

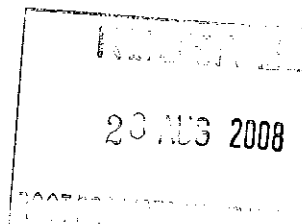


NSW GOVERNMENT  
**Department of Planning**

Contact: Sumathi Navaratnam  
Phone: 02 9228 6361  
Fax: 02 9228 6540  
E-mail: [sumathi.navaratnam@planning.nsw.gov.au](mailto:sumathi.navaratnam@planning.nsw.gov.au)

Our ref: MP 08\_0064  
File: S08/00646

Ms Kristin Wark  
Root Projects Australia Pty Ltd  
Suite 2.02 The Cooperage  
56 Bowman Street  
**PYRMONT NSW 2009**



Dear Ms Wark

**Director General's Requirements for a Project Application for the proposed redevelopment and expansion of The Museum of Contemporary Art, Sydney MP08\_0064**

The Department has received your Project Application for the proposed redevelopment and expansion of the Museum of Contemporary Art.

On 11 May 2008 the Director General, as delegate for the Minister for Planning, formed the opinion that your proposal is a Major Project and that Part 3A of the *Environmental Planning and Assessment Act 1979* (the Act) applies.

I have attached a copy of the Director General's requirements (DGR's) for Environmental Assessment of the Project Application, which have been prepared in consultation with the relevant government agencies including Council (submissions attached for your information).

It should be noted that the Director-General's requirements have been prepared based on the information provided to date. Under section 75F(3) of the Act, the Director-General may alter or supplement these requirements if necessary and in light of any additional information that may be provided prior to the proponent seeking approval for the project.

I would appreciate it if you would contact the Department before you propose to submit the Environmental Assessment for the project to determine the fees applicable to the application.

Prior to exhibiting the Environmental Assessment, the Department will review the document to determine if it adequately addresses the DGR's. If the Director-General considers that the Environmental Assessment does not adequately address the DGR's, the Director-General may require the proponent to revise the Environmental Assessment to address the matters notified to the proponent. Following this review period the Environmental Assessment will be made publicly available for a minimum period of 30 days.

If you have any enquiries about these requirements, please contact Sumathi Navaratnam on 02 9228 6361 or via e-mail at [sumathi.navaratnam@planning.nsw.gov.au](mailto:sumathi.navaratnam@planning.nsw.gov.au)

Yours sincerely

Jason Perica *25/8/08*  
**Executive Director, Strategic Sites and Urban Renewals**  
as delegate for the Director General

## Director-General's Requirements –

Section 76P of the *Environmental Planning and Assessment Act 1979*

Application number	MP 08_0064
Project	Project Application for redevelopment and expansion of the Museum of Contemporary Art (MCA).
Location	Lots 20, 21, 22 and 23 in DP 787906, 140 George Street, The Rocks
Proponent	MCA
Date issued	25/8/08
Expiry date	2 years from date of issue
Key issues	<p>The Environmental Assessment (EA) must address the following key issues:</p> <ol style="list-style-type: none"> <li><b>Relevant EPI's, Policies and Guidelines to be addressed</b>  Planning provisions applying to the site, including permissibility and the provisions of all plans and policies including: <ul style="list-style-type: none"> <li>SEPP (Major Projects) 2005 Schedule 2 – Sydney Harbour Foreshore Sites</li> <li>SEPP 55 – Remediation of Contaminated Sites</li> <li>Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005</li> <li>SEPP (Infrastructure) 2007</li> <li>The Sydney Cove Redevelopment Authority Scheme, including an application to vary the Scheme;</li> <li>Sydney Metropolitan Strategy (and any relevant draft or endorsed Subregional Strategy)</li> <li>SHFA documents: The Rocks Lighting Policy; The Rocks Outdoor Seating Policy; The Rocks Signage Policy; The Rocks and Circular Quay Telecommunications Policy;</li> <li>Nature and extent of any non-compliance with relevant environmental planning instruments, plans and guidelines and justification for any non-compliance</li> </ul> </li> <li><b>Built Form &amp; Urban Design</b> <ul style="list-style-type: none"> <li>The proposal is to address the visual impact of the project in the context of the existing building on site, adjoining development, impact on any heritage item (on-site, adjoining and adjacent to the site) and its setting and building mass as viewed from public areas including the foreshore;</li> <li>Provide a detailed justification for the design of the proposed development in the context of the existing MCA building, including relative heights, set backs, building mass, materials and integration into the site;</li> <li>Demonstrate that the proposed building siting does not have unacceptable level of impacts on privacy, views and overshadowing of the adjoining sites, in particular the adjoining Police building, and public domain;</li> <li>Provide details of the impact on the existing substation at the north-western corner of the site, including any proposals to relocate this facility;</li> <li>Address the visual impact of the proposed development on views from the world heritage-listed Sydney opera House;</li> <li>Address the proposed development in relation to the 'Sydney Opera House Buffer Zone', pursuant to the SREP (Sydney Harbour Catchment) 2005;</li> <li>Amelioration of visual impacts through design, use of appropriate colours and building materials, landscaping and buffer areas;</li> <li>Compatibility with the existing building and character of development in the locality and relative to adjacent buildings including density, street frontage, scale, height, and built form including roof form.</li> </ul> </li> </ol>

