



The Stamford on Kent Building

183 Kent Street

Response to

**Barangaroo Concept Plan Modification
MP06_0162 Mod 4**

14 Sept 2010

The Director, Government Land and Social Projects
Department of Planning
Dear Sir/Madam

**Barangaroo Concept Plan Modification
MP06_0162 Mod 4**

We represent a residential building at 183 Kent Street of 230 apartments and two stratas. We also are strongly represented in the Kent Street Residents Group and the Millers Point Residents Action Group, a grouping of constituents of over 4500 voters.

On previous occasions when we have had the opportunity to respond to the various Exhibitions for design winners and concept plans, we have consistently expressed our concerns about the total size of this project. Again we are faced with substantial increases in GFA and these together with the relocation of some proposed blocks and increases in height, particularly in front of 167 & 183 Kent Street have created such a potential impact on the amenity of our residents, that we are forced to make a substantial objection.

This objection is based on the given “existing planning principles” of: -

- Inappropriate application of view sharing principles
- Lack of application of the principle of Tapering View Form
- Changes to the view corridors that were previously almost acceptable
- The proposed increased height and proximity creates privacy hazards
- Significant reduction to these residences Solar access

This building has been seriously addressing sustainable energy sources and this new Lend Lease proposal now eliminates the possibility of using Solar Power. This additional shading will actually require a net increase in the use of energy for heating purposes.

These important issues are further explained in the attached analysis of the Concept Plan Modification 4 Documentation, however it is becoming increasingly evident that the combination of these issues and the continued uncertainty about the plans has undermined the local real estate market significantly.

These real estate value concerns are particularly distressing to many owners, who, as Seniors, have often invested their life savings in their apartments.

In a recent meeting, Lend Lease continuously stressed that this evaluation process was a comparison between the “approved” Concept Plan and their latest proposal, which provided benefits.

We consider that any final decision has to evaluate any plan on its own stand-alone merits and it should have outstanding qualities and benefits to the community.

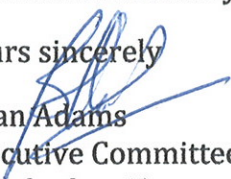
In summary, we support most of the Modification 4 Plan elements, our concerns emanates from the GFA increase which creates both the View sharing problem caused by

the height and location of Block 4b and the Solar Access problem caused by the new heights of Block 4c.

If the GFA remained at the Approved Concept Plan level and therefore Block 4B could be reduced and relocated in a south-west direction and Block 4C height could be reduced our principle objections would be minimized.

We look forward to your constructive response

Yours sincerely



Brian Adams
Executive Committee
Stamford on Kent
2501/183 Kent Street

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MP06_0162 Mod 4**

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Concept Plan Modification Volume I

Executive Summary

Background

Noted

The Proposed Modification

The focus of our residents' objections to the modifications is the increase in the GFA, which in turn creates requirement for substantial increases in the height and location of buildings which would significantly overshadow many Kent Street existing residences if they were accepted. We have no major concerns with the proposals concerning, Blocks X & Y, and the redistributions of the land use mix.

We note this proposal is not addressing any concerns or changes to Barangaroo Central or the Park and we sincerely hope and look for your reassurance that the existing "Concept Plan" for the Barangaroo Central and the Headland Park will not be permitted to increase heights of any structures.

Existing Concept Plan Conditions of Approval

Noted

Environment Assessment

Noted

Views

There is no reference to existing residential buildings.

See also our comments to Appendix N in response to view sharing principles with respect to existing surrounding developments.

Solar Access

The Sentence "Residential properties to the east and west are largely unaffected with the extent of additional shading falling mainly over commercial buildings" appears totally incorrect and misleading.

This serious issue is further discussed in Appendix B

Parking

"An Amalgamated basement for 2,600 spaces" Noted

Navigation

"No Impact on Shipping" Noted

Conclusion

Omits any comments about impacts on the local neighborhood

Part 1 Introduction

Noted

Part 2 The Site

Noted. We reserve the right to provide comment in 4 weeks. Particularly on Site Contamination.

Part 3 Consultation

3.2 Community Consultation

Fundamentally this Community Consultation process is flawed. Apart from a cynicism about whether any serious consideration is ever taken of our feedback. It is totally fragmented as each body involved in the Barangaroo project, e.g. Lend Lease, BDA and DOP, conducts their own Community Consultation and separately filters any feedback, consequently major community concerns can be readily misinterpreted.

3.3 Ongoing Consultation

Appendix G appears to miss, that particularly during any Implementation phase, that Monthly liaison meetings with the developers, builders and neighboring communities should be held. These provide the benefits, in addition to good public relations, of not only prompt advice about any future major inconveniences e.g. road blockages but also enabling quick corrective actions on such problems as high noise and dust.

Part 4 Strategic and Statutory Context

4.3.2 Approved Concept Plan Terms of approval

Southern Cove Enlargement & Figure 12 & 13

We agree with the enlargement of the Southern Cove and the North-South Canal. However the division of Block 4 into A, B & C is concerning as the proposed new tower in block 4B overshadows the Cove and, of course adjacent existing buildings. In addition the creation of block separation and presumably separate developments could result in architectural disharmony much to the detriment of the Cove concept.

Part 5 Barangaroo South Concept Plan Modification

ALSO SEE PART 7

Block 4B-----> 175M (A MAJOR PROBLEM FOR OUR RESIDENTS)

Sections of part 5 are extremely difficult to make a meaningful comment, as it is so qualified

Example 1 in part 5.2.2

“The Indicative design (Figure 17) does not form part of the Concept Plan Modification”

Example 2 in part 5.2.3 Blocks 1—4 (A-C), X and Y

“The Indicative future intent is set out below”

Example 3 in part 5.2.7 Height

“Depiction of Build forms in the following figures 21-23 are for illustrative purposes only and do not form part of the Concept plan Modification”

Example 4 part 5.2.6 Table 3 Proposed GFA use

Block 4 has a very uneven distribution considering this is a concept plan

WHAT DO THESE MEAN FOR KENT STREET RESIDENTS IF THE DOP APPROVES THIS PROPOSAL?

IS TABLE 4 PROPOSED BUILDING HEIGHTS BY BLOCK REAL OR UNREAL?

In Summary In Part 5.2 We object to: -

- (i) the new total GSA
 - (ii) any increase in height for Block 4
- Note** This is further discussed in Part 7 Below

5.3 to 5.10

Noted

Part 6 State Significant Site Amendment

Noted

Part 7.2 Urban Design, Land Uses and Development Controls

Our major and serious concerns are clearly identified in part 7.2.2. Gross Floor Area Table 6. and 7.2.3 Building Height. Lend Lease has created out of Block 4, which was primarily a commercial block located further south, 3 new blocks and both in new locations and with increased residential GFA and heights. This new proposed location in front of our residential building and height (RL) of 175m compared to 183 Kent St RL of 103m is the basis for our objection

These are some of the key issues, impact and loss of amenity

- View Sharing
- Loss of privacy
- Shadowing
- Total Height
- Sale Price Losses
- Volume Impacts
 - Poor Public transport
 - Local Traffic congestion

Part 7.4 View Impacts

Does not comment on Residential buildings. 183 Kent St residents have their views seriously impacted.

Loss of view corridors

Existing	180 degrees
November LL Plan	118 degrees (Loss of 67degrees)
June LL Plan	97 degrees (Loss of 87degrees)

Note. This is further discussed in appendix N

Part 7.5.1 Solar Access & Shadowing

Considers Impacts mainly over commercial buildings
183 Kent St West facing residents have their solar access seriously impaired

Loss of Solar Access:

Will be Every Afternoon
Loss of Solar Power opportunity

Note. Shadowing is further discussed in appendix B

Part 7.7 Transport Management and Accessibility

No mention of Kent Street Impacts?

Noted. We reserve the right to provide comment in 4 weeks.

Part 7.8 Soil and Water

Noted. We reserve the right to provide comment in 4 weeks.

Comment on Appendices

Note We reserve the right to provide comment on other appendices in 4 weeks.

Appendix A Urban Design Statement

Introduction

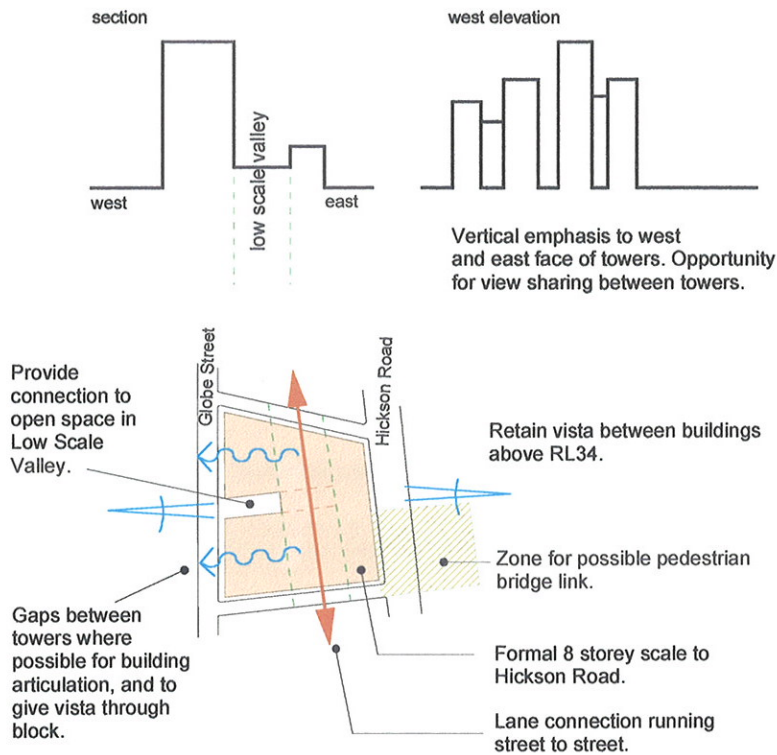
This appendix expresses the competence of the International Designers and their focus on the design of Barangaroo and its relationship to the City of Sydney in a broad viewpoint. It is not the objective of this Strata to comment on these large issues but to focus on those aspects which impact on this building i.e. Block 4

Urban Design Controls Block4

Again we are faced with the proposition of overshadowing height increases with figures illustrating the proposed Urban Design controls (for Block 4 pages 74 to 79). In other parts of these documents " the Approval Seeks to increase Block 4 from RL 100 to a maximum of RL 175 in Block 4B (an increase of 75m) noting the approved Block 4 has been split into 3 separate Blocks"

