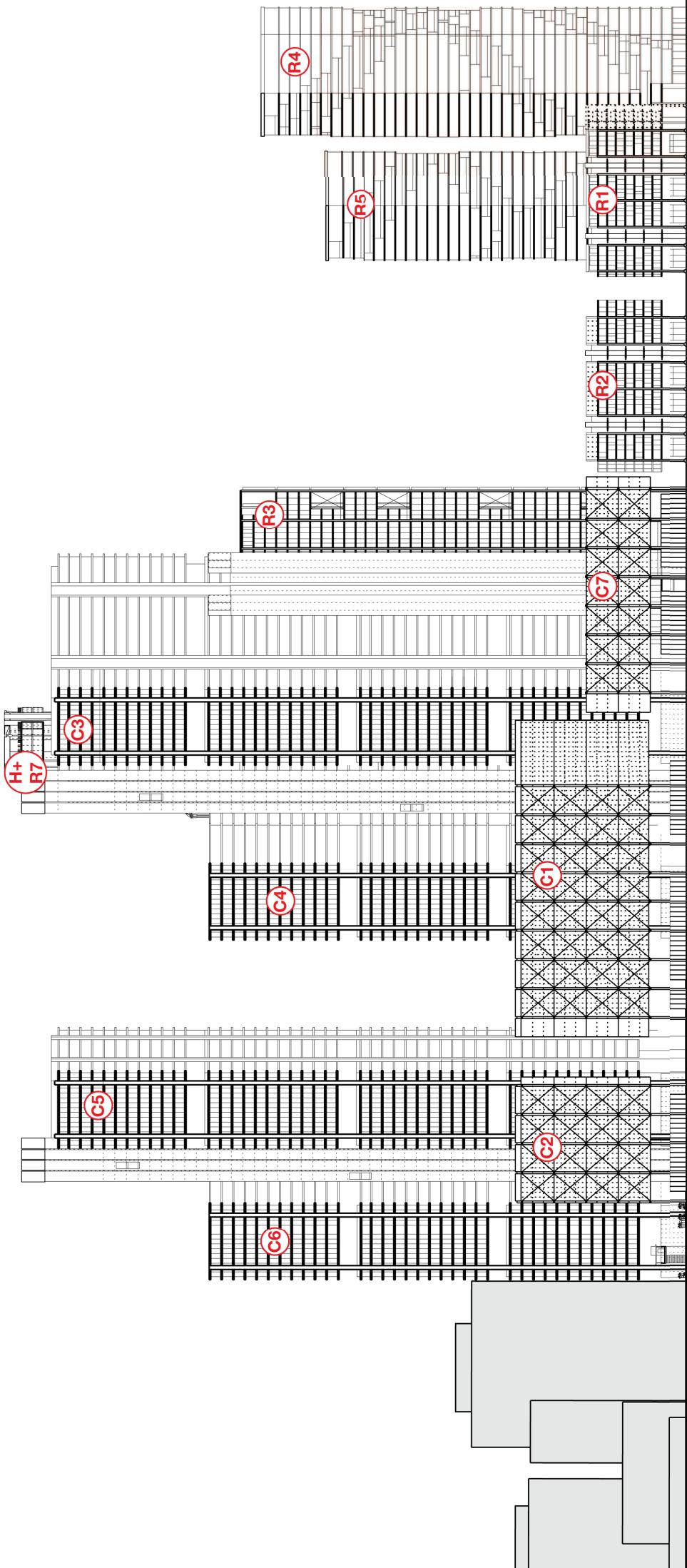


1 Block Numbers and Boundaries

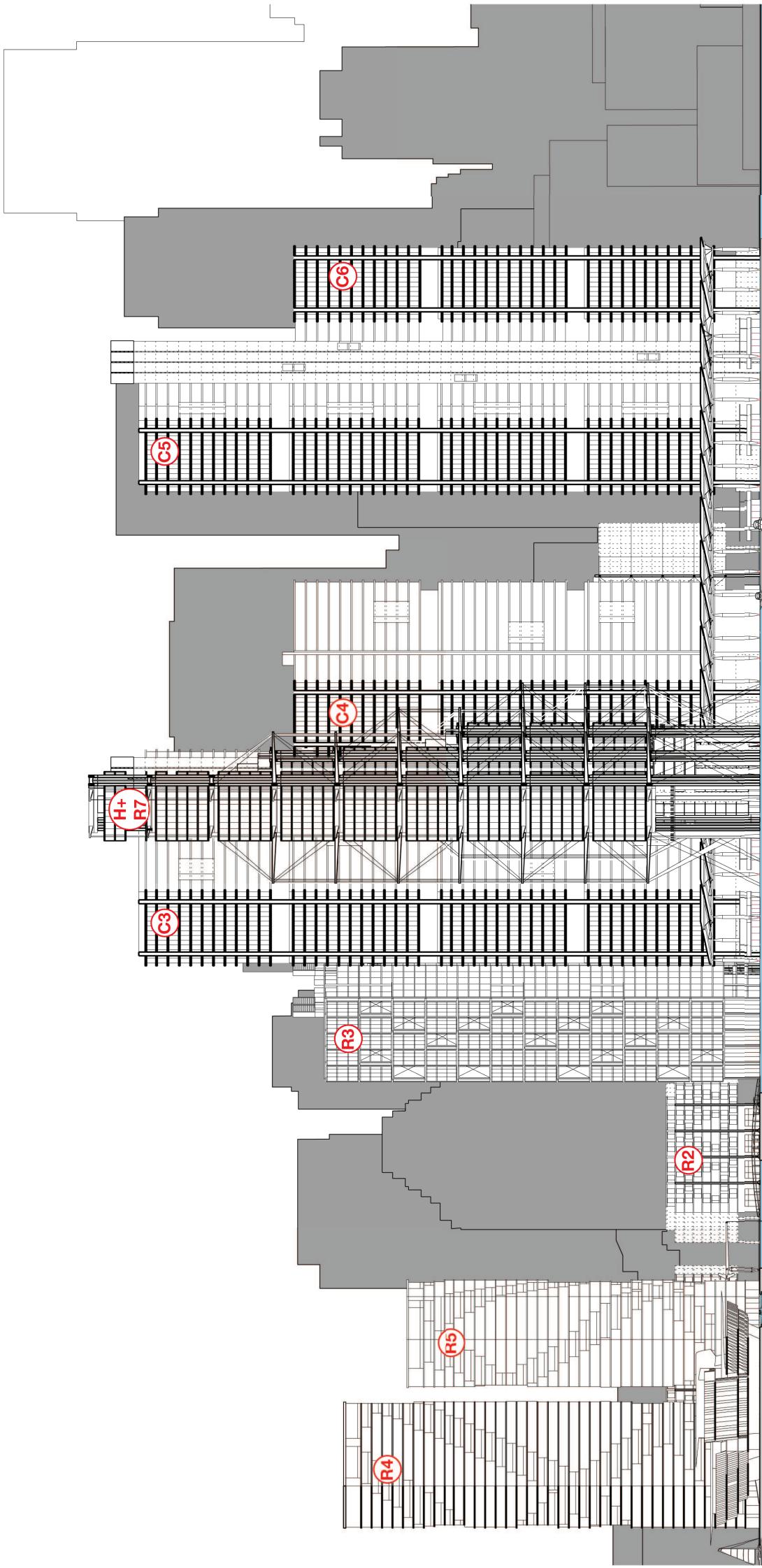
STAGE 1 SITE PLAN

PREFERRED SCHEME
MASTER PLAN





Preferred Scheme
East Elevation



Preferred Scheme
West