

29 September 2020

Our ref: 17632

Mr Cameron Sargent
Department of Planning, Industry and Environment
320 Pitt Street
Sydney NSW 2000

Dear Mr Sargent,

SECTION 4.55(1A) MODIFICATION APPLICATION (MOD 5) CROWN SYDNEY HOTEL RESORT (SSD 6957)

This application has been prepared by Ethos Urban on behalf of Crown Sydney Hotel Resort (Crown Hotel) pursuant to section 4.55(1A) of the *Environmental Planning and Assessment Act 1979* (EP&A Act) to modify Development Consent SSD 6957 (Development Consent) relating to the approved Crown Hotel located at 1-11 Barangaroo Avenue (previously known as 51a Hickson Road), Barangaroo NSW.

This section 4.55(1A) modification application seeks approval to amend the Development Consent to facilitate the staged delivery of Hickson Park to align with the current status of the development of the surrounding buildings in Barangaroo South and Central Barangaroo, and to avoid the potential for abortive and reinstatement works.

While modifications are proposed to the approved development, all of the proposed changes are minor, and the modifications remain substantially the same as the originally approved development in that:

- The proposed modification to the approval will not alter the approved building form, function, land uses or GFA;
- The modification is proposed to address the site-specific context of the Barangaroo project delivery timeframes;
- The proposed modification to Hickson Park relate only to its staging and are required to maintain public safety and to avoid undertaking works that may subsequently need to be demolished and rebuilt in the future as a consequence of the development and delivery of Central Barangaroo;
- The proposed modification to Barton Street is temporary only and will improve traffic flows in the interim until Barangaroo Avenue is completed and operational within Central Barangaroo;
- The proposed modification does not alter the overall public open space area approved under the Concept Plan but amends the timeframes in which it is delivered; and
- The anticipated environmental impacts are consistent with those of the approved development.

The development, as proposed to be modified, is therefore both essentially and materially of the same essence as that of the approved development and is considered to be substantially the same as the approved development. The modification of the Development Consent can therefore be lawfully made under section 4.55 of the EP&A Act.

This report describes the site, its environs, the proposed development and provides an assessment of the proposal in terms of the matters for consideration under section 4.55(1A) of the EP&A Act. This application should be read in conjunction with the following supporting documentation appended to the report:

- Hickson Park Staging Plans prepared by Grant Associates (**Attachment A**);
- Transport Assessment prepared by JMT Consulting (**Attachment B**); and
- Overall Staging Plan prepared by Lendlease (**Attachment C**).

1.0 Background

1.1 Barangaroo Concept Plan (MOD 8)

The Crown Hotel is identified as Block Y of Barangaroo South. The Barangaroo Concept Plan (MP06_0162) was approved in February 2007. The Concept Plan covers urban design and policy initiatives and is the statutory planning approval that guides the development of Barangaroo.

The Concept Plan has been modified seven times since it was approved, and the Statement of Commitments has been revised accordingly. The most recent approved modification to the Concept Plan MOD 8 was determined on 28 June 2016 by the Planning Assessment Commission.

The current approved Concept Plan (as modified by MOD 8) provides for:

- A mixed-use development with a maximum of 594,354m² gross floor area (GFA);
- Approximately 11 hectares of new public open space and public domain, with a range of formal and informal open spaces serving separate recreational functions and including a 2.2-kilometre public foreshore promenade;
- Public domain landscape concept, including parks, streets and pedestrian connections;
- Alterations of the existing seawalls and creation of a portion of new shoreline to the harbour;
- Built form principles and controls, maximum building heights and GFA for each development block within the mixed-use zone; and
- Construction, operation and maintenance of a concrete batching plant to supply concrete for construction of future development under this Concept Plan at Barangaroo South.

Concept Plan MOD 8 introduced Conditions B3 and B12 to the Concept Plan approval. Condition B3 sets out specific requirements for Hickson Park, Block 5, Block Y, Barton Street, and the Foreshore Promenade in the vicinity of Block Y. Item 5 of Condition B3 specifically requires Barton Street to be redesigned and returned to parkland to form part of Hickson Park following the completion of Block Y and the construction of Barangaroo Avenue. Condition B12 relates to the timing of delivery of the certain public domain works, including Hickson Park, in relation to the occupation of completed development within Block Y, Block 4A and Block 4B.

Conditions B3 (as it relates to Hickson Park and Barton Street) and B12 is reproduced below.

B3. Future Built Form and Public Domain:

Hickson Park:

(1) *Hickson Park is:*

- (a) *shown in the map at appendix 1 and generally defined by the boundaries of Block 4A and 4B, Block 5 (as amended in B3(2) below), Hickson Road, Globe Street and Barangaroo Avenue;*
- (b) *to provide view corridors from Hickson Road to the harbour;*
- (c) *to support large mature trees, including the provision of at least 2,000sqm of deep soil with a depth of at least 3m;*
- (d) *not to be overshadowed by built form over more than an average area of 2,500 sqm between the hours of 12:00 and 14:00 on the 21 June each year; and*
- (e) *to be primarily comprised of soft landscaping, including extensive areas of grass.*

Barton Street:

(5) *Barton Street is approved as a temporary road only and is subject to the future environmental assessment requirements in C8. Following the completion of the development on Block Y and the construction of Barangaroo Avenue, Barton Street shall be redesigned and returned as parkland and integrated to form part*

of Hickson Park. Any future application in respect of Hickson Park shall ensure the design, construction and use of this area is public open space and parkland.

B12. Staging

Prior to the issue of any occupation certificate within Block 4A, 4B and Y, the foreshore promenade (to the full extent mapped in the SEPP Amendment), pier, Watermans Cove and Hickson Park (other than the temporary construction road corridor on the alignment of the former Barton St) shall be constructed, landscaped and publicly accessible.

