

10051
28 January 2014

Mr Sam Haddad
Director-General
Department of Planning and Infrastructure
23-33 Bridge Street
SYDNEY NSW 2000

Dear Mr Haddad

STATE SIGNIFICANT DEVELOPMENT - REQUEST FOR DIRECTOR GENERAL'S REQUIREMENTS STAGE 1A SUBDIVISION, BARANGAROO SOUTH

We write on behalf of Lend Lease (Millers Point) Pty Ltd, the proponent for the proposed Stage 1A Subdivision at Barangaroo South. The proposed Stage 1A subdivision proposal relates to the whole of the land comprising the Barangaroo Site, which is identified as a State Significant Site in Schedule 2 of *State Environmental Planning Policy (State and Regional Development) 2011*. The subdivision of land at Barangaroo (other than strata title, community title or certain minor subdivision) is State Significant Development (SSD) for the purposes of the *Environmental Planning & Assessment Act 1979* (EP&A Act). The proposed subdivision, which comprises Torrens title and stratum subdivision is SSD for the purposes of the EP&A Act.

The purpose of this letter is therefore to request the Director-General's Requirements (DGRs) for the preparation of an Environmental Impact Statement (EIS) for the proposed development. To support the request for the DGRs this letter provides an overview of the proposed development, sets out the statutory context, and identifies the key likely environmental and planning issues associated with the proposal.

1.0 THE SITE

Barangaroo is located on the north-western edge of the Sydney Central Business District, bounded by Sydney Harbour to the west and north, the historic precinct of Millers Point (for the northern half), The Rocks and the Sydney Harbour Bridge approach to the east; and bounded to the south by a range of new development dominated by CBD commercial tenants.

The Stage 1A Subdivision Site comprises Lots 3, 5 and 6 in DP 876514 and the owner of the Site is the Barangaroo Delivery Authority (see **Figure 1**).

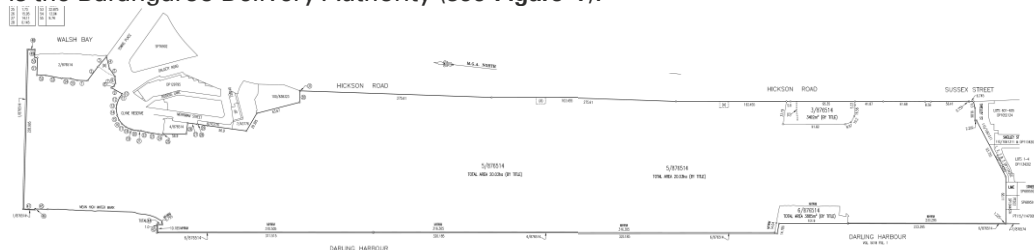


Figure 1 – Site plan

2.0 DESCRIPTION OF PROPOSED DEVELOPMENT

The SSD application will seek consent for:

- Re-subdivision of Lots 3, 5 and 6 in DP 876514 into two (2) Torrens title lots, namely Lot 100 comprising Barangaroo South (Stages 1A and 1B) and Lot 101 comprising Barangaroo Central & Headland Park (residue lot);
- Staged subdivision of proposed Lot 100 into stratum lots for the future buildings and infrastructure within the Stage 1A area and a residue lot for Stage 1B.

The proposed subdivision flowchart is provided at **Appendix 1**.

The re-subdivision of Lots 3, 5 and 6 in DP 876514 will create two lots, one for Barangaroo South being developed by Lend Lease (Proposed Lot 100) and one for Barangaroo Central and the Headland Park being developed by the Barangaroo Delivery Authority (Proposed Lot 101).

Proposed Lot 100 will then be subdivided over multiple stages to create the stratum lots that are required to accommodate the initial phase of buildings to be constructed within Stage 1A of Barangaroo South, and will create a residue lot for the future Stage 1B subdivision.

Within the Stage 1A area stratum lots will be initially created for the future C3, C4 and C5 commercial buildings, R8/R9 residential buildings, and R8/R9 retail space. It is noted that from the R8/R9 residential stratum lot, a strata scheme will be created, however this will be the subject of a separate application (if required). Separate lots will also be created for the central infrastructure being central chilled water plant (CCWP), recycled water plant (RWP) and embedded network EN) and bicycle/amenities within the shared basement.

The proposed initial Stage 1A subdivision is shown on the preliminary subdivision drawings for Level 1 and above, Ground, Basement 1 and Basement 2 levels included in the **Appendices 2a to 2h**.

Stratum lots will also be created for the future Stage 1A buildings, these lots are shown as hatched at **Appendices 3c, 3d, 3f and 3h**.

The lot numbers shown on the preliminary subdivision drawings are indicative only and will be subject to final staging and residue lot number allocation. Easements of public access are proposed to be created over the public domain areas, along with other easements and various rights within the building management statement.

No physical works are proposed as part of this subdivision application.

It is proposed that the SSDA will give development consent for staged subdivision, providing for all the stratum lots within Stage 1A of Barangaroo South. The staged subdivision consent will allow for the sequential creation / registration of all of the Stage 1A lots to occur as is required to fit with the construction and occupation program for Barangaroo South without the need for separate ongoing subdivision applications. By necessity, the final sequencing of creation / registration of the lots will need to be flexible, within the defined subdivision parameters of the approved development and subject to Barangaroo Delivery Authority Approvals. The proposed form of one development consent allowing for staged subdivision is commonly adopted in new release areas and major developments.