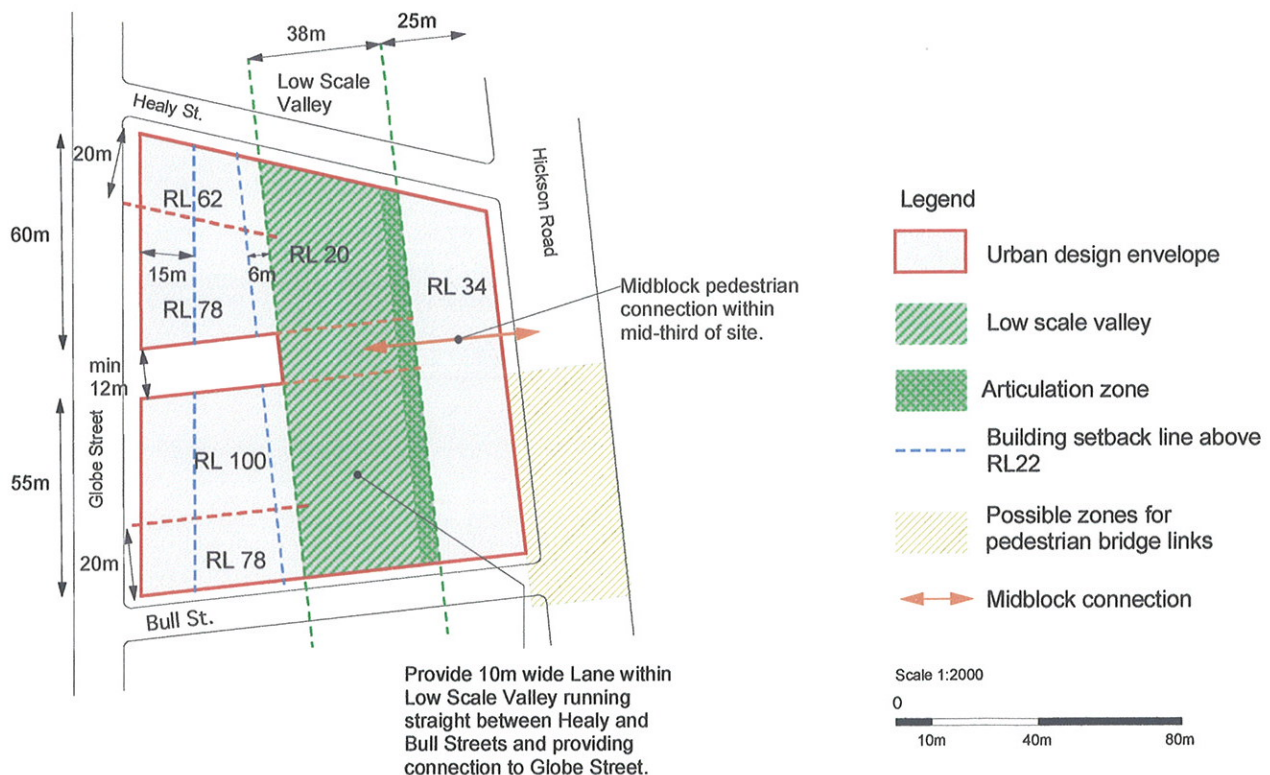
The earlier Consolidated Concept Plan, e.g. the attached figures A1 And A2 Block 4 design requirements show clearly that the maximum height on Hickson Road as RL34, a gap and the RL100 buildings facing Globe St. It appears that this newly proposed Block 4B is planned to be located in this gap and both much too close to Hickson road and not a height increase of 75m but more like an increase of 141m.

BLOCK 4 DESIGN PRINCIPLES



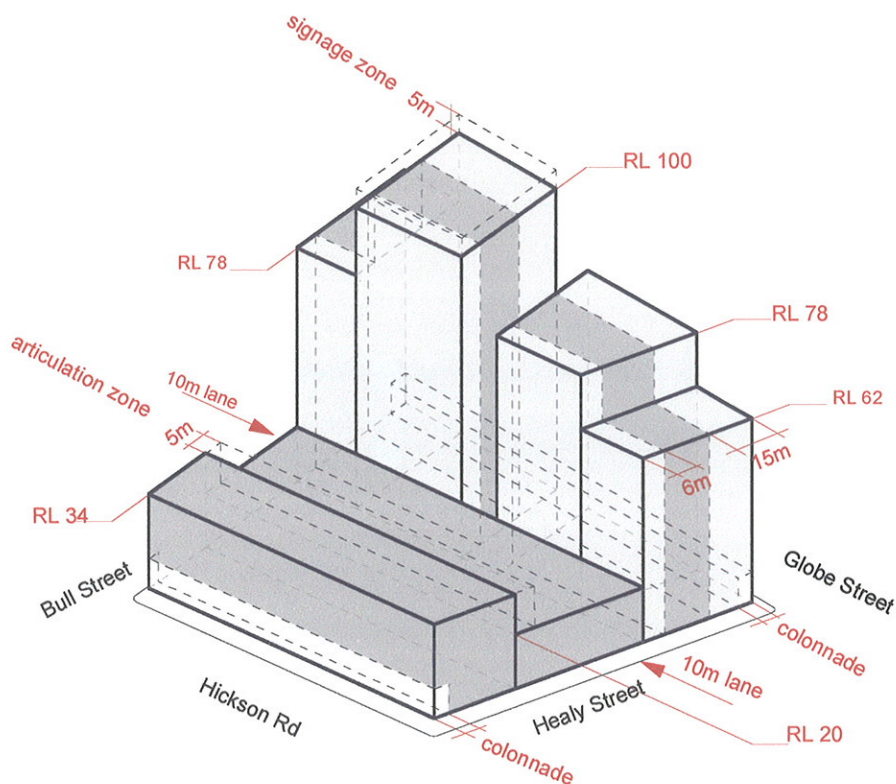
Max. permitted GFA **74,500m²**
 Urban design envelope footprint area **10,950m²**

BLOCK 4 INDICATIVE BUILT FORM

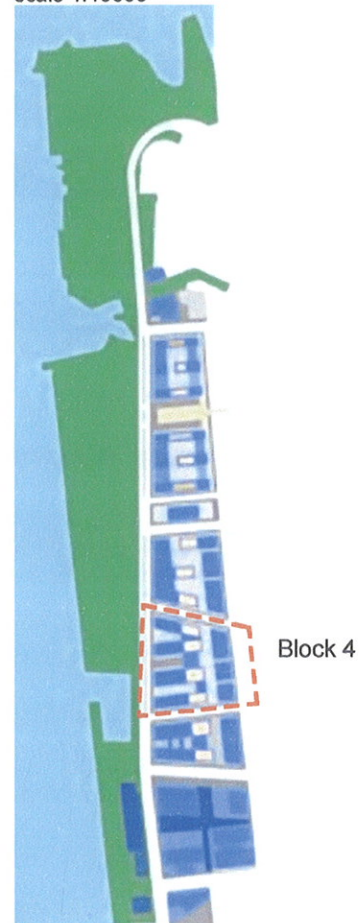


GFA - The maximum permitted GFA control prevails over the urban design envelope controls, which intentionally allow for the distribution of GFA within the urban design envelope to be resolved via more than one end building design. The max. permitted GFA does not allow for a building to fill the whole of the urban design envelope, and this is not permitted.

*All drawings are indicative only and subject to further site investigation and detailed survey confirmation.



key plan
scale 1:10000



BLOCK 4 DESIGN REQUIREMENTS

Provide colonnade/s along the frontage of Globe St to align with the building/s above. Provide colonnade for minimum 90% of the frontage of Hickson Road.

Provide awning/shelter to minimum 60% of Healy St and Bull St.

Build to the street alignment for minimum 90% of Hickson Rd and minimum 60% of Globe St.

Locate vehicle access from Bull St and Healy St only.

Additional 5m height is permitted for rooftop signage within the Signage Zone.

The maximum permitted north-south dimension of any part of a building between the building setback line and the property boundary is 24m. Provide a minimum 6m separation between different parts of a building between the building setback line and the property boundary.

Provide 10m wide lane within the Low Scale Valley, running straight between Bull St and Healy St.


Provide ground level Public Domain, including Lane, to a minimum 30% of the Low Scale Valley, of which 80% shall be open to the sky.

A 5m wide articulation zone is included on the eastern edge of the Low Scale Valley, within which building elements may be built to the height of the adjacent buildings to which they are connected. The maximum footprint of such elements shall be 30% of the articulation zone.

*GENERAL NOTES: Within the three dimensional drawing of Development Control Conditions, all horizontal planes are at the noted RL above AHD, and all Vertical planes are 90 degrees to horizontal. Do not scale from drawing.
*All drawings are indicative only and subject to further site investigation and detailed survey confirmation.

Legend

 Main building zone - See Plan for conditions.

 Building setback zone, within which maximum building dimensions apply.



Appendix B Shadow Analysis

In Volume 1, Executive Summary, the following statement is made: -

“Residential properties to the east and west are largely unaffected with the extent of additional shading falling mainly over commercial building”.

This statement is misleading and as far as the Stamford on Kent is not correct, particularly when the Appendix B shadow diagrams are examined.

There are two prime reasons for this assertion

1.The location of the Stamford on Kent in relationship to the Barangaroo South proposal and its high rise buildings. This is illustrated in the Figure B1.

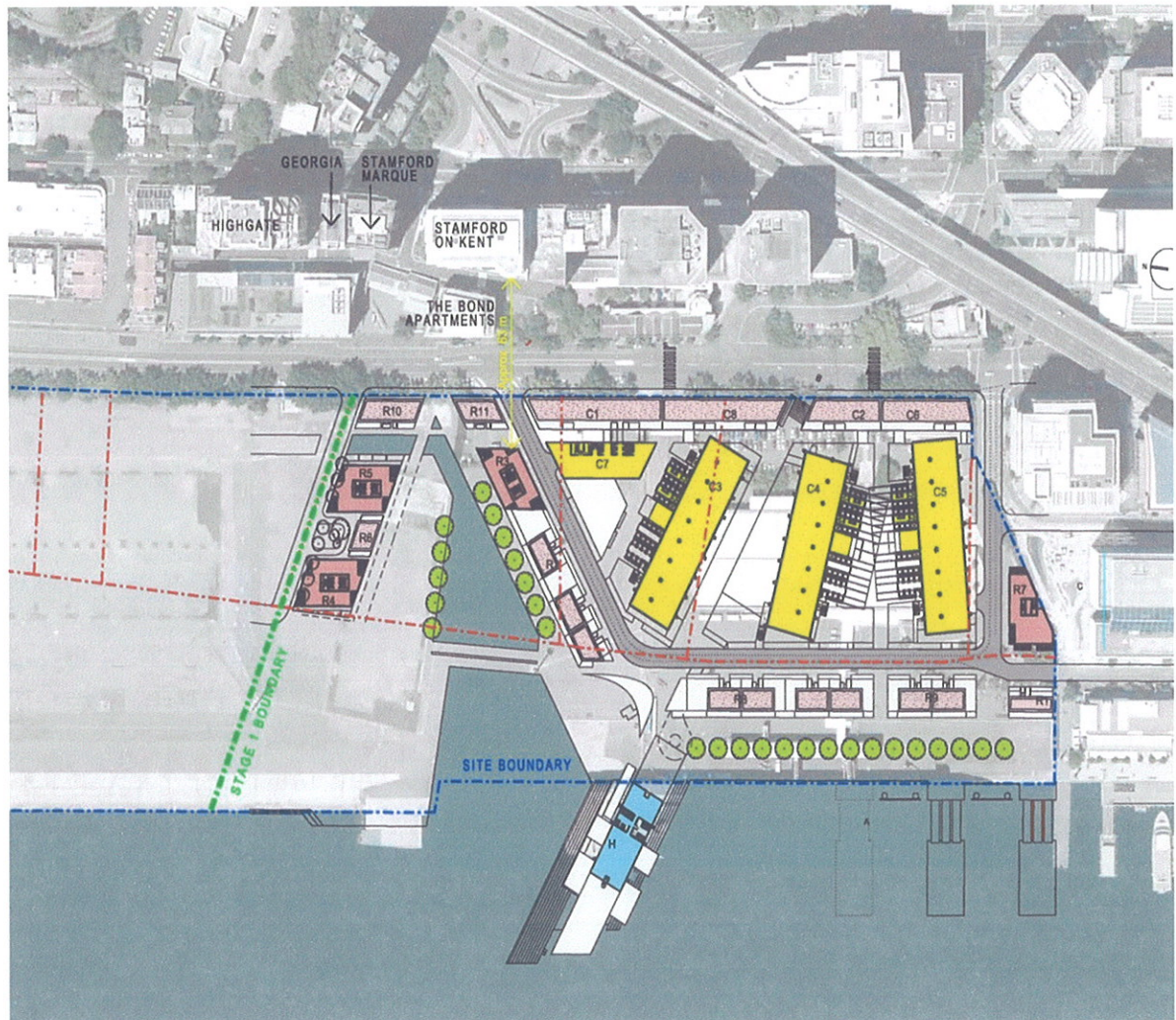


Figure B1 Kent Street residences in relationship to Barangaroo South proposal

As the figure shows Building R3 is due west and Buildings R5 and R6 are North West of the Stamford on Kent. These buildings exceed the RL of the Stamford on Kent by 75m and 63m respectively, clearly blocking solar access.

2. The shadow diagrams which show the impact of the requested modification in Yellow are illustrated in the Figure B 2

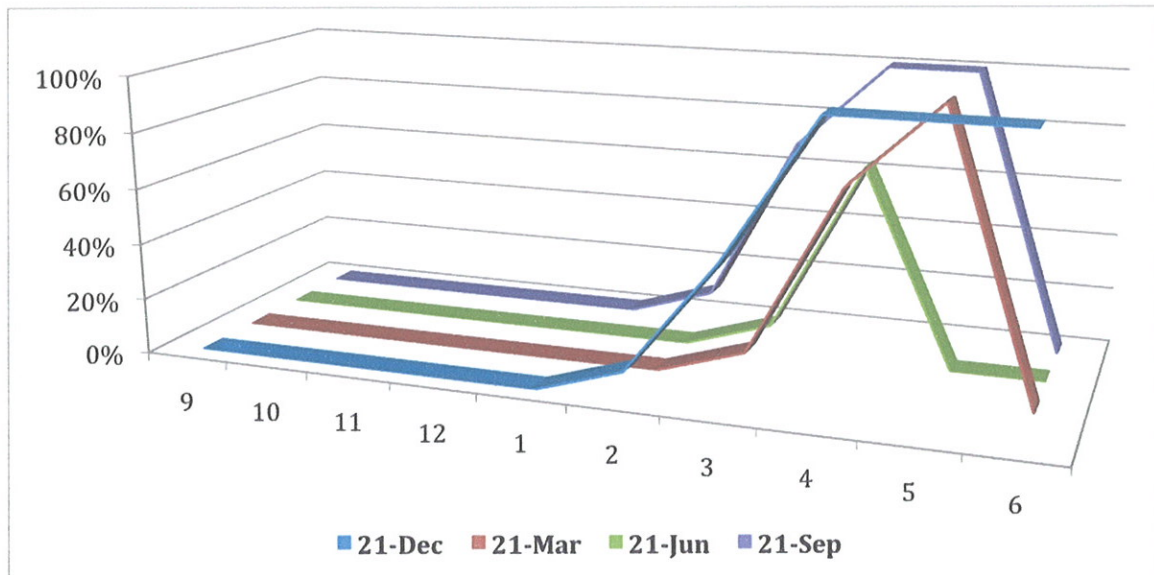


Figure B2 SOK Shading Impacts Due to New Lend Lease proposal

Conclusion

Our objection to both the size and height of the proposed Barangaroo residences in terms of the enormous loss of solar access for the Stamford on Kent residential building is justified by examination of the information Lend Lease provided. Further the Shadow diagrams appear to also show that the November Lend Lease proposal has a far less impact on the loss as R3 is not in that location and R5 & R6 are much lower.

These significant reductions to this residence's solar access results are: -

1. *This building has been seriously addressing sustainable energy sources and this new Lend Lease proposal now eliminates the possibility of using Solar Power.*
2. *This additional shading will actually require a net increase in the use of energy for heating purposes.*
3. *Some experts attribute some deterioration in individual's health conditions due to the reduction of solar exposure.*

It is noted and not understood why the other residential buildings to the north of the Stamford on Kent have largely retained their solar access. Our only explanation to this situation is that the planners are treating The Stamford on Kent as if it is a commercial building

Appendix N View Impact Analysis

Stamford On Kent (SOK) Comments on Appendix N View Impact Analysis

This section on Appendix N attempts to highlights the impact on the SOK.

Para 1.2 “No true visual comparison have been provided”

These statements are concerning as we are not able to realistically comment on any detail.

We reserve the right to formalize our objection to the design until the actual design is presented

Lend Lease have provided some photomontages to us and also, at a meeting, demonstrated the diminished view sharing. This will be further discussed in the conclusion part of this section

Para 3.1 Existing Planning Principles

Noted

Para 5.2 Issues relating to view corridors

This statement concerning little change to the view corridors because the GFA increase is achieved by additional height rather than “fattening” is incorrect when block 4C is considered as this new 175 m high-rise locates directly in front of SOK.

This also will be further discussed in the conclusion part of this section

Para 5.3.2 Visual impacts of office towers and other building height or density increases

Again this section includes that the proposed buildings are indicative only?

Para Stamford on Kent

This attempts to minimize the impacts on the Western views, as SOK residences will be able to view the Southern Cove and view sharing outcomes have been achieved. However the North-west views will only be unaffected if the Concept plan for lower height building in Barangaroo Central are sustained

Para 6. Conclusion

This section’s conclusion appears to have been written without any consideration to either the main text of this appendix or that there is a significant number of existing residences seriously impacted by a loss of amenity due to further loss of views due to this proposed modification.

Loss of view corridors

Existing

180 degrees

November LL Plan

118 degrees (Loss of 67degrees)

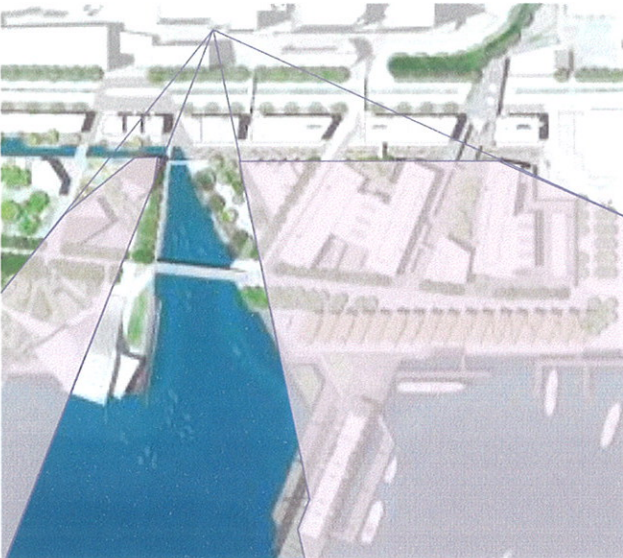
June LL Plan

97 degrees (Loss of 87degrees)

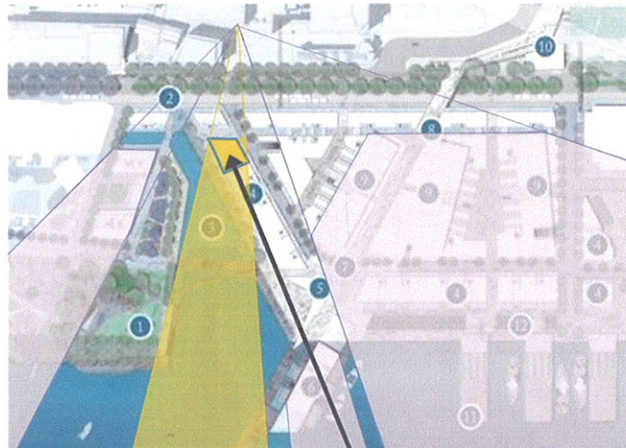
Figure N1

View Corridors from Stamford on Kent (southern balconies)

Lend Lease Plan February 2010



Lend Lease Plan June 2010

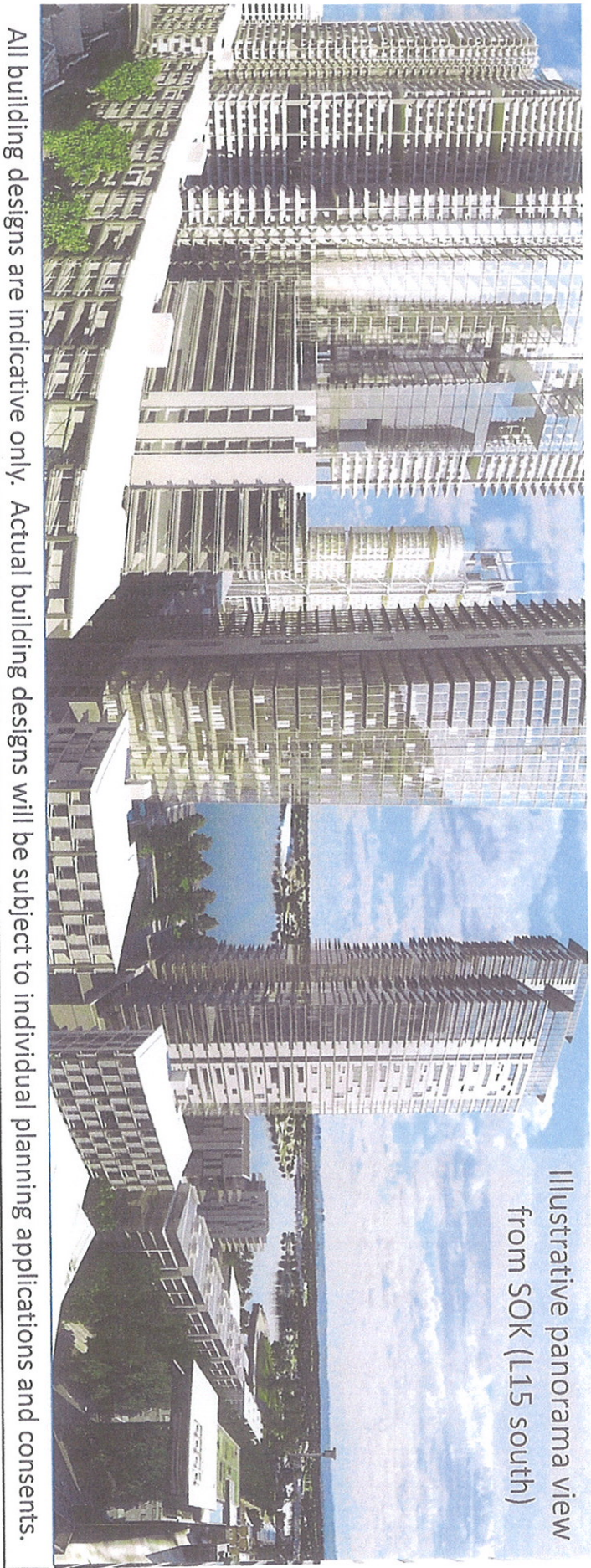


Southern
residential tower

Summary

It is quite evident that from this figure N1 and the other appended photomontages that the Stamford on Kent's view corridors have been both seriously impacted and disadvantaged by this latest Concept plan Modification. The Lend Lease documents attempt to minimize the situation.

The proposed location of R3 is the cause of the problem and its relocation further South-West could both improve the view corridors and alleviate considerable residents concerns.



All building designs are indicative only. Actual building designs will be subject to individual planning applications and consents.

Figure N2 Lend Lease Photo Montage showing impacted views

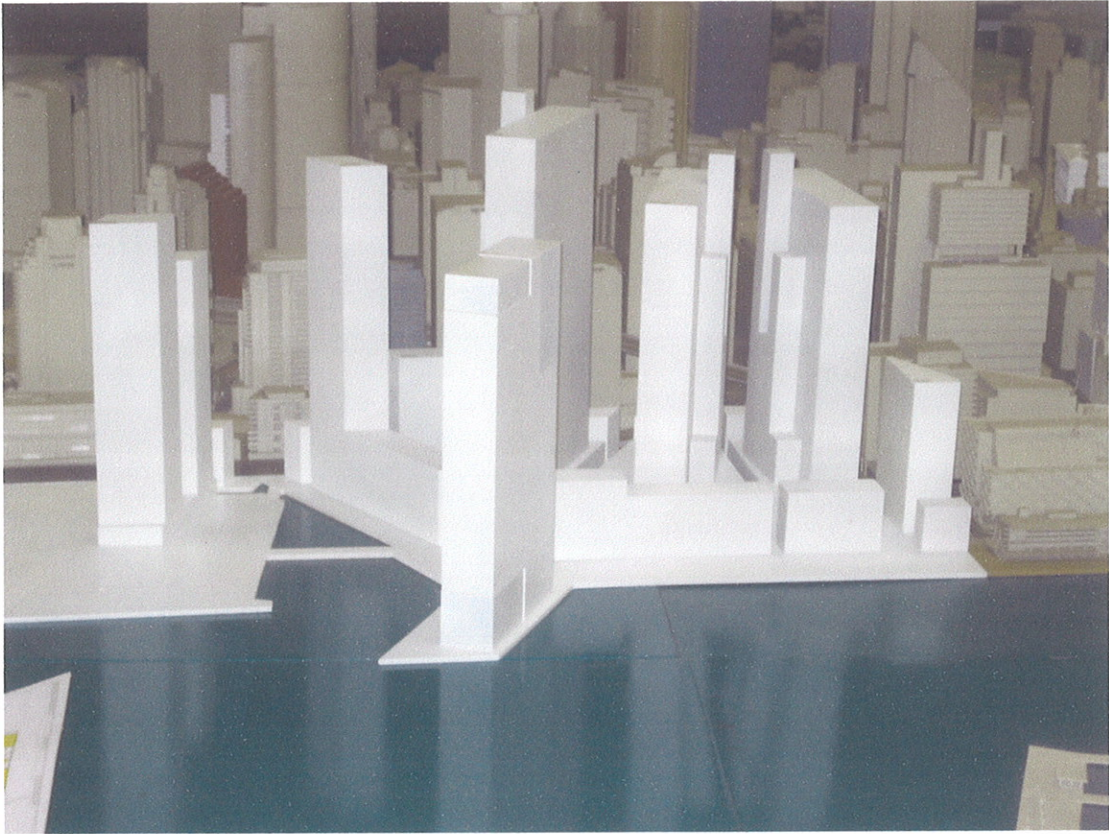


Figure N3 Town Hall Model showing Western reduced view sharing

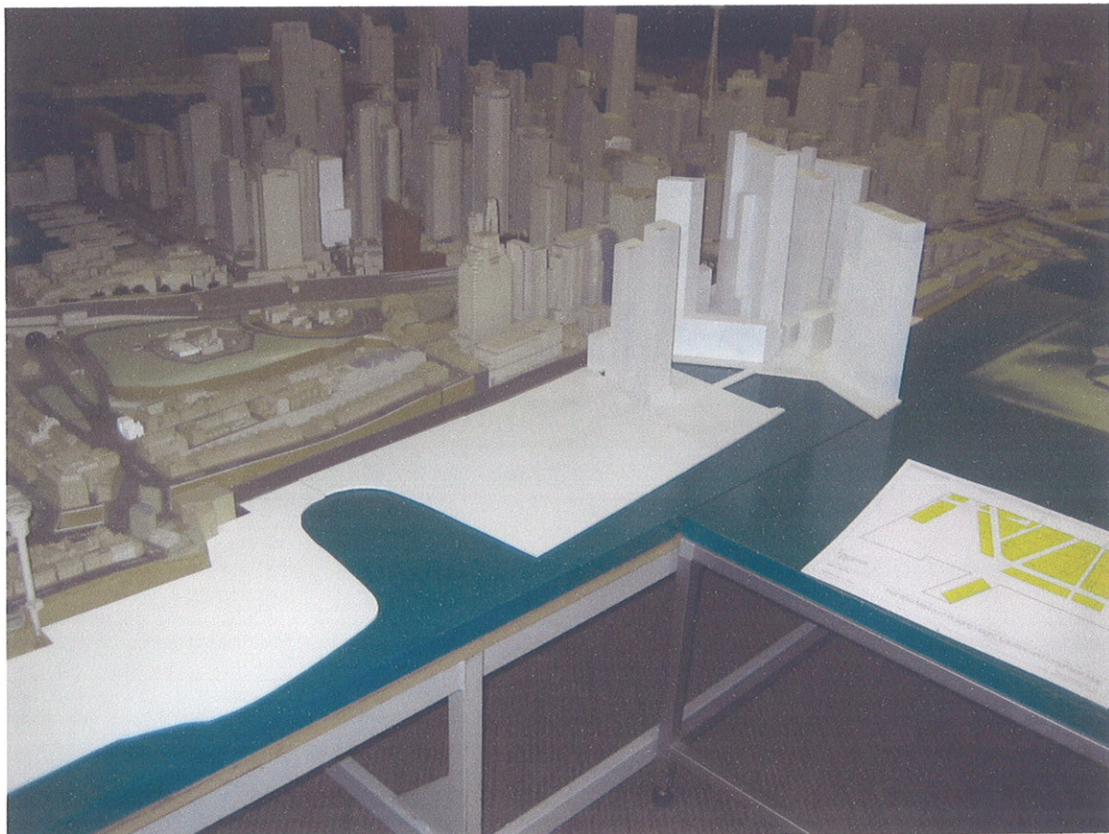


Figure N4 Town Hall Model showing Northern reduced view sharing

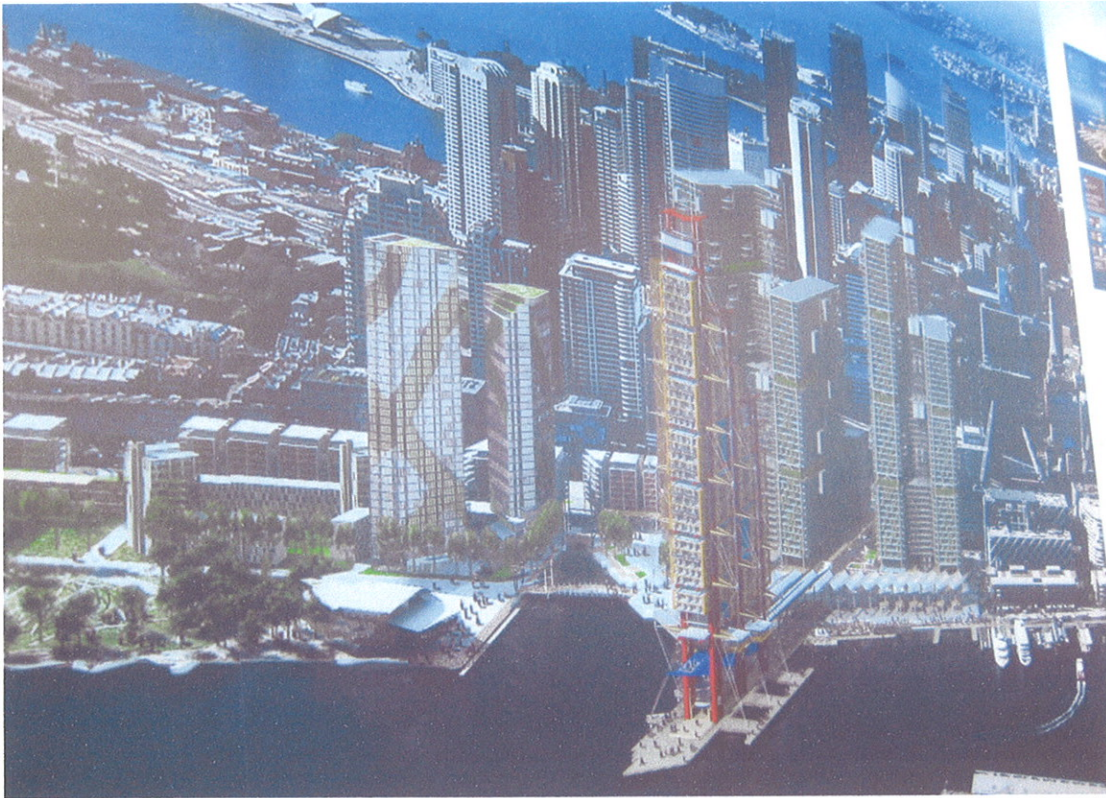


Figure N5 Lend Lease November Model Note SOK broader view



Figure N6 Lend Lease proposed Model Note the R3 impact on SOK

Part 3. Summary and Conclusion

As a summary in terms of Lend Lease requested approvals our prime and secondary concerns are listed below:

APPROVAL REQUESTED

1. Reconfiguration of Build Forms

2. Establishment of Block Y (Hotel)

3. Establishment of Block X (Waterfront Low Rise)

4. Increase of GFA

5. Removal of Passenger Terminal

6. Increase of Block 1. 62m to 80 (Commercial)

7. Increase Block 3. 112 to 209 (Commercial)

8. Max. Increase Block 4. 100m to 175 (Residential)

9. Block X to be 41.5m

10. Block Y to be 170m and change to Concept Plan

11. Reduction of width to Public Promenade to 21m

12. Change Build Form

13. Provide cultural centre

OUR CONCERNS

An outcome of the other changes

Mixed residents' reaction

Mixed residents' reaction

Strong Objection

Accepted for P&O Style

No strong issue

No strong issue

Strong Objection

No issue

Mixed residents' reaction

Mixed residents' reaction

Block 4 Strong Objection

No issue

It becomes apparent that our prime concerns are caused by the request for a further increase in GSA and the consequential re-distribution of these GSA between commercial and residential buildings, without any serious considerations of the impact on the amenity of the existing and adjacent residential dwelling.

Lend Lease's main justification about the impacts on the existing residential buildings, expressed in their presentations to us, is that this result is a vast improvement over the "approved" concept plan.

We trust that the Department of planning will consider the Modification 4 as a total stand alone project in terms of its excellence and its environmental assessment.

We note that our specific objection concerning the impact of view sharing and solar access can be resolved by not accepting the increase in GFA and building heights and proceeding with a plan similar to the one presented by Lend Lease at the award of the Contract and displayed by the BDA for comment

**Millers Point, Dawes Point, The Rocks
Resident Action Group**



29 Lower Fort Street
MILLERS POINT
NSW 2000
15th September 2010

The Director of Urban Assessment
Department of Planning
23-33 Bridge Street, Sydney
NSW 2000

Dear Sir / Madam,

Modification of Concept Plan for Barangaroo (MP 06_0162 MOD 4).

The Resident Action Group would like to record its support the finding of an alternative to the headland park concept, the reduction of its size and the undertaking of a formal review of the concept for the park with the objective of simplifying the park design to reduce construction costs.

This reduction in construction costs will reduce the commercial pressure on the Barangaroo South development site, to enable a reduction in the proposed total gross floor area, construction mass and building heights.

We are making this separate submission in regard to the headland park as a part of the concept plan as the unwarranted size and complexity of the present concept is not a reflection of local needs or desires but is a source of deep concern in our community.

I can be reached during business hours on 9225 3225 and after hours on 9241 2875. Please let me know if you would like any further information.

Yours faithfully

Millicent Chalmers
Chair

Mr C.R. Rasmussen
Apartment 2103
183 Kent Street
Sydney NSW 2000

14 September 2010

The Director
Government Land & Social Projects
Department of Planning

Email: plan_comment@planning.nsw.gov.au

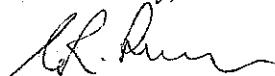
Dear Sir,

Barangaroo Concept Plan Amendment (MP06_0162 MOD 4)

I am a long standing owner and resident of a west facing apartment in the Stamford on Kent, 183 Kent Street, Sydney. I object to the above proposed modification on the following bases:

- the substantial increase in the building height envelope for the proposed building directly in front of the western aspect of Stamford on Kent, has a significant adverse impact on the light, shadowing, views and general amenity of residents in the Kent Street and Hickson Road residential apartments.
- the suggestion that the proposed building directly in front of the western aspect of the Stamford on Kent seeks to achieve view sharing is patently ridiculous. This building takes substantially all the western views from the majority of the west facing apartments, when the other parts of the proposed development have already taken all of the southern views of that building and the remaining north western view will be substantially adversely affected by the buildings at the northern end of the southern precinct of the site.
- the height and gross floor area of the proposed development is excessive, out of proportion to the rest of the city and inconsistent with the heights on the existing north/south spine of the CBD.
- the vehicle impact of the proposed development (upon roads already gridlocked at rush hour) is not adequately addressed and there is no effective public transport proposal.

Yours faithfully,



C.R. Rasmussen

KENT STREET RESIDENTS GROUP (KSRG)

Contact: Chairman, KSRG, c/o 127 Kent Street, Millers Point, NSW, 2000

13 September 2010,

The Director, Government Land and Social Projects
Department of Planning
GPO Box 39,
Sydney NSW 2001

Submission from Kent St Residents Group - KSRG

Major Project Application MP06_0162 MOD4

Barangaroo Concept Plan Amendment (Modification No. 4)

The Kent Resident Residents Group is extremely concerned on the following issues

- Lack of transparency in the process between the Government, Barangaroo Development Authority and Lend Lease
- Remediation has the potential to release hazardous and toxic material into the environment where we live
- The plans submitted do not address the major problems associated with access to and from Barangaroo. The roads are choked with 1000 passengers when a ship arrives, it simply will not cope with the proposed 30,000 people movements predicted. (Picture 1)
- There is very little concern shown for the established community of existing residents with regard to "sharing of views".
- There is no iconic building proposed (like the Opera House)only gargantuan towers
- There seems to be little attention to Gas Lane as an entry to Barangaroo even though it is currently used. People are not going to walk up 100 steps to Healy St when they can use a lift to get to Wynyard

Concept Plan Modification Vol 1 Executive Summary Views page x
"New significant views to be opened up where possible to include those that terminate at Sydney Harbour, parklands, low levels sky or a publicly significant building."
KSRG objects to the 2 buildings proposed 176m and 160m that will obscure the Sandstone Bond building
Concept Plan Modification Vol 1 Executive Summary Solar Access page x
Lend Lease proposes to build 2 buildings on the north side of the Southern Cove that are 175m and 160m. " Residential properties to the...east are largely unaffected".
KSRG objects to the two buildings on the grounds that this is simply untrue, westerly sun will be blocked by these new proposed buildings to resident of Kent St.
Acoustic Operations Vol 3 Page 6, 7
Barangaroo South is compared to "areas with very dense transportation in commercial districts or

bordering industrial districts" and given a level R5 of noise category groups.
<i>KSRG does not agree with this description of Hickson Rd. There are few buses, no heavy transport. When Patrick operated there was very little heavy noise emanating from ships. Cars and taxis use the street now and there are no industrial sites. Please review to R2/R3</i>
Wind Impact Statement Vol 3 Page 9
The report states "When the wind hits a relatively large isolated building, the wind is accelerated down and around the windward corners or downwash"
<i>KSRG believes that the 50 story building directly in front of Gas Lane will channel the wind and provide a wind tunnel. Recommend removal of such tall buildings (175m and 160m) in front of existing residential buildings.</i>
Environmental Assessment Groundwater and Hydrogeology Vol 3 Page 18 (2.5.3)
The groundwater analysis " Detectable concentrations of total petroleum hydrocarbons (TPHs), benzene, xylenes and polycyclic aromatic hydrocarbons (PAHs) and toluene, ethylbenzene have been recorded and are associated with the former gasworks operations on and in the immediate vicinity of the site." The Air Quality Impact Assessment by AECOM Australia Pty Ltd, which assessment is very carefully qualified, lists a plethora of dangerous heavy metals as contaminants in the soils of Barangaroo including arsenic, cadmium, chromium, copper, cyanide, iron, lead, mercury, manganese and zinc. AECOM report at Page 9 3.3.1 of the attachment that " All long-term soil stockpiles on-site would be covered or stabilized with spray grass or other dust/erosion reduction measures as required."
<i>KSRG is most concerned about "long-term soil stockpiles on site". These excavated materials are contaminated and need to be in sealed containers. Health risks to residents, office workers and their children who attend pre schools in the area.</i> <i>We recommend there be no stockpiles on site, the soil needs to be removed as soon as possible to prevent the city being contaminated by the dust. If it is to be on site then it must be in sealed containers</i>
Environmental Assessment Report Vol 3 page 42 5.1
"The concept Plan modification includes the following residential provisions: up to 99,763 sq m. of residential floor space, potentially accommodating up to 2,475 new residents in 775 to 800 dwellings in Barangaroo South. At page 98 7.2.2 Gross Floor Area ('GFA') the Modification has resulted in a residential GFA uplift of 82.7% over the original Concept plan.
KSRG is concerned that there is little planning for transport. There are 1500 cars per day now
Environmental Assessment Report Vol 3 page 125 7.10
Air, Noise and Odour Quality during construction. AECOM in its assessment recommends that " a review should be undertaken of potentially affected buildings to determine whether air conditioning intake valves are located on the sides of buildings closest to the Barangaroo site.
KSRG recommend this assessment be done immediately. It is ludicrous to assert that intake valves will only be affected on the side closest to Barangaroo. All residents need full disclosure to prevent health problems.
Environmental Assessment Report Vol 3
Construction noise is expected to reach 90 decibels intermittently. The AECOM report states "construction noise will be a regular feature of the local noise environment. And "Reasonable and practicable noise and vibration mitigation measures are proposed to be implemented to minimize impacts to the community.
<i>KSRG wants to know what mitigation measure are to be taken</i>
Environmental Assessment Report Vol 3 Page 32
The design meets the B3 conditions of the design by "Providing unobstructed public access to perimeter of Southern Cove" and "New canal which runs parallel to Hickson Rd"
<i>The public will not even know there is access because Building R10 on Hickson Rd (33m) will</i>

obscure any view of the Cove and Canal from Gas Lane for the public coming from the city. KSRG would like to remove Building R10 from Plan so the Bond Plaza can still be available for photography, weddings, film making and community use

Environmental Assessment Report Public Transport Vol 3 page 69

This plan retains the original proposed bus routes.

KSRG is currently adversely affected by lane reduction due to cycleway. Barangaroo construction will add pressure to traffic and parking. Onsite parking for workers needs to be made available. Roads need to be assessed

Environmental Assessment Report Site Amendment 6.0 page 84/102

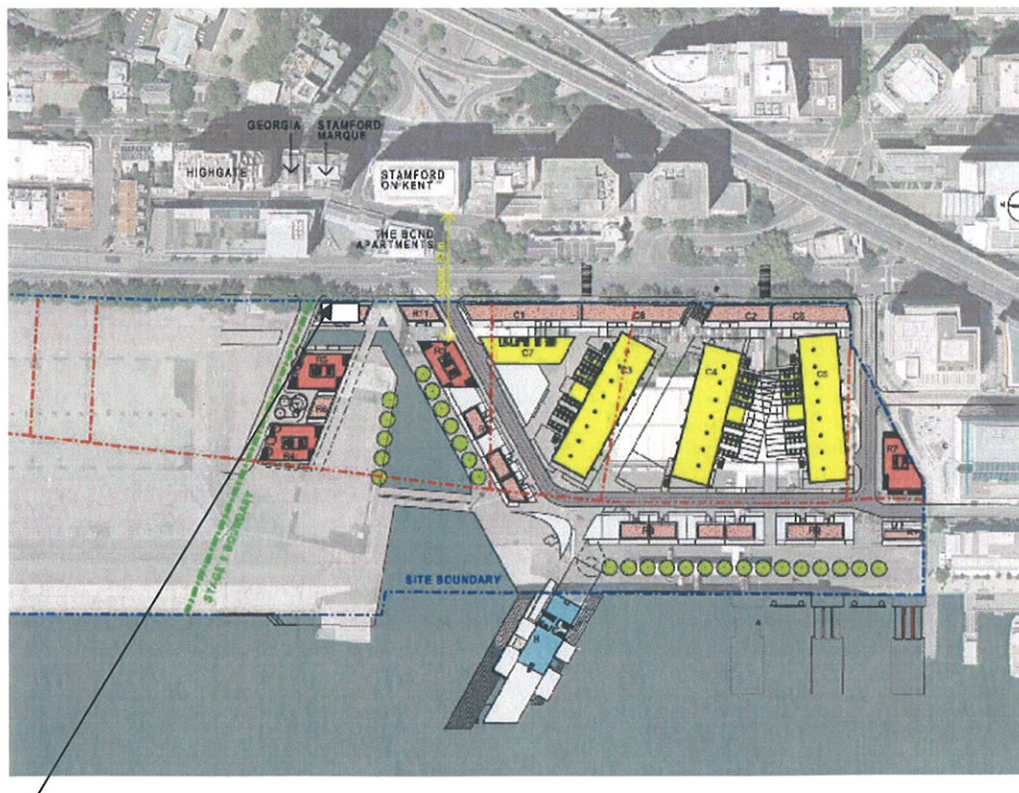
Increase the maximum permissible height in Barangaroo South blocks

KSRG was opposed to heights on original plan and is opposed to new heights

Environmental Assessment Report View Impact 7.4 Page 105

There will be retention of views across the site.

There is no consideration of existing resident views only "drive by views across the site" KSRG strongly recommends that building in front of existing resident buildings be narrow, with reduced bulk to gain some "view sharing". Tenacity Consulting v Waringah [2004] NSWLEC 140 recently gave excellent reasoning (assessment of views to be affected, consider from what part of the property the views are obtained, assess the extent of the impact, assess the reasonableness of the proposal) regarding sharing of views.



R10 is coloured in white. This area should be a plaza to match the Bond Plaza across the road. It would integrate Barangaroo and Hickson Rd buildings and provide a meeting place for the people using the cultural centre

PICTURE 1

Mid morning chaos with cars to collect passengers from P and O cruise and there was no exit on the return journey as Erskine and Hickson was blocked



From: Ruth Kerr
194 Carrington Road
RANDWICK NSW 2031



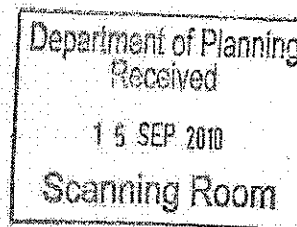
Re : Application No. MP 06 0162 MOD 4

Location : Hickson Road Barangaroo Sydney.

Proponent : Lend Lease (Millers Point) Pty. Ltd.

