

Deception

The Response to Submissions document is deceptive in a number of ways:

- 1. Repeating false claims from the previous submission:**
 - a. The views from east to west are already lost (under Mod2?)**

From GYDE: “It is noted that the Statement of Commitments has, since inception, retained assurances that future development would be controlled to ensure preservation of certain key public view corridors to and from the locality, including that “future development within the Barangaroo site is to retain the ability to appreciate the Millers Point headland and the roofscape of terrace houses throughout Millers Point when viewed from public spaces on opposite foreshores”. Despite this commitment, the unreasonable bulk and scale of the proposed building envelope would entirely obscure views of Millers Point’s roofscape of terrace houses from some opposite foreshores.”

- b. The metro allows for more GFA.**

Mod 2 (Feb-09) argued the planning of a railway station at Barangaroo warranted an increase in GFA of 12,025 sqm on Block 5 as part of an increase of 120,000 sqm across the site. The increase GFA “allowed” by a station has already been added at Barangaroo South.

- c. A new Master Plan (never publicly release) and tenders for 120,000 sqm and 150,000 sqm suggest the government always wanted more than the allowable GFA.**

As the Independent Planning Commission pointed out in their 2016 adjudication, “*The Authority’s reliance on its Master Plan process, which sits outside the purview of the State’s planning legislation, provides little comfort to the Commission.*”, and

The tender process

The Commission is aware of the public tender process underway for development of up to 150,000m² of gross floor area on Barangaroo Central and that this process may be close to being finalised. The Authority has suggested that, whilst the gross floor area figures have been publicly disclosed, they are not a requirement or even a target of the tender. It is important to recognise that under the approved Concept Plan for Barangaroo Central the gross floor area allowance is just 59,225m². Paradoxically, the Authority suggests its Master Plan process resulted in a recommendation that the gross floor area for Central Barangaroo should be increased to a maximum of 120,000m² (ie be doubled), yet it goes on to confirm tenders have been invited to explore up to a maximum of 150,000m² (i.e. 2½ times the original area proposed for development).

The Commission is aware that certain of the elements used by the Authority to justify the gross floor area increase, such as the proposed Metro station, have actually been foreshadowed for the wider Barangaroo precinct since as early as 2009.

Ideally a public tender process for Barangaroo Central would not have been commenced while the development outcomes on the immediately adjoining sites remained uncertain and unapproved. Calling for tenders on Barangaroo Central, while the development

proposed on adjoining sites was being assessed, is a risk the Authority presumably weighed when it decided to proceed.

Commencing a tender process without Concept Plan approval for the various modifications sought was the Authority's decision. Such a decision itself came with significant planning risk which is, in effect, acknowledged by the Authority's response. There is no more or less possible risk now (both in planning terms or economically), compared to when the latest tender process was opened in late 2015.

To suggest the Commission's recommended changes now create a potential material risk or impact is improper. Those potential risks of impacts have existed since the tender process commenced and perhaps even from the time that deviations from the approved Concept Plan were initially contemplated. Furthermore, the Commission is of the view these possible impacts on potential gross floor area (impacts yet to be publicly disclosed) are not currently a relevant consideration to the subject of this advice.

d. State planning policy requires more residences to be built especially above metro stations.

The proposal delivers only 143 dwellings, which will be outside the price range of all but the richest of citizens.

The development plan shows 414 Parking Spaces, so is intended that each apartment will have at least two car space. Hardly utilising the metro! The 143 residential apartments illustrated in Appendix U to the response to submissions range in size from 266 square metres to 655 square metres, with an average of 450 square metres. Additionally, there is a total of 5,232 square metres of "winter gardens", averaging 36 square metres per apartment, taking the average apartment size to 486 square metres. Using 40,000 per square metre as a sales price estimate, these 486 sqm apartments will cost \$ 9.4 million each so only the super-rich can afford them.

2. The Government Architect asked the developer to show what the original concept plan would look like (using 47,000 sqm of GFA on blocks 5,6 and 7 combined).

The applicant re-arranged the floor space to mimic the building envelope of their proposal, so it looks almost identical to their proposal from the four vantage points they chose for the visual impact statement – rather than using the development block design guidelines of the original master plan.

These are the Indicative massing principles:

- *Optimum floor plate size and the proportion of the various land uses permitted under the current approval, including residential buildings with floor plates of less than 750sqm and facades not longer than 50 metres .*
- *Optimise separation between the long faces of each building.*
- *Provide residential building separations in accordance with ADG design criteria.*
- *Opportunity for gaps between buildings to optimise view sharing opportunities.*
- *Maintain a 'grand boulevard' scale towards Hickson Road.*
- *Align façades to street edges.*
- *Taper building heights from south to north.*

- Create enclosed blocks permeated with open public spaces, courtyards, walkways and gardens.
- **Optimise outlook.**

Note the use of the term “optimise” rather than “retain” which is in the planning controls:

Views to Millers Point Conservation Area

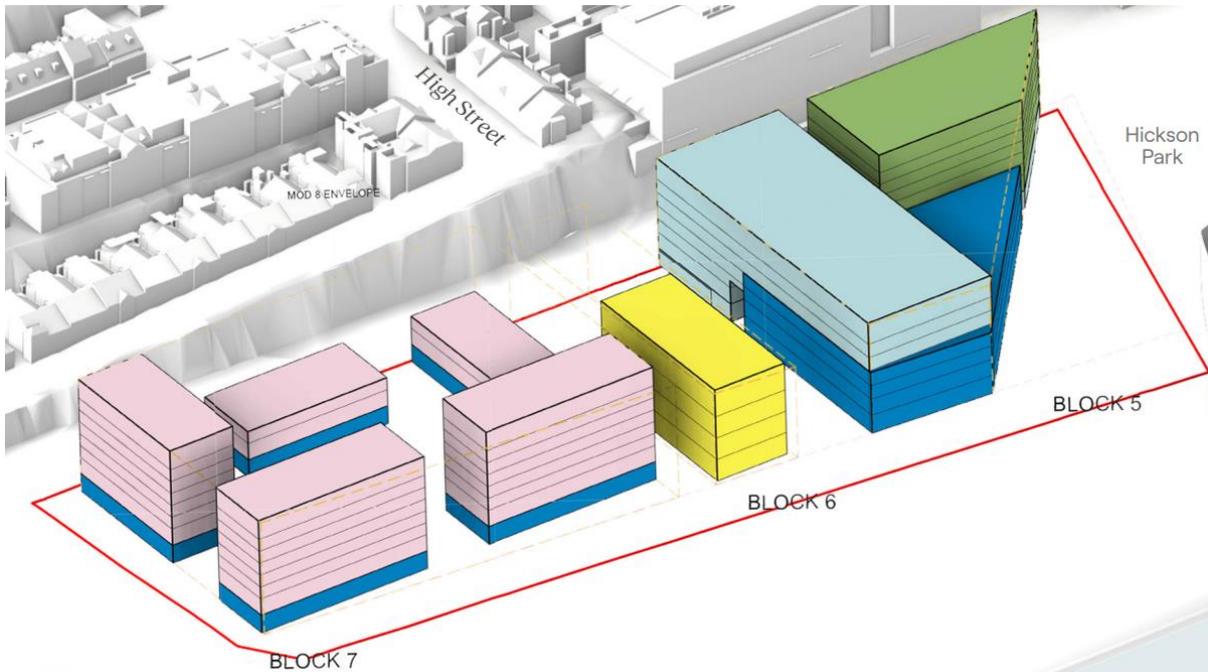
- 38. The EDH proposal will retain views to Observatory Hill Park from public spaces on opposite foreshores; and retain a panorama from Pyrmont Park around to the Harbour Bridge as seen from Observatory Hill Park as shown within the Concept Plan and illustrated by the photomontage images included in the Heritage Impact Statement prepared by City Plan Heritage.
- 39. The EDH proposal will provide adequate view corridors over and between new built form to maintain the key attributes of views from Millers Point. The key attributes to be retained are:
 - 1) views to significant tracts of the water,
 - 2) the junction of Darling Harbour and the Harbour proper,
 - 3) the opposite foreshores,
 - 4) panoramic qualities of existing views and,
 - 5) the most distinctive views to landmark structures,
 as shown within the Concept Plan and illustrated by the photomontage images included in the Heritage Impact Statement prepared by City Plan Heritage.
- 40. The EDH proposal will retain the ability to appreciate the Millers Point headland and the roofscape of terrace houses throughout Millers Point when viewed from public spaces on opposite foreshores.

To be demonstrated / assessed as part of any development / project application

To be demonstrated / assessed as part of any development application / project application

To be demonstrated / assessed as part of any development application / project application

This is what they came up with:



The submission prepared by GYDE on behalf of The Langham Hotel shows what the Government Architect wanted us to see.



[https://shared-drupal-s3fs.s3.ap-southeast-2.amazonaws.com/master-test/fapub_pdf/Consolidated+Submission+Attachments+\(V4\).pdf](https://shared-drupal-s3fs.s3.ap-southeast-2.amazonaws.com/master-test/fapub_pdf/Consolidated+Submission+Attachments+(V4).pdf) (page 77)

- 3. The vantage points chosen for the visual impact statement do not show the impact of the bulk and scale of the development.** Those shown by the MPCRAG (the “red blocks”) below are a more accurate reflection of the impact, or those from the GYDE report as part of The Langham Hotel submission.



- 4. The vantage points taken for the visual impact statement are so far away that very little discernible difference can be detected.**



Figure 14 Visualisation showing the development envelope of the Approved Concept Plan (AECOM, May 2024)



Figure 15 Visualisation showing the development envelope of the Approved Concept Plan and the Indicative Massing (AECOM, May 2024)

5. The models of the built form illustrated in the visual impact statement are almost translucent and so their bulk and scale cannot be determined or compared.

2.4.1 Observer Location 2: Sydney Observatory

The visual assessment of the Observer Location 2 can be found in section 6.2 of the VVIA (2023).



Figure 2 Visualisation showing the development envelope of the Approved Concept Plan (AECOM, May 2024)



Figure 5 Visualisation showing the development envelope of the Proposed MDD9 RIS development envelope and the RIS Reference Design (AECOM, May 2024)

Martin Crabb

Millers Point Community Residents Action Group

14th July, 2024