3.0 PLANNING CONTEXT

3.1 State Environmental Planning Policy (State and Regional Development) 2011

The Barangaroo Site is identified as a State Significant Site in Schedule 2 of *State Environmental Planning Policy (State and Regional Development) 2011*. The subdivision of land at Barangaroo (other than strata title, community title or certain minor subdivision) is State Significant Development (SSD) for the purposes of the EP&A Act. The proposed subdivision, which comprises Torrens title and stratum subdivision is SSD for the purposes of the EP&A Act.

3.2 State Environmental Planning Policy (Major Developments) 2005

Part 12 Schedule 3 of *State Environmental Planning Policy (Major Development) 2005* (Major Development SEPP relates to the “Barangaroo Site”. Part 12 zones the land part B4 Mixed Use and part RE1 Public Recreation.

Pursuant to clause 14 of the Major Development SEPP the subdivision of land within the Barangaroo site is permissible with development consent. It is noted that consent is not required for the initial consolidation of the existing Lots 3, 5 and 6 in DP 876514. The initial 2 lot subdivision and subsequent subdivision of proposed Lot 100 require development consent.

3.3 Barangaroo Concept Plan

The Barangaroo Concept Plan (MP06_0162) as modified, known as Concept Plan (Mod 4) establishes a planning framework for development at Barangaroo South within which the proposed Stage 1A subdivision is to be considered. The Concept Plan (Mod 4) provides for:

- a 563,965m² mixed use development across the entire Barangaroo Site, comprising:
 - a maximum of 514,465m² mixed uses GFA, including residential, commercial and retail uses which includes:
 - a maximum of 128,763m² of residential uses (a minimum of 99,763m² of which will be in Barangaroo South);
 - a maximum of 50,000m² of tourist uses GFA;
 - a maximum of 39,000m² of retail uses;
 - a maximum of 4,500m² of active uses GFA (3,000m² of which will be in Barangaroo South); and
 - a maximum of 12,000m² of community uses GFA (10,000m² of which will be in Barangaroo South);
- approximately 11 hectares of new public open space/public domain, with a range of formal and informal open spaces serving separate recreational functions and including a 2.2km public foreshore promenade;
- built form principles, maximum building heights and GFA for each development block within the mixed use zone;
- a public domain landscape concept, including parks, streets and pedestrian connections; and
- alteration of the existing seawalls and creation of a portion of new shoreline to the Harbour.

Concept Plan Modification Application 6 (Mod 6) was submitted to the Department in June 2013. Mod 6 seeks approval for:

- Realignment of the development block boundaries for Blocks 3, 4A and 4B.
- Revisions to the approved Urban Design Controls to reflect the realigned block boundaries.
- Amendment to Condition B4(2) 'Built Form' to clarify the wording of the condition relating to the distribution of community uses floorspace at Barangaroo.

- Amendment to Condition B4 'Built Form' to allow for architectural roof elements and building management units to be excluded from the maximum height limits.

The proposed Stage 1A Subdivision will be submitted to reflect the Barangaroo South layout as envisaged in the Concept Plan (Mod 6) layout.

4.0 OVERVIEW OF LIKELY ENVIRONMENTAL AND PLANNING ISSUES

The proposed Stage 1A subdivision relates to land located within the B4 Mixed Use and RE1 Public Recreation zones under *State Environmental Planning Policy (Major Development) 2005*. The proposed development, is permissible with development consent in both zones.

As previously noted, the proposed Stage 1A Subdivision accords with Concept Plan (Mod 6).

Based on our preliminary environmental assessment, compliance with relevant statutory plans and consistency with the Barangaroo Concept Plan (as currently proposed to be modified as part of Mod 6) is the key environmental assessment issues that will need to be considered as part of the DA.

Consideration will need to be given to the easement for public access to ensure access to a public road for the lots being created. A building management statement will be registered on the first subdivision to also address access issues.

5.0 CONCLUSION

The purpose of this letter is to request the DGRs for the preparation of an EIS for the Stage 1A Subdivision. The proposed subdivision is an essential component of the implementation of development at Barangaroo South.

We trust that the information detailed in this letter is sufficient to enable the Director-General to issue the DGRs for the preparation of the EIS. Should you have any queries about this matter, please do not hesitate to contact me on 9956 6962 or mrowe@jbaurban.com.au.

Yours faithfully



Michael Rowe
Principal Planner

Enc.

APPENDIX 1 - Proposed Subdivision Staging Flow Chart

APPENDIX 2a - Development Site Subdivision North

APPENDIX 2b - Development Site Subdivision South

APPENDIX 2c - Initial Stage 1A Plan of Subdivision Ground Level

APPENDIX 2d - Initial Stage 1A Plan of Subdivision Level 1 & Above

APPENDIX 2e - Initial Stage 1A Plan of Subdivision Basement Level 1 North

APPENDIX 2f - Initial Stage 1A Plan of Subdivision Basement Level 1 South

APPENDIX 2g - Initial Stage 1A Plan of Subdivision Basement Level 2 North

APPENDIX 2h - Initial Stage 1A Plan of Subdivision Basement Level 2 South

APPENDIX 3c - Initial Stage 1A Plan of Subdivision Ground Level – Residue Sites

APPENDIX 3d - Initial Stage 1A Plan of Subdivision Level 1 & Above – Residue Sites

APPENDIX 3f - Initial Stage 1A Plan of Subdivision Basement Level 1 South – Residue Sites

APPENDIX 3h - Initial Stage 1A Plan of Subdivision Basement Level 2 South – Residue Sites