### **3. Safety / Public domain / Landscaping**

- Demonstrate how the proposed building envelopes, building design and treatment of the public domain will:
  - maximise safety, security and public surveillance within the public areas including disabled access and car park access. Specific regard should be given to the Department of Planning's Guideline; *Crime prevention and assessment of development applications*, 2001;
  - address linkages within and between other public domain spaces;
  - ensure access for people with disabilities;
  - minimise potential for vehicle and pedestrian conflicts.
- Provide details of materials and finishes, proposed treatments to the open areas designated for managed public access, and a landscaping plan for the public domain.
- Details of decorative and/or feature lighting and its impact on operations on Sydney Harbour.

### **4. Transport and Accessibility (Construction and Operational)**

- Demonstrate the provision of sufficient on-site car parking for the proposal having regard to local planning controls and RTA guidelines. The EA shall also provide a Traffic Impact Study prepared in accordance with the RTA's Guide to Traffic Generating Developments, considering traffic generation, any required road / intersection upgrades, access, loading dock(s), car parking arrangements, measures to promote public transport usage and pedestrian and bicycle linkages;
- Provide details about consolidation of site access to remove the existing access through First Fleet Park;
- Provide details as to how adequate arrangements will be made to maintain rear access to dock area of adjacent Police building.

### **5. Construction Impacts**

Address measures to ameliorate potential impacts arising from the construction of the proposed development.

### **6. Ecologically Sustainable Development (ESD)**

Detail how the development will incorporate ESD principles in the design, construction and ongoing operation phases of the development.

### **7. Heritage**

- Provide a Heritage Impacts Statement, incorporating a heritage assessment of the existing building.
- Identify any items of European heritage significance and provide a heritage impact statement in accordance with the *Heritage Manual*, (NSW Heritage Office & DUAP 1996).
- Identify whether the site has significance to Aboriginal cultural heritage and where applicable prepare an independent Archaeological report in accordance with the *Draft Guidelines for Aboriginal Cultural Heritage Impact Assessment & Community Consultation*, DEC, July 2005.

### **8. Land ownership**

Clearly identify land ownership for all land that is subject to the application and any ancillary works associated with the development. Land owner's consent must be obtained prior to the lodgement of the EA for all land subject to the proposal.

### **9. Staging**

Include details regarding any proposed staging of the development.

	<p><b>10. Drainage and Flooding</b></p> <ul style="list-style-type: none"> <li>• The EA shall address drainage/flooding issues associated with the development/site, including: stormwater, drainage infrastructure and incorporation of Water Sensitive Urban Design measures through an Integrated Water Management Plan.</li> <li>• Provide information on water and wastewater services and any augmentation to services that may be required.</li> </ul>
	<p><b>11. Contamination</b></p> <p>The EA is to demonstrate compliance that the site is suitable for the proposed use in accordance with SEPP 55.</p> <p><b>12. Utilities</b></p> <ul style="list-style-type: none"> <li>• In consultation with relevant agencies, address the existing capacity and requirements of the development for the provision of utilities including staging of infrastructure works.</li> </ul> <p><b>13. Consultation</b></p> <p>Undertake, in accordance with the Department's <i>Major Project Community Consultation Guidelines October 2007</i>, consultation with relevant local, State or Commonwealth government authorities, service providers, community groups or affected landowners. The consultation process and the issues raised should be described in the Environmental Assessment.</p>
<b>Deemed refusal period</b>	60 days

## Attachment 1: Plans and Documents to accompany the Application

General	<p>The Environmental Assessment (EA) must include:</p> <ol style="list-style-type: none"> <li>1. An executive summary;</li> <li>2. A thorough site analysis including site plans, aerial photographs and a description of the existing and surrounding environment;</li> <li>3. Description of the site, including cadastre, title details, existing easements (including sewer mains, and/or encumbrances) and the surrounds;</li> <li>4. A thorough description of the proposed development, including details of the proposed layout, built form, land uses, size and scale of the main components of the development, FSR, height (AHD);</li> <li>5. Details of the methodology used for the calculation of the FSR in accordance with the relevant Environmental Planning Instruments (EPI);</li> <li>6. An assessment of the environmental impacts of the project with particular focus on the key assessment requirements specified above and a table outlining how these key assessment requirements have been addressed;</li> <li>7. An assessment of the potential impacts of the project and a draft Statement of Commitments, outlining environmental management, mitigation and monitoring measures to be implemented to minimise any potential impacts of the project;</li> <li>8. A description of the measures that would be implemented to avoid, minimise, mitigate, offset, manage, and/or monitor the impacts of the project;</li> <li>9. Demonstration as to how the development, when completed, will achieve the objectives and provisions of the relevant EPI's;</li> <li>10. The plans and documents outlined below;</li> <li>11. A signed statement from the author of the Environmental Assessment certifying that the information contained in the report is neither false nor misleading;</li> <li>12. A quantity surveyor's cost estimate report to verify the capital investment value of the project, calculated in accordance with the definition of 'CIV' in accordance with SEPP Major Projects (2005) - this definition should be quoted in the QS letter/report; and</li> <li>13. A conclusion justifying the project, taking into consideration the environmental impacts of the proposal, the suitability of the site, and whether or not the project is in the public interest.</li> </ol>
Plans and Documents	<p>The following plans, architectural drawings, diagrams and relevant documentation shall be submitted:</p> <ol style="list-style-type: none"> <li>1. An <b>existing site survey plan</b> drawn at an appropriate scale illustrating: <ul style="list-style-type: none"> <li>• the location of the land, boundary measurements, area (sq.m) and north point;</li> <li>• the existing levels of the land in relation to buildings and roads;</li> <li>• location and height of existing structures on the site; and</li> <li>• location and height of adjacent buildings and private open space.</li> <li>• all levels to be to Australian Height Datum.</li> </ul> </li> <li>2. A <b>Site Analysis Plan</b> must be provided which identifies existing natural elements of the site (including all hazards and constraints), existing vegetation, footpath crossing levels and alignments, existing pedestrian and vehicular access points and other facilities, slope and topography, utility services, boundaries, orientation, view corridors and all structures on neighbouring properties where relevant to the application (including windows, driveways, private open space, etc).</li> <li>3. A <b>locality/context plan</b> drawn at an appropriate scale should be submitted indicating: <ul style="list-style-type: none"> <li>• significant local features such as parks, community facilities and open space and heritage items;</li> <li>• the location and uses of existing buildings, shopping and employment areas;</li> <li>• traffic and road patterns, pedestrian routes and public transport nodes.</li> </ul> </li> </ol>

	<p>4. <b>Architectural drawings</b> at an appropriate scale illustrating:</p> <ul style="list-style-type: none"> <li>the location of any existing building envelopes or structures on the land in relation to the boundaries of the land and any development on adjoining land;</li> <li>indicative floor plans, sections and elevations of the proposed buildings;</li> <li>indicative elevations and sections.</li> <li>accessibility requirements of the Building Code of Australia and the Disability Discrimination Act for the site;</li> <li>the height (AHD) of the proposed development in relation to the land;</li> <li>the level of the lowest floor, the level of any unbuilt area and the level of the ground;</li> <li>any changes that will be made to the level of the land by excavation, filling or otherwise.</li> </ul>
	<p>5. Visual aids such as photomontages and 3 dimensional rendering should be used to demonstrate visual impacts of the proposal and architectural composition, in particular having regard to siting and design, bulk and scale relationships, appropriate relationship with the heritage fabric of the building(s) on site and in the surrounding area.</p> <p>6. Any proposed amendment to the SCRA Scheme is to be accompanied by a replacement SCRA plan/map.</p> <p>7. <b>Other plans:</b></p> <ul style="list-style-type: none"> <li><b>Stormwater Concept Plan</b> - illustrating the concept for stormwater management;</li> <li><b>View Analysis</b> - Visual aids such as a photomontage must be used to demonstrate visual impacts of the proposed building envelopes in particular having regard to the siting, bulk and scale relationships from key areas;</li> <li><b>Landscape plan</b> - illustrating treatment of open space areas on the site, screen planting along common boundaries and tree protection measures both on and off the site where applicable.</li> <li><b>Shadow diagrams</b> showing solar access to the site and adjacent properties at summer solstice (Dec 21), winter solstice (June 21) and the equinox (March 21 and September 21) at 9.00 am, 12.00 midday and 3.00 pm. Plans/elevations and shadow diagrams are to be provided demonstrating the impacts of the proposal within the site and on adjoining sites, including additional overshadowing.</li> </ul>
<u>Documents to be submitted</u>	<ul style="list-style-type: none"> <li>1 copy of the EA, plans and documentation for the Test of Adequacy;</li> <li>12 hard copies of the EA (once the EA has been determined adequate);</li> <li>12 sets of architectural and landscape plans to scale, including one (1) set at A3 size (to scale); and</li> <li>1 copy of the Environmental Assessment and plans on CD-ROM (PDF format), not exceeding 5Mb in size.</li> </ul>

Comments

**Sumathi Navaratnam - Development of Museum of contemporary Art 140 George street**

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**From:** John Koutsounadis <jkoutsounadis@energy.com.au>  
**To:** "Sumathi Navaratnam" <Sumathi.Navaratnam%planning\_nsw.gov.au@energy.com.au>  
**Date:** 22/08/2008 11:20  
**Subject:** Development of Museum of contemporary Art 140 George street  
**CC:** David Twigg <dtwigg@energy.com.au>, Grant Greene-Smith <ggreenes@energy.com.au>

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Reference is made to the redevelopment of the museum of contemporary art requesting submissions for the development of the existing museum 140 George Street The Rocks.

Energy Australia presently houses an existing substation to the north of the existing building. On the roof of this substation and directly above the transformer hatch cover and the personnel entry into the substation sits a structure comprising of a restaurant and its associated equipment. This structure hinders entry into the substations and restricts the removal and replacement of equipment into the substation chamber beneath. This issue is to be addressed in the new development. It is not clear if a new second substation is to be established to cater for the electrical requirements of the development but irrespective the integrity of the ventilation and access to any substation is to be maintained. It is to be noted the normal health and occupational issues are to be addressed during the construction phase of the development.

There are no details of proposed electricity requirements to this development and it is suggested contact be made with EnergyAustralia to discuss the proposed loads

Details for any alteration to the existing substation may be directed to John Koutsounadis 96639332.

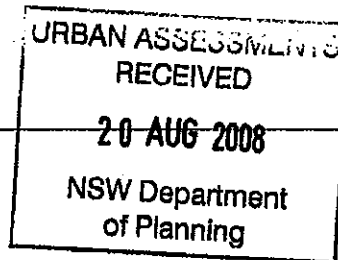
Regards

John Koutsounadis

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This e-mail may contain confidential or privileged information. If you have received it in error, please notify the sender immediately via return e-mail and then delete the original e-mail. EnergyAustralia has collected your business contact details for dealing with you in your business capacity. More information about how we handle your personal information, including your right of access is contained at <http://www.energy.com.au>.

RDC 08M1117



The Director  
Urban Assessments  
Department of Planning  
GPO Box 39  
Sydney NSW-2001

**Attention: Sumathie Navaratnam**

**PROPOSED REDEVELOPMENT AND EXPANSION OF MUSEUM OF CONTEMPORARY OF ART.**

Dear Sumathie,

I refer to your recent letter (Ref: 08\_0064) requesting the Roads and Traffic Authority (RTA) to provide details of key issues and assessment requirements regarding the abovementioned development for inclusion in the Director General's Environmental Assessment (EA) requirements.

The RTA would like the following issues to be included in the transport and traffic impact assessment of the proposed development:

1. It is noted that the Metropolitan Strategy has designated City of Sydney as a Global City and a major focal point for world class business, tourism, cultural, health, education and entertainment activities. It is important that the development of the Museum of Contemporary Art takes this into consideration, and contributes to the achievement of transport objectives contained in this and other high-level NSW Government strategies.

These strategies include the NSW State Plan, Urban Transport Statement and the Sydney City Subregional Strategy. These policies share the aims of increasing the use of walking, cycling and public transport; appropriately co-locating new development with existing and improved transport services; and improving the efficiency of the road network.

By addressing both the supply of transport services and measures to manage demand for car use the EA report should demonstrate how users of the proposed mixed use development at the Museum of Contemporary Art will be able to make travel choices that support the achievement of relevant State Plan targets.

2. Daily and peak traffic movements likely to be generated by the proposed development including the impact on nearby intersections and the need for funding of upgrading or road improvement works (if required).





3. ~~Details of the proposed accesses and parking provisions associated with the proposed development, including compliance with the requirements of the relevant Australian Standards (ie: turn paths, sight distance requirements, aisle widths, etc).~~
4. Proposed number of car parking spaces and compliance with the appropriate parking codes.
5. Details of service vehicle movements (including vehicle type and likely arrival and departure times).
6. The RTA requires the EA report to assess the implications of the proposed development for non-car travel modes (including public transport use, walking and cycling); the potential for implementing a location-specific sustainable travel plan (eg 'Travelsmart' or other travel behaviour change initiative); and the provision of facilities to increase the non-car mode share for travel to and from the site. This will entail an assessment of the accessibility of the development site by public transport..
8. The RTA will require in due course the provision of a traffic management plan for all demolition / construction activities, detailing vehicle routes, number of trucks, hours of operation, access arrangements and traffic control measures.

Further enquiries on this matter can be directed to Garry Kennedy on phone 8849 2029 or facsimile (02) 8849 2918.

Yours sincerely



James Hall  
Acting Senior Land Use Planner  
Transport Planning, Sydney Region  
20 August 2008

**City of Sydney**

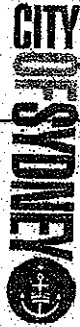
ABN 22 636 550 780

GPO Box 1591 Sydney NSW 2001 Australia

Town Hall House 456 Kent Street Sydney NSW 2000 Australia

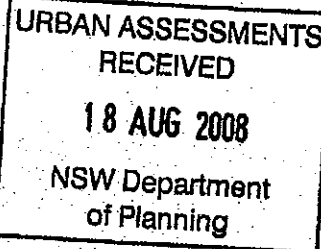
Phone +61 2 9265 9333 Fax +61 2 9265 9222 TTY +61 2 9265 9276

council@cityofsydney.nsw.gov.au www.cityofsydney.nsw.gov.au



14 August 2008

Our Ref: 2008/112075  
DOP Ref: MP 08\_0064



Michael Woodland  
Director, Urban Assessments  
Department of Planning  
Major Project Assessments/ Strategic Sites & Urban Renewal  
GPO Box 39  
SYDNEY NSW 2001

Dear Sir,

I refer to your letter dated 30 July 2008 to Sue McMahon regarding the project application for redevelopment and expansion of the Museum of Contemporary Art (MP 08\_0064).

Draft Director General Requirements (DGR's) were provided with the letter and we understand that you are seeking feedback from Council regarding any additional issues/ assessment requirements to be included in the DGRs.

The following are recommended to be addressed with regard to the proposed application:

- Assess the visual impact of the proposal (including photomontages).
- Assess the impact of the proposal on the existing streetscape and adjacent public domain.
- Provide a Heritage Impact Statement, Conservation Management Plan and/or Conservation Management Strategy for the proposal in accordance with the NSW Heritage Office's requirements.

Please note due to the timeframe set for the provision of comments these comments are provided by Council officers under delegated authority.

Should you wish to discuss any of the above information further, please contact Anita Leong, Specialist Planner on 92467596, or by email at [aleong@cityofsydney.nsw.gov.au](mailto:aleong@cityofsydney.nsw.gov.au).

Yours Sincerely,

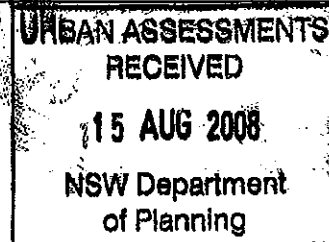
A handwritten signature in black ink, appearing to read "Sue McMahon".

**SUE MCMAHON**  
Area Planning Manager, CBD

*city of villages*

13 August 2008

Michael Woodland  
Director, Urban Assessments  
Department of Planning  
PO Box 39  
SYDNEY NSW 2001



Attention: Sumathi Navaratnam

Dear Mr Woodland,

**Re: Request for provision of details of key issues and assessment requirements - MP 08\_0064 - Project Application for redevelopment and expansion of the Museum of Contemporary Art**

I refer to your letter dated 30 July 2008 regarding the redevelopment and expansion of the Museum of Contemporary Art, George Street, Sydney. Sydney Water has reviewed the Preliminary Environmental Assessment and provides the following comments for the Department's consideration.

**Sydney Water Requirements for Environmental Assessment**

The preliminary assessment does not address any water management issues. To provide the proponent with detailed servicing advice Sydney Water requires the environmental assessment to include the following:

1. *Integrated Water Management Plan* - The Integrated Water Management Plan should include any proposed alternative water supplies, proposed end uses of potable and non-potable water, water sensitive urban design and, any water conservation measures.
2. *Assessment of infrastructure* - The developer needs to provide Sydney Water with information on water and wastewater services and, any augmentation to services that will be required for the proposed development. This will allow Sydney Water to determine the impact of the proposed development on existing services and identify any augmentation requirements. When determining landscaping options, the developer should take into account that certain tree species can cause cracking or blockage of Sydney Water pipes.

**Sydney Water Servicing**

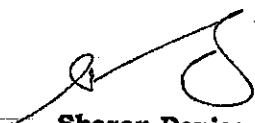
Sydney Water will assess the impact of the proposed development when the proponent applies for a Section 73 Certificate. This assessment will enable Sydney Water to specify any works required as a result of the development and to assess whether amplification and/or changes are applicable. Sydney Water requests the Department continue to instruct developers to obtain a Section 73 Certificate from Sydney Water.

The developer must fund any adjustments needed to Sydney Water infrastructure as a result any development. The developer should engage a Water Servicing Coordinator to get a Section 73 Certificate and manage the servicing aspects of the development. Details are available from any Sydney Water Customer Centre on 13 20 92 or Sydney Water's website at [www.sydneywater.com.au](http://www.sydneywater.com.au).

**Future Consultation**

If you have any queries or require further information, please contact Cassandra Loughlin of the Urban Growth Branch on 02 9350 5243 or e-mail [cassandra.loughlin@sydneywater.com.au](mailto:cassandra.loughlin@sydneywater.com.au)

Yours sincerely



**Sharon Davies**  
Manager, Urban Growth Strategy and Procurement



MINISTRY OF TRANSPORT

Level 21, 227 Elizabeth Street Sydney 2000  
GPO Box 1620 Sydney 2001

Telephone 9268 2800 Facsimile 9268 2900  
Internet [www.transport.nsw.gov.au](http://www.transport.nsw.gov.au)

ABN 25 765 807 817

Mr Michael Woodland  
Director  
Urban Assessments  
Department of Planning  
GPO Box 39  
SYDNEY NSW 2001

Attention: Sumathi Navaratnam

Dear Mr Woodland,

**DIRECTOR GENERAL'S REQUIREMENTS  
REDEVELOPMENT OF THE MUSEUM OF CONTEMPORARY ART**

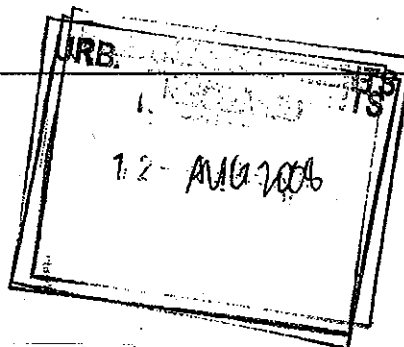
I refer to your letter dated 30 July 2008 seeking comment on the Director General's Requirements for the proposed redevelopment of the above mentioned site. The Ministry appreciates this opportunity to provide input to the DGRs for this application.

The Ministry has reviewed the preliminary assessment for the proposal, together with the Department's draft DGRs. The proponent's intention to assess the traffic and transport implications of the proposal, as part of the Part 3A application, is noted.

The Ministry supports the inclusion of *Transport and Accessibility* as key issues in the draft DGRs, and recommends that the considerations mentioned in the draft be listed separately in dot point format to ensure the assessment of each item. Further, it is suggested that the following requirements are incorporated into this section:

- Demonstrate a minimalist approach to car parking provision, based on the accessibility of the site to public transport. The Ministry is keen to reduce the provision of on-site parking as an effective measure to encourage greater mode shift to public transport together with increased walking and cycling;
- Detail the existing pedestrian and cycle movements within the vicinity of the subject site and determine the adequacy of the proposal to meet the likely future demand for increased pedestrian and cycle access. This may include the requirement for the provision of facilities for the secure storage of bikes together with amenities for cyclists;

⇒ S. Navaratnam  
JW 12/8



07 AUG 2008

- Identify explicit measures and strategies that will optimise the opportunity provided by the project site's proximity to public transport. This may include the requirement for the preparation of Travel Access Guide (TAG) as detailed in the *Producing and Using Transport Access Guides* (Roads and Traffic Authority); and
- Identify measures to mitigate potential impacts for pedestrians and cyclists during the construction of the project.

The Ministry requests an opportunity to comment on any planning agreement, which has potential to secure funding for local and regional public transport infrastructure.

If you would like to discuss this further, please contact Jose Sevilla Jr on 9268 2833 or email [jose.sevilla@transport.nsw.gov.au](mailto:jose.sevilla@transport.nsw.gov.au).

Yours sincerely,



Juliet Grant  
A/Director, Transport Planning

7.8.08

TP08/03606

## **1. Land ownership**

The EA must clearly identify the land ownership for all land that would be subject to the application and any ancillary works associated with the extension (the development). The EA should be supported by current land titles information and a site survey plan.

Land owners consent must be obtained for all land subject to the application.

It is requested that the DGRs include a requirement that the proponent obtain land owners consent (LOC) prior to lodgment of the EA. It is considered that this would resolve any uncertainty about LOC at an early stage of the assessment process

## **2. Building height and elevations**

The Preliminary Environmental Assessment (PEA) identifies that the development would have an elevation of 32.877 m, being equivalent to Level 7 of the MCA.

The Authority considers that the proposed development should not dominate the existing MCA building in either height or form; the MCA should remain the primary focal point of this site. A detailed justification and assessment must therefore be provided for the design of the proposed development in context, including relative heights, set-backs, building mass, materials and integration into the site.

The Authority is also concerned about the elevation of the development relative to the existing building at 132 George Street, which is substantially lower than the proposed development and the existing MCA. The EA must clearly illustrate and justify the proposed relationship between these two buildings, particularly the George Street and Argyle Street elevations.

## **3. Amendments to the Sydney Cove Redevelopment Authority (SCRA) Scheme**

The existing SCRA scheme drawing XXXIXB(i) envisaged that the Old Maritime Services Board (the current MCA) building would be demolished and Lots 20 -23 DP 787906 would be developed as open space, and the maximum RL for the site is 12 m. The proponent will therefore need to lodge an application for a variation to the SCRA scheme, which can be assessed concurrently with the EA. The variation will need to address the whole area covered by this site control drawing, proposed appropriate height limits and other built form controls, and this needs to be developed in close consultation with the Authority.

## **4. Building alignments**

### **(a). Encroachment on First Fleet Park**

The current footprint of the development suggests that the building would project beyond the eastern alignment of the existing MCA, and possibly into the public domain. It is noted that Figure 3 of the PEA is different to the site plan. The EA must clearly document any impact on the public domain, including impact on landscaping and removal of vegetation.

As part of the visual assessment for the project, the proponent must also clearly assess the likely impact of this development on the highly significant views of the Sydney Harbour Bridge from representative locations within First Fleet Park and the public walkways.

**(b). Encroachment on Argyle Street footpath**

The Site Plan indicates that the extension would encroach onto the Argyle Street footpath. Concern is raised that the footpath is narrow and that further encroachment on this public domain would need to be carefully considered and would require LOC from the Authority and possibly City of Sydney Council and the Sydney Ports Corporation.

**(c). George Street alignment**

The plan suggests that there may be a structure projecting from Level 1 on the George Street façade. It is unclear if this is restricted to an awning or some larger projection (see also comments below). The Authority is concerned that any protrusion at this location may impact on the George street vista, the visibility of the Police Station at 132 George Street and the public domain, particularly the George Street footpath.

**5. Through-site pedestrian link and maintenance of Suez Canal corridor**

The Sydney Cove Redevelopment Authority Scheme (SCRA) identifies that the site should maintain a linkage from George Street through to Circular Quay. The PEA states that a pedestrian linkage would be maintained through the extension, which is in accordance with the SCRA. The EA should clearly document and justify the proposal and options for providing such access, including:

- Clear description of the proposed access
- Proposals to ensure public access
- Proposed hours for access
- How building and public security will be maintained.

The old alignment of the Suez Canal also provides a visual link/ corridor from Harrington Street through to Circular Quay. Proposals and options for the maintenance of the corridor along this alignment need to be detailed in the EA.

**6. Access**

The redevelopment provides an opportunity to consolidate the MCA service/ delivery activities for the site, and to remove the need for the MCA traffic to traverse First Fleet Park. The EA should provide details as to how the site access will be consolidated to remove the need for access through First Fleet Park. These access arrangements should be incorporated into the traffic and transport study.

The development will impact on the recently constructed rear prisoner van dock for the Police building at 132 George Street. The EA must also demonstrate how adequate arrangements will be made to maintain this access.



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## **7. Heritage Impact Statement**

The MCA and the adjoining Police Building at 132 George Street are listed under the Authority's heritage and conservation register in accordance with Section 170 of the *Heritage Act 1977*, which provides obligations to effectively conserve and manage the building.

The "MSB Building Conservation Study" [1985] was prepared by PWD for the existing building when it was converted for use by the MCA. This was subsequently supplemented by a "Heritage and Urban Design Report" [2000], prepared by Tanner & Associates.

It is recommended that as part of the development of this project that the 1985 Study and 2000 report be reviewed and revised so as to provide a contemporary / current document with which to assess the heritage impact of the proposed works.

The proponent should prepare a new Conservation Management Plan for the building.

The proponent should then prepare a Heritage Impact Statement in line with the values and policies set out in the Conservation Management Plan.

## **8. Archeology**

The site was the location of the former Colonial Dockyards from 1787 – c.1857.

A comprehensive archeological assessment of the site was undertaken by Casey and Lowe & Associates in 2000/2001 for City of Sydney Council.

Therefore the EA must make a detailed assessment of the proposal against the Statement of Significance, conclusion and recommendations of that report.

## **9. Impact on Public Domain**

The Authority is concerned that the development and associated works will impact on the public domain. It is likely that significant reconfiguration of pathways and landscaping will be required to appropriately identify the new entry to the MCA. The EA must clearly identify all impacts on the public domain and detail how any such adverse impacts will be remediated. All such proposed works must be included in the application.

The Authority considers it is appropriate that the proponent also consider entering into a Voluntary Planning Agreement, in accordance with Section 93F of the *Environmental Planning and Assessment Act 1979*.

## **10. Clarification of proposed works**

The Site Plan in the PEA shows two design features marked as "MCA extension above". It is unclear from the plan what these structures represent. Should these represent projecting-structures at level 1, the Authority is concerned that the structures overhang the public domain and adversely impact on the appearance of the existing George Street façade.

The EA should also clearly identify the proposed uses of the development, including café and function areas, offices, gallery and exhibition spaces and other commercial/ retail use. The EA should also consider the socio-economic impacts of the proposed development on the existing businesses within the Rocks and Circular Quay.

#### **11. Impact on 132 George Street**

The proposed development will in effect 'wrap-around' the existing building at 132 George Street. The Authority is concerned that the building will adversely impact on this building, in terms of solar access and ventilation to the eastern and southern façade. The EA must assess the impact of the development on this building, and how these impacts will be mitigated. The EA must also describe how access for maintenance of the eastern and southern façade of the building will be achieved once the building is constructed.

The Heritage Impact Statement should also address the potential impacts on the existing building at 132 George Street, as part of the assessment.

#### **12. Sustainable development**

The Draft DGRs require the proponent to detail how the development will incorporate ESD principles in the design, construction and ongoing operation of the development. The proponent should address the requirements of the Authority's 'Sustainable development outcomes Strategy', as supported by the 'Green building user guide' and 'Sustainable development fitout guide'.

The proponent should also consider how sustainable practices will be integrated into services for the operation of the whole of the MCA building(s), including upgrades, roof top changes etc.

#### **13. Independent design review process**

In light of the prominence of the development site, and its inclusion within the Opera House Buffer area under REP (Sydney Harbour Catchment) 2005, the Authority would support the referral of the application to an independent design review panel for assessment and recommendations.

Any design review process should occur early in the project development and considered bulk, scale and form issues referred to above, and also materials, elevation and other architectural details, pedestrian access and landscape related issues.

#### **14. Existing substation**

The EA must provide clear details of the impact on the existing substation at the north-western corner of the existing MCA building, and any proposals to relocate this facility.