Council Area : City of Sydney

The Director
Government Land and Social Projects
NSW Department of Planning
G.P.O. Box 39
SYDNEY NSW 2001



Sir,

I wish to add my voice to the no doubt very long list of those Sydney citizens who strongly object to the proposed development at Barangaroo.

It is a magnificent site and we are privileged to have the opportunity of creating a thing of beauty which will be appreciated by ourselves and our visitors for generations. It is not a development to be entered into hastily.

What is currently proposed is, I believe, an ugly intrusion on the beautiful harbour. In my opinion, the buildings are far too high and must overshadow the lower and historic end of the city. Access to the area will be very difficult and congested. The notion of a hotel extending into the harbour is unthinkable.

I have no personal axe to grind, not being in any way connected with any developers or political parties.

As a lifetime resident of this wonderful beautiful city, I would very much regret seeing Darling Harbour turned into a replica of the overcrowded and not particularly attractive Hong Kong Harbour.

Please give the project a lot more thought and planning before anything is done that will be regretted in the future.

Yours truly

Ruth Kerr

September 13, 2010

The Director, Government Land & Social Projects
 Department of Planning
 GPO Box 39
 Sydney
 NSW 2001

13th September 2010

Attention: The Director, Government Land and Social Projects

Re: MPO_0162 MOD 4

We are owners in a residential building on Kent Street called Stamford on Kent consisting of 230 apartments with 2 strata's. Our building has been a residential block for 10 years. We are also strongly represented in the Kent Street residents group and the Millers point residents action group, with a grouping of 4500 voters.

We strongly object to the new proposed modifications. Our main points of objection are:

1. The increased height and placement of Block 4 which affects the views and amenity and outlook of 3 existing residential apartment buildings.
2. The overshadowing of our apartment building and the other existing apartment buildings that deny us sunlight and the use of solar power.
3. Other objections are the dramatic raising of height limits of other commercial towers on the site and the shrunken size of the waterfront boardwalk.
4. Our prime concern is the large residential block that has suddenly appeared in this latest incarnation completely blocking out any westerly views from the Stamford on Kent Building. It also is sited so close to the building too that there will be considerable privacy issues. Considering that everything else in the area had to comply with the current Sydney codes and have a reach of only 8-10 floors, how could such a large building (4b) of 175M + (which is equivalent of Australia square) be allowed to proceed with no respect what so ever to existing views of residents and residential owners. The building block 4 has appeared from no where and been sited so that the majority of the outlook and view is taken away from the Stamford on Kent Apartments.

The positioning of the other commercial blocks 1-3 also take away from all of the southern views (40%) from the Stamford on Kent and the residential block 4C is also taking away some of the northern views. We are nearly accepting this loss but the siting and increased heights of block 4B takes away what is left of any outlook and this is an outrageous outcome. We will be going from living in a village like precinct to being hemmed in on all sides by an oversized concrete jungle!

We are extremely outraged that nothing has been stated in the impact assessment about this loss or impact it will have on amenity and values. This one building 4B on the site also severely adversely affects the two neighbouring buildings, the Stamford Marque and the Georgia.

The only reference in the whole impact assessment to this total blocking of the view is: "The concept plan modification proposal, and the development block controls have sought to achieve a view sharing outcome for the apartments with a western outlook from the Stamford on Kent". 5.4.2 of the impact assessment document. (Impact on Stamford and Kent).

There is in fact no thought of view sharing at all with the other proposed position of building 4B on the site. At 175M it towers and dwarfs all the Kent Street buildings and the vast majority of the outlooks and views of the west of Stamford on Kent. This is a major impact on existing amenity not to mention real estate values in the precinct and all to gain more residential floor space and profit to lend lease. Many of the existing residents have sunk their entire life savings into their homes here and will be hugely negatively affected by the modifications in this proposal.

The idea that the new development participates in "view sharing" is laughable. The views and outlook of 3 major residential buildings are going to be severely blocked in this proposal.

Another negative impact is the overshadowing of the buildings. The height increase in the proposed building reduces the solar access of the Stamford Building. We were looking to further green the building by use of installing solar panels. This would now not be feasible due to increased height limits in Barangaroo and the overshadowing of the Stamford Building.

Other concerns are the shrinking of the waterfront boardwalk by 50% to allow more residential buildings and the increased height limits of other commercial towers.

We feel that we are being reasonable and don't object to the development as a whole. The positioning of the building 4B is the latest incarnation and the increased height limits, which are dismissed and trivialized in the impact statement are huge detriment to the whole Stamford on Kent Building, the Stamford Marque and Georgia buildings. If this development were to proceed in the current form it would be a travesty of justice and the idea of keeping existing residential amenities is a joke.

Regards.

Jonathan Rubinsztein
Owner of 1506
Stamford on Kent
183 Kent Street
Sydney
NSW 2000

David Gibson - MP06_0162 MOD 4

From: "Andrew Goodman" <a_w_goodman@hotmail.com>
To: <plan_comment@planning.nsw.gov.au>
Date: 15/09/2010 9:55 PM
Subject: MP06_0162 MOD 4

To: The Director, Government Land and Social Projects

Dear Sir,

After viewing the proposed plan for the Barangaroo development I was horrified to see the size of the buildings compared to the rest of the city. They are completely out of proportion to the rest of the nearby buildings and the majority of the rest of the city.

There is also the issue of building into the harbour. Not only do I feel this is an unpleasant, unsightly thing to do, I also think it will set a dangerous precedent.

As for the construction phase, there seems to have been scant regard for all of the residents living near the site. My concerns about the complete clean up of the contaminated soil have not been allayed and air quality, construction noise and the extra traffic all are on too large a scale.

I understand that something needs to be built on the site but everything from the scale of the buildings to the noise during construction seems to be 50% bigger than it should be.

Kind regards,

Andrew Goodman

1509/127 Kent St

David Gibson - MPO_0162M0D4

From: Karina Dockery <kmd2312@gmail.com>
To: <plan_comment@planning.nsw.gov.au>
Date: 16/09/2010 8:25 AM
Subject: MPO_0162M0D4

Attention - the Director, Government Land and social projects

As a resident of the Stamford on Kent, I am concerned about the placement of the proposed 'Block 4B' as part of the Barangaroo project and the significant impact this will have on the residents at the Stamford on Kent.

Overall, I am supportive of the Barangaroo project and what this will add to the Sydney landscape. The terrible placement of the Block 4 Tower, which would be better placed in front of Commercial buildings on the southern end of the site is however of grave concern.

Apart from the prospect of living with 10 consecutive years of construction noise on our doorstep, the impact that the placement will have on our residential value and livelihood is paramount.

Surely there is a way forward that doesn't impact livelihood and the 'city of villages' philosophy strongly endorsed by Government.

Yours faithfully,

Karina Mendez

Apartment 2510/183 Kent St,
Sydney 2000.

Chris W

RECEIVED
- 9 SEP 2010
Director General

William S. Lloyd
12 Florence Ave
Denistone NSW 2114
Telephone: 02 9874 3218
Mobile: 0428 743 218
Email: billloyd@bigpond.net.au

8 September 2010

Mr Sam Haddad
Director General
Department of Planning
GPO Box 39
SYDNEY NSW 2001

Dear Mr Haddad,

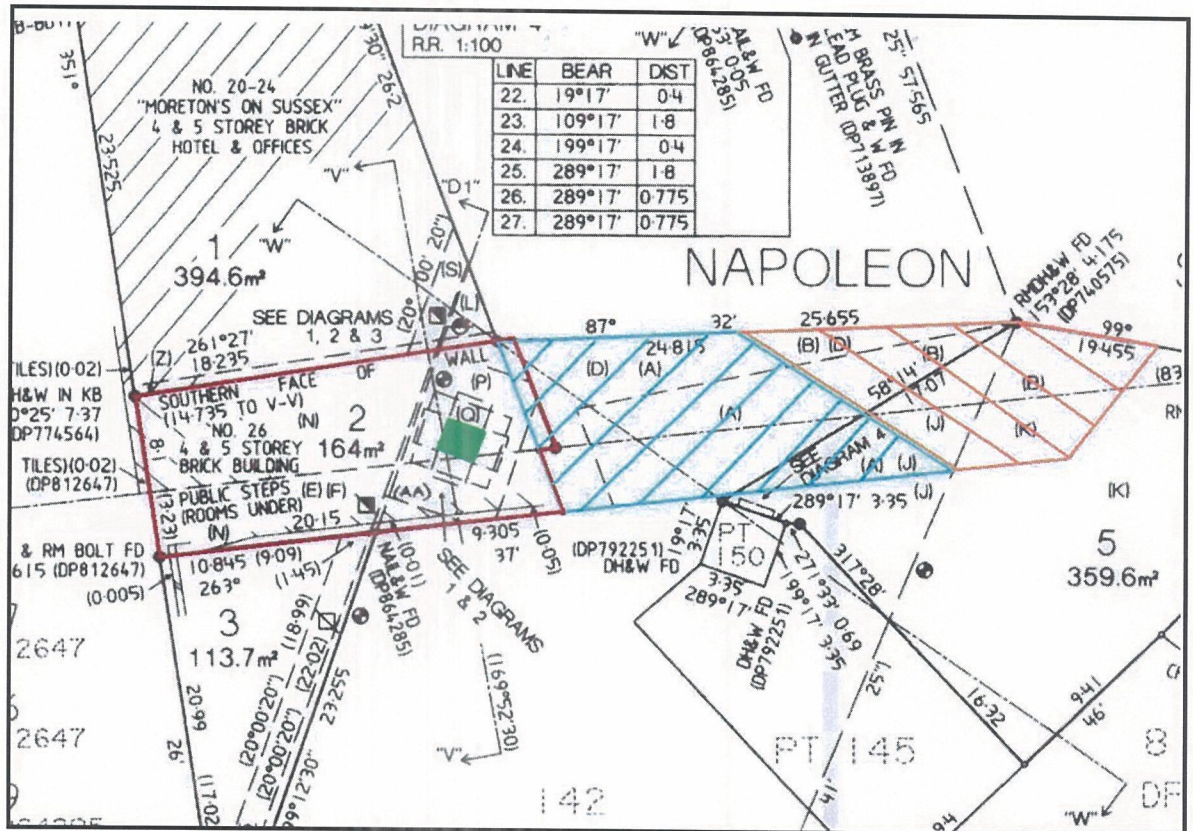
**Submission in response Barangaroo Environmental Assessment
On exhibition until 10 September 2010**

**Affecting: 26 Sussex Street, Darling Harbour, Lot 2 DP1033719 (including Napoleon Steps)
William Stace Lloyd**

1. My property

- a) My Sussex Street property is directly opposite the proposed Barangaroo South Development and is significantly affected in a number of ways. These include the pedestrian walkways across Sussex Street, pedestrian traffic on my Napoleon Steps, loss of views and sunlight, access and amenity problems during construction, and many other issues.
- b) I own the southern part of the heritage-listed Sussex Hotel building, variously known as 26 Sussex Street and 1A Napoleon Street, which includes the Napoleon Street Steps and the rooms beneath them.
- c) My property is in the same building envelope and is virtually indistinguishable from the adjoining Sussex hotel.
- d) I hold freehold title and have a separate vehicle right-of-way from the hotel, over the area to the east of the building, between the Westpac forecourt and Napoleon Street.
- e) My property is a 5 level building including three separate tenancies, each with their own separate access. The property also includes the Napoleon Steps and several rooms of my Sussex Street ground floor shop tenancy extend under these steps. Access to the first floor tenancy can only be obtained from the steps themselves. Access to my 3 story upper residential tenancy is by pedestrian door and roller shutter garage door, both opening to Napoleon Street.

- f) I have a number of title documents, plans and maps that I can send you if and when required. Shown below is an enlarged copy of the relevant part of DP1033719. Sussex Street runs almost vertically, at the left of the drawing. My property is highlighted in red and my two right of way areas have been hatched in blue and orange. The blue area "A", closest to my property, is exclusive to me. The orange area "B", adjacent Napoleon Street, is shared with the hotel. My property also includes the unique feature of an RTA pillar, shown in solid green.



2. Heritage

- This site has been a hotel since around the 1840s when it was known as the Hunter River Inn, due to its proximity to the Hunter River Wharf. The current building was erected around 1908-1915 when the license was transferred from the old hotel and became known as the New Hunter River Hotel which it remained up until 1970. It then became, successively, The Big House, Napoleons, Moretons and is now known as the Sussex Hotel.
- This hotel is one of the last of the old wharf pubs and retains this link with the stevedoring history of the area, when Sydney was a working harbour. It is important to preserve the historic nature of the building, immediate surrounds and its historical links to the waterfront.

3. View Corridors

- a) I consider it important that this historic waterfront hotel maintains its links to the harbour by preserving its immediate water views. The converse is equally important, in providing a view of the hotel from the waterfront, where its early customers had worked. I believe that the current proposal meets these requirements in providing two intersecting open corridors. The primary one is an extension of Margaret Street and the other extends at an angle to the south, defined by the southern side of the wedge-shaped Block 1 building.
- b) The initial award-winning design had such a corridor. I was gravely disturbed to see this removed in the first Lend Lease proposal, but pleased to see it reinstated in the current proposal. I would prefer that the Block 1 building were not present, but provided these view corridors are retained in at least their current format, I have no objection to this aspect of the current proposal and commend it over the one it immediately replaced.

4. Need to maintain vehicle access

- a) Vehicle access to my east-facing roller shutter garage door is currently by vehicle right-of-carriageway up a steep incline eastwards to Napoleon Street.
- b) My situation is unique because although my property is quite separate in title from the Sussex Hotel, it is in the same building envelope and virtually indistinguishable from the hotel.
- c) The separate vehicular right of way and vehicle access to my property needs to be maintained during and after construction of Barangaroo and the pedestrian walkways,

5. Existing drainage and access problems with the Napoleon Steps

- a) One of the proposed pedestrian bridges over Sussex Street is directly beside my steps.
- b) In discussions with the CBD Metro Authority, it was considered that the Napoleon Steps would need to be widened to accommodate the increased Barangaroo pedestrian traffic from the eastern side of Sussex Street to Wynyard Station.
- c) Part of my ground floor shop tenancy extends under the steps and I mentioned to the CBD Metro team that I have experienced major problems with water coming into the shop through the foot of the southern wall adjacent the Westpac garden. The water was several centimetres deep and made four rooms unusable, two of which were the male and female toilets. An expert's report indicated that this was the responsibility of those who constructed the Westpac building and adjacent garden. That construction company has made one attempt to fix the problem but it remains an on-going issue for them. Unfortunately, insufficient space was left between the wall and the garden to allow the wall to be serviced externally.
- d) If any part of the northern end of the garden is to be removed as part of the Barangaroo walkway construction, there will be the opportunity to fix the wall and drainage properly. For this reason, I would welcome any proposal to widen the steps. Various ways of doing

this were discussed with the CBD Metro people. One included extending the steps under the walkway. The wall itself could also be moved further south, while keeping its original sandstone capping. For the record, if the wall remains, any adjacent construction should be spaced back by a metre or so at the base to allow maintenance access to the wall.

6. CBD Metro

- a) Up until the surprise cancellation or postponement of the CBD Metro, I had met with their design people on several occasions both on site and in their offices. On-going, facilitating contact was maintained by my representative Government consultant, Glenda Gartrell of InGovernment, who continues to act for me.
- b) The proposed entrance to the Barangaroo – Wynyard station was only about 40 metres directly in front of the eastern face of my building and the previously proposed pedestrian link to Barangaroo was to be adjacent my Napoleon Steps, just metres from my door.

I trust that appropriate safeguards will be put in place to preserve my amenity during and after construction of Barangaroo South. I will be pleased to meet with the relevant people during the detailed design of the pedestrian access facilities to Barangaroo.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Bill Lloyd', with a stylized flourish at the end.

William S. Lloyd

David Gibson - MP06_0162MOD 4

From: "Trevor Fairall" <Trevor.Fairall@macquarie.com>
To: <plan_comment@planning.nsw.gov.au>
Date: 16/09/2010 10:10 AM
Subject: MP06_0162MOD 4

To:

The Director,

Government Land and Social Projects,

Department of Planning

GPO Box 39, Sydney 2001

**RE: OBJECTION TO BARANGAROO DEVELOPMENT PROPOSED MODIFICATIONS
(MP06_0162MOD 4)**

We are owner/residents of the Stamford on Kent building located at 183 Kent Street, Millers Point. We would like to voice our strong objection to the new proposed Barangaroo development modifications. In brief our objections are;

- The increased height and placement of Block 4 which affects the views, amenity and outlook of the residents of not only the Stamford on Kent but also the Stamford Marque and the Georgia buildings,
- The overshadowing of our apartment building and other existing apartment buildings that deny us sunlight and the use of solar power,
- The dramatic height increase of other commercial buildings on the Barangaroo site and the shrunken waterfront boardwalk.

We recently purchased an apartment in the Stamford on Kent building. Prior to purchasing, area we spent many years researching the area and reviewing the planning development proposals of Barangaroo by a number of developers including Lend Lease. Although having some initial reservations, we were reasonably content in the vision proposed for the area as displayed in Lend Lease's development plan and concept video to local residents at the Ports authority building in Hickson Road early in 2010.

From that point, we invested over one million dollars, purchasing and heavily mortgaging ourselves to acquire what we thought was a well placed apartment in harmony with the winning development plan.

However, we recently attended a Lend lease meeting showing a now revised projection outlook from the Stamford on Kent. Simply, we were horrified and quite devastated at the new proposal. The change in the development plans to place a new residential block directly in front of the Stamford on Kent will have enormous detrimental affect upon us. The building (4B) towers over 175 metres in height, directly impeding the westerly aspect from our building. Its new placement will substantially and directly affect our views and lifestyle causing significant shadowing and

making our apartment much colder. The building is approximately double the height of the Stamford on Kent and located in such close proximity that it will enormously affect the privacy of all existing residents in the building. Furthermore, the location and height of this and the nearby buildings will directly affect any future plans for making the Stamford on Kent building greener and more environmentally sustainable in the use of solar energy in the future.

It seems that the principles of building codes within Sydney have been abandoned for the commercial benefit of the Lend Lease developers and to the detriment of the current residents.

We, as will many other residents within the Stamford on Kent, the Stamford Marque and the Georgia be negatively affected by lowering real estate values in the area only to profit Lend Lease.

The new proposal by Lend Lease has also unacceptably narrowed the waterfront boardwalk, encroaching further into public space to the advantage of Lend Lease.

We strongly object to the proposed modifications by Lend Lease, particularly the height and placement of building block 4B.

Please listen to the residents in this matter. We initially embraced the new development but now have grave concerns for the impact of this proposal. As previously stated, our research into the Barangaroo proposal was thorough and with the information supplied we were happy to buy into the area. However, the introduction of the building 4B, with its impact in positioning and height is an unacceptable alteration to the development. It will cause extreme impact upon the residents of Stamford on Kent, Stamford Marque and The Georgia buildings.

Yours sincerely,

Trevor and Roslyn Fairall

Owners & Residents

Apartment 2003

Stamford on Kent

183 Kent Street,

Sydney NSW 2000

trevor.fairall@macquarie.com

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The Georgia

Strata Plan 56911
155 Kent St
Sydney N.S.W. 2000

15 September 2010

The Director General
Department of Planning
GPO Box 39
Sydney NSW 2001

Attention: David Gibson, Planner Urban Assessments
Email: david.gibson@planning.nsw.gov.au

Dear Sir,

Barangaroo MP06-0162 MOD4 Hotel Development, Additional GFA and Height – Objection

The Owners Corporation of SP 56911 for the residential building known as "The Georgia" at 155 Kent Street, Sydney wishes to object in strongest possible terms to the proposal which further departs from the Concept Plan approved on 9 September 2007.

The Concept Plan, was generally based on the Hill Thalys Architecture winning entry to the 2006 East Darling Harbour International Urban Design Competition. It allowed for 388,000m² of commercial/ residential GFA and was subsequently amended in February 2009 by addition of 120,000m² of commercial floor space.

In December 2009, Lend Lease was selected as the successful bidder for Stage 1, based on a plan which drastically differed in terms of layout, massing, height and density from the approved Concept Plan.

The present 'modification' includes a 60 storey (170m) high hotel on Darling Harbour, increase in building envelopes heights by up to 97 metres (Block 3), additional GFA of 60,000m², removal of the cruise ships terminal, major changes the street system and the foreshore line and reduction of the width of the foreshore promenade from 60m to 20m.

The consecutive amendments of the adopted Concept Plan, introduced on ad hoc basis without any satisfactory planning, functional or urban design rationale, distort the Concept Plan which was approved following vigorous assessment by a Government appointed jury.

We request that the piecemeal cynical, opportunistic and unjustified dismantling of the adopted Concept Plan and the alienation of Sydney Harbour be stopped and the Government should adhere to the adopted Concept Plan.

1. Rationale for Selection of the Hill Thalys Plan

The original Concept Plan, adopted in September 2007, was based on the winning entry by Hill Thalys Architecture & Urban Projects, Paul Berkemeier Architects and Jane Irwin Landscape Architecture. The Jury's rationale for selection of the Hill Thalys scheme is quoted below.

"The winning scheme comes from local Sydney talent who have a deep understanding of Sydney's urban and natural form. The scheme is grounded in a unique vision for 'completing the western edge of the city' by creating:

- a new civic boulevard connecting East Darling Harbour to Walsh Bay and King Street Wharf*
- a grand harbourside park along the entire length of the waterfront.*
- a vibrant new commercial quarter integrated with the CBD*

The parklands celebrate a diverse range of experiences including a headland park at the northern tip of the site, neighbourhood parklands relating to the scale of the adjoining communities and an urban waterfront park anchoring the new commercial precinct. The new parklands incorporate innovative sustainability measures whilst providing a variety of spaces for a diverse range of uses.

Another key feature of the scheme is the way it reflects Sydney's existing urban pattern by proposing built forms and massing for the site with a rich mixture of living and commercial spaces supported by a vibrant network of streets, squares, promenades and lanes."

2. Assessment Criteria

It is essential to assess the Lend Lease scheme endorsed by the Government, as well as the proposed modifications, against the Assessment Criteria formulated by the Jury of the East Darling Harbour Urban Design Competition, March 2006, which led to selection of the scheme by Hill Thalys Architecture.

Criteria	Lend Lease Plan	Consistency
Vision <i>Transforming a unique and historic peninsula: the design recognises and enhances the unique sense of place, significance and prominence of the site through built form and landscape, in particular the northern headland, the water's edge and the character of Hickson Road.</i>	The plan deals only with the Barangaroo South Precinct. While it does not affect the concept plan for the Headland Park, it constitutes an undesirable transformation of the harbourside foreshore through inappropriate built form, inconsistent with the developed concept plan or the underlying urban form for Sydney City.	No

Criteria	Lend Lease Plan	Consistency
<i>Creating a productive and efficient precinct:</i> the design allows for site activities that will ensure effective access, connectivity and functionality.	The proposed street system hinders effective access, provides poor connectivity and legibility of the public domain. The foreshore promenade significantly reduced in width is dominated and overshadowed through most of the day by megalithic high rise towers.	No
<i>Creating a safe and vibrant waterfront:</i> the design provides a basis to program the area's return to a bustling and peopled waterfront, activated by a dynamic interplay of living, recreational and working activity.	The concept provides no diversity of streetscape, function or landscape character. The street system is truncated and essentially serves as access to the commercial towers and not as a generic public domain, typical of a traditional city. The dominance of commercial, retail and restaurant uses with no cultural or community uses.	No
<i>Promoting a new sustainability:</i> the design responds to the opportunity to create sustainability in all its forms – environmental, social and economic.	The proposal is in fact an antithesis of environmental sustainability. The additional height and bulk of the buildings result in inevitable increase in operational energy, as well as overshadowing impacts on the public domain. Contamination issues remain unresolved and will be exacerbated by the construction of the hotel in Darling Harbour.	No
	<p>The narrow public streets severely overshadowed by the megalithic east-west orientated buildings limit opportunities for effective tree planting and landscaping.</p> <p>The proposed canal and southern core are merely Dubaisque artificially controlled water features and not natural, living extension of the Harbour.</p> <p>In addition to the disruption that these 'features' cause to the originally approved street and block pattern, they are likely to have serious environmental impacts on water quality of the Harbour, e.g. stagnant water, filtration and pumping.</p> <p>The social benefits are highly questionable. The concept inevitably will create an expensive, and in many parts, virtually separate private residential enclave and expensive retail and restaurant precincts. The affordable housing component is reduced from 7.5% to 2.3% which erodes social diversity.</p>	No
Deliverability		

Criteria	Lend Lease Plan	Consistency
<i>Balancing poetics with pragmatics:</i> the design ensures that the vision for the site is underpinned by sound economic and financial considerations.	The current amendments further push the building height and density envelopes which set out the development parameters for the originally approved Concept Plan. The exhibited 'modifications' add another 60,000m ² GFA and introduce a totally incomprehensible 'floating' hotel which usurps a big chunk of a public harbour.	No
<i>Staging the transformation:</i> the design recognises the importance of discrete development phasing that responds to government and public expectations, the continuity of existing site functions and the need for public access to the site.	<p>Even the original densities, which were major determinants of the urban form of the approved Concept Plan, were clearly based on the NSW Government desire to maximise the sale price of a publicly owned foreshore land, most of which being reclaimed harbour.</p> <p>The current concept further aggravates the process of alienation and destruction of Sydney Harbour by imposition of a man-made island development which mimics the Nouveau Rich- Kitsch fantasy of Dubai.</p> <p>The current plans do not balance poetics with pragmatics. They can more appropriately be described as a planning farce.</p> <p>It is just another sample of failed Public Private Partnership where unrealistic expectations by the Government dictate in turn imposition of scale and density of development to guarantee secure profit margins for developers.</p> <p>The proposal represents a further ad hoc modification of the originally approved concept plan. The process is seriously flawed, contrary to the proper planning and consultation process. It gradually dismantles and distorts a cohesive urban design framework established by the original Concept Plan.</p>	No
<i>Allowing for iteration:</i> the design recognises that renewal is built on the possibility for iteration, flexibility, layering and enriching of the overarching urban design vision for the site.	The modification stretches the concept of flexibility, layering and enriching of the urban vision for Barangaroo by repeating such urban planning or financial disasters as the 'Toaster' in East Circular Quay, the Cross City Tunnel or the Inner West Metro. It may enrich Lend Lease but it will turn the urban design vision, encapsulated in the original concept plan, into an urban nightmare.	No

3. Procedural and Documentation Shortcomings

3.1 Modification of the Concept Plan

The proposed modifications depart drastically from the approved Concept Plan:

- (i) Significant expansion of the approved building envelopes by up to 97 metres.
- (ii) Additional 60,000m² GFA.
- (iii) Addition of 170 metres tall building (approximately 33,000m²) in Darling Harbour outside of the area of the approved Concept Plan.
- (iv) Removal of the overseas terminal.
- (v) Reduction of the width of the foreshore promenade from 60m to 20m.

The modifications are of major nature and cannot be lawfully implemented as amendments to the approved Concept Plan. A fresh Concept Plan will need to be prepared, exhibited for public scrutiny and assessed against the criteria set out by the Jury for the East Darling Harbour Design Competition (March 2006).

3.2 Deficient Consultation

- (i) The Director General of the Department of Planning has failed to consult the Sydney City Council prior to preparation of the environmental assessment guidelines for the 'modifications', as required under Section 75F(4) of the Environmental Planning and assessment Act 1979.
- (ii) The applicant has failed to consult with interested parties and the public and has not demonstrated how the issues raised in the consultation process have been addressed in the environmental assessment report. The process did not satisfy the Director General's requirements of 2 July 2010 which, inter alia, required the applicant to undertake an appropriate and justified level of consultation in accordance with the Department's Major Projects Community Consultation Guidelines, October 2007'.

3.3 The Darling Harbour 'Landmark' Building

- (i) The proposed 'Landmark' building is situated on Darling Harbour outside the area designated in the approved Concept Plan. It is apparent that it cannot be legally introduced without preparation of a new concept plan, which will need to be endorsed by the Minister. As discussed previously, the proposal is devoid of any planning or urban design rationale and contrary to the East Darling Harbour Jury Criteria (March 2006) and has not been justified in the Environmental Assessment Report (JBA Consultants, 6 August 2010), as required in Section 6 of the Director General's requirements. The Landmark building is an alien element that cannot be possibly integrated with the surrounding environment and constitutes alienation of public ownership and access to the Harbour.
- (ii) The 'Landmark' building is proposed to be located in Darling Harbour which is zoned W1 – Maritime Waters under Sydney Environmental Plan (Sydney Harbour Catchment) 2005. The proposal is a prohibited development within the W1 – Maritime Waters zone pursuant to Clause 18(1) – *Development*

Control in the Waterways and cannot be approved under Clause 18(2) since it is clearly inconsistent with the objectives of the zone which we quote below:

- "(a) to give preference to and protect waters required for the effective and efficient movement of commercial shipping, public water transport and maritime industrial operations generally,*
- (b) to allow development only where it is demonstrated that it is compatible with, and will not adversely affect the effective and efficient movement of, commercial shipping, public water transport and maritime industry operations,*
- (c) to promote equitable use of the waterway, including use by passive recreation craft."*

3.4 Inadequate and Misleading Documentation.

- (1) We fully support the submission by Hill Thalys Architecture & Urban Projects, which under 3.3, identified the additional documentation which must be provided by the applicant to allow proper evaluation of 'modified' concept plans. This should include:
 - A drawing of the proposal with sufficient urban context to evaluate view lines down key streets, i.e. to the eastern side of Wynyard Park;
 - Western elevation of the proposal as viewed in front of the city skyline with existing envelope controls indicated'
 - Southern elevation of the proposal as viewed through a cross section at the alignment of King Street Wharf;
 - Accurate NS cross sections that depict the proposal and its form in elevation behind the cut in the section line;
 - A series of EW cross sections that depict the proposal and its form in elevation in the context of the existing city buildings back to at least Kent Street, and
 - A fully updated Concept Plan document that updates the proposed controls for the site, including all previous and proposed amendments – showing the relationship of Barangaroo South to the other, now undefined parts of Barangaroo.
 - Deletion of the proviso 'indicative' from any building envelopes drawings.
- (2) The perspective views accompanying the application are misleading due to wide-angle viewpoints which distort the building form. This is evidently apparent through comparison of the perspectives with photographs of the model prepared by Sydney City Council. **See figure 1.**

4. Conclusion

- 4.1 The proposed modification constitutes an unlawful and unjustified attempt to bypass and dismantle the original Concept Plan which was based on Hill Thalys winning entry to the East Darling Harbour Urban Design Competition, unanimously endorsed by the Jury (March 2006).
- 4.2 The Lend Lease Plan and the proposed 'modification' utterly fail to satisfy the Assessment Criteria formulated by the East Darling Harbour Urban Design Competition Jury, which constitute the rationale for the originally adopted Concept Plan.
- 4.3 The proposal has major shortcomings in terms of its compliance with the Director General's requirements issued on 2 July 2010. The consultation process is flawed, the documentation is inadequate and no justification has been provided for location of the 170m tall 'Landmark' building in Darling Harbour.
- 4.4 The 'Landmark' building is to be located in W1 – Marine Waters Zone, under Sydney REP (Sydney Harbour Catchment) 2005. The commercial development is prohibited in this zone, is contrary to objectives of the zone and cannot be carried out.
- 4.5 The Lend Lease plan and the proposed modifications should be abandoned and the Government should adhere to transparent implementation of the original Concept Plan, adopted in September 2007 without any further major modifications of the building envelopes.

Yours faithfully,



Alan Solomon

Owners Corporation of Strata Plan 56911

cc: K. Keneally MP, Premier
A. Kelly MP, Minister for Planning
M. Collins, Chairman of Barrangaroo Delivery Authority
C. Moore MP, Lord Mayor, City of Sydney
B. O'Farrell MP, Leader of the Opposition



Fig. 1: Selected views of Lend Lease Barrangaroo Stage 1 Scheme – Sydney City Model

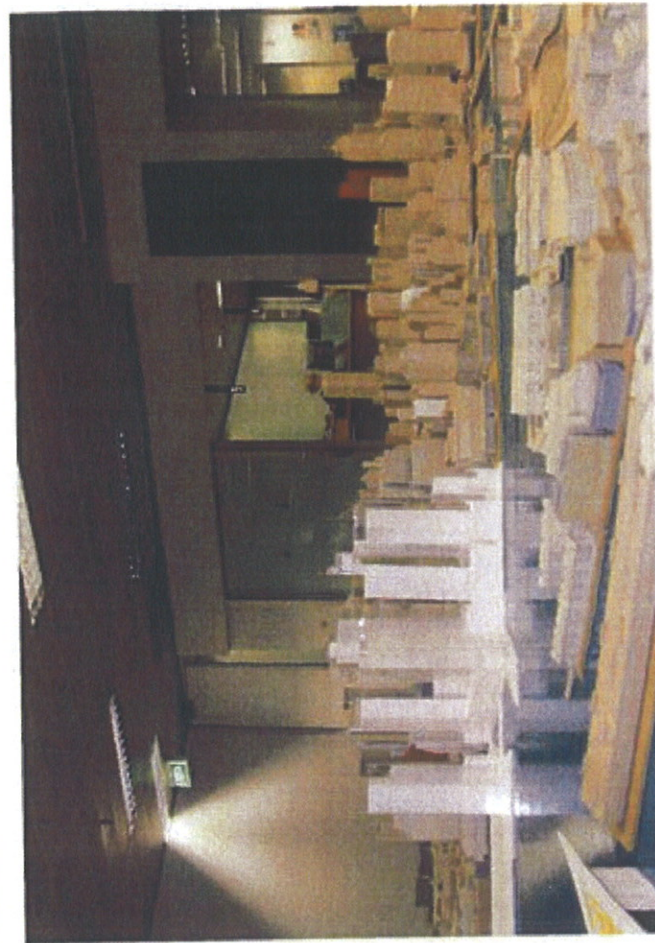


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