The timing for the replacement of Barton St, in accordance with B3(5), is to be agreed with the Secretary.

Development Blocks 4A, 4B and Y are identified in the Concept Plan approval and at **Figure 1** below in relation to Hickson Park.

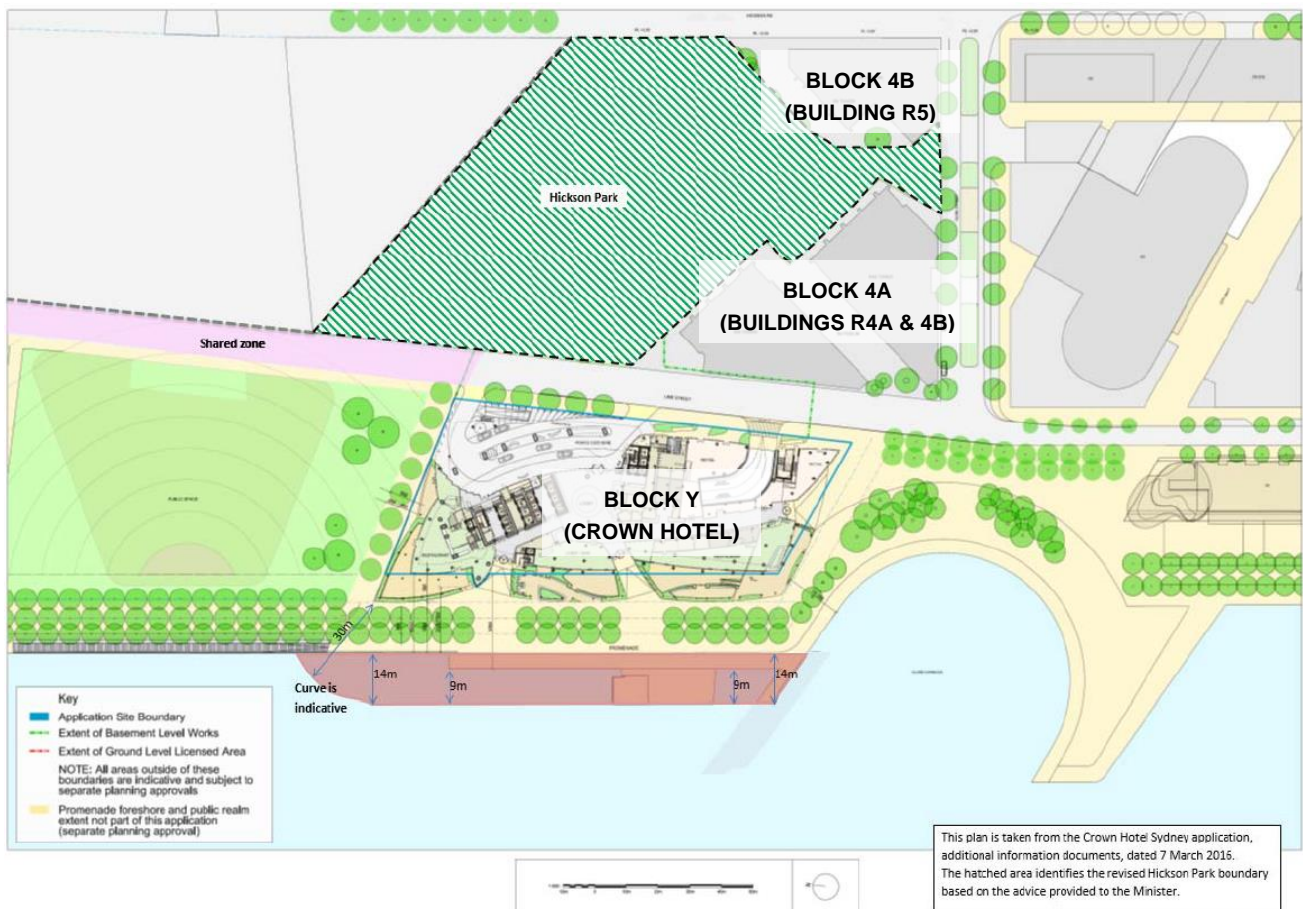


Figure 1 Barangaroo Concept Plan

Source MOD 8 Approval, Appendix 1

Since the approval of Concept Plan MOD 8 there have been three (3) modifications lodged, including:

- Concept Plan MOD 9 – This modification application relates to Central Barangaroo. The SEARs have been issued and the application is currently being prepared in readiness for lodgement with DPIE.
- Concept Plan MOD 10 – This modification application relates to Barangaroo South. It was approved on 2 September 2020.
- Concept Plan MOD 11 – This modification application relates to Barangaroo South. The application was lodged by Lendlease in support of a Section 75W modification to the Concept Plan approval pursuant to clause 3C, Schedule 2 of *Environmental Planning and Assessment (Savings, Transitional and Other Provisions) Regulation*

2017. It sought approval to modify the Concept Plan for the same scope of works that this subject application (SSD 6957 MOD 5) aims to achieve, being the temporary use of Barton Street for all vehicles and staging of Hickson Park.

It has been lodged with DPIE and is currently under assessment. This modification application is intended to be assessed simultaneously to the assessment of Concept Plan MOD 11. Both applications have been necessitated as a result of the changing timing context of the construction of Block 4A, Block 4B, Barton Street, and Central Barangaroo. Should the Concept Plan MOD 11 be approved, the Crown Sydney Hotel Resort Consent (SSD 6957) will likewise require amendments to the conditions of consent, to avoid the consent becoming inconsistent with the Concