

Our ref: HMS ID 5790

Mr Andrew Watson
Planner
Department of Planning, Housing and Infrastructure
PO BOX 404
PARRAMATTA, 2124 NSW
By email: Andrew.Watson@planning.nsw.gov.au

Barangaroo Concept Plan Approval (MP 06_0162 MOD 9) - Response to Submissions- Comment

Dear Mr Watson,

Thank you for your referral dated 11 January 2024 inviting comments from the Heritage Council of NSW on the above State Significant Development (SSD) proposal.

We note that a number of submissions were received in response to which the following revisions have been made to the proposed modification 9:

GFA Amendments

- *Reduced total GFA permissible within Blocks 5, 6 and 7 from 144,355m² to 104,000m²,*
- *Reduced below ground GFA from 28,166m² to 11,092m², and*
- *Increased maximum residential component cap from 28,000m² to 75,000m²,*
- *No change to the Cutaway GFA for community uses of up to 24,000m²*

Building Envelope Amendments

- *Removal of the tower element at Block 7 at RL 73.7,*
- *Reduced building height with the tallest element located on Block 5 at RL 42.45,*
- *Amendments to the overall dimension and footprint of Blocks 5, 6 and 7 including new pedestrian connections open to the sky,*
- *Deletion of building cantilever elements into public domain,*
- *Refinements to the interface of Block 5 and Hickson Park, and*
- *Simplified building height and massing across the entire site with only three heights proposed to minimise visual impacts from Observatory Hill and Millers Point.*

Open Space and Public Domain Amendments

- *Increased provision of publicly accessible open space when compared to the approved Concept Plan,*
- *New north-south pedestrian link with a minimum width of 8m and open to the sky to facilitate visual links from Hickson Park to Nawi Cove,*

- *Two east-west pedestrian connections, known as Plaza North and Plaza South up to 20m wide and open to the sky,*
- *New east-west arcade within Blocks 5 and 6 with a minimum width of 6m, and*
- *Additional allowance for deep soil zones across the site.*

Block Amendments

- *Amendments to the overall size and configuration of Blocks 5, 6 and 7 to reflect proposed building envelopes.*

Traffic and Access Amendments

- *Retain Barangaroo Avenue as a one-way shared street, and*
- *Deletion of Barton Street as a permanent two way street.*

Statutory and Development Control Amendments

- *Amendments to the SEPP mapping and provisions to align with amended building envelope GFA, building heights and land uses,*
- *Deletion of proposed SEPP amendment to allow GFA to extend 25m into the RE1 Public Recreation zone below ground level,*
- *Deletion of proposed SEPP amendment to allow building facades to extend by an additional 3m above ground and the 650mm façade articulation zone,*
- *Amended Design Excellence Strategy to be largely consistent with the PEHC SEPP, and*
- *Amended Urban Design Guidelines to reflect amended building envelope outcomes.*

The following documents were considered in our assessment:

- Response to Submissions report by Mecone dated November 2023, including Appendices.

The proposed Major Projects proposal affects a number of State Heritage Register (SHR) items in its vicinity including Millers Point and Dawes Point Village Precinct, Sydney Observatory, Dalgety Bond Store, Munn's Slipway, Sewage Pumping Station, several other properties individually listed on SHR as well as on Sydney LEP including Palisade Fence & High Steps and Fort Street School.

Millers Point Conservation Area is an intact residential and maritime precinct of outstanding State and national significance. It contains buildings and civic spaces dating from the 1830s and is an important example of nineteenth and early twentieth century adaptation of the landscape. The precinct has changed little since the 1930s.

The Observatory is a fine and rare example of a purpose-built observatory structure and is of exceptional significance for its dominant location in the City of Sydney. The siting, with its harbour and city views and vistas framed by mature Moreton Bay fig trees of the surrounding park, make it one of the most pleasant and spectacular locations in Sydney.

In addition to the setting, and views and vistas to and from Millers Point area and other heritage items, sky views from the Observatory telescopes as well as views to the Time Ball tower (which continues to drop time ball every day for last 160 years) are also of significance. Distant views to the Observatory from Balmain and other key vantage points are equally significant.

As delegate of the Heritage Council of NSW, I provide the following comments:

- The proposed revisions, particularly the reduced height of Block 7, assist in mitigating heritage impacts. However, the concerns raised by the Heritage Council in their letter dated 19 August 2022 remain. There will be an increase of roughly one to three-storeys in height. The information related to reduction in floor area is misleading as it does not indicate above-ground floor area reduction. It is noted that much of the reduction is below ground, with above-ground floor area still substantially more than previously approved. This increased floor area results in excessive bulk which has

adverse heritage impacts on Millers Point and Observatory Hill in terms of setting, views and their historic relationship with the waterfront. The increase in height and bulk is, therefore, still not supported.

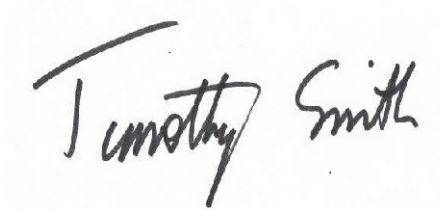
- It is also recommended that the recommendations under Section 5.2 of the updated Heritage Impact Statement by GML dated October 2023 are incorporated into the conditions of consent.

On behalf of the Heritage Council of NSW, the opportunity to further comment on the Modification 9 proposal is welcomed.

In essence, however, the heritage impacts remain significant. Whilst the reduction of some elements following the substantive public and heritage industry feedback has made some concessions, this scheme atop the previous Modification approvals has the combined effect of simply further compromising the already substantially impacted rare and irreplaceable cultural landscape. Safeguarding this primary gateway to the historic Sydney CBD should be the key objective in approval terms.

If you have any questions about this correspondence, please contact Shikha Jhaldiyal, A/Manager South Assessments at Heritage NSW on (02) 9873 8545 or heritagemailbox@environment.nsw.gov.au

Yours sincerely

A handwritten signature in black ink that reads "Timothy Smith". The signature is written in a cursive style with a large, sweeping initial 'T'.

Tim Smith OAM
Director, Assessments
Heritage NSW
Department of Climate Change, Energy, the Environment and Water
As Delegate of the Heritage Council of NSW
22 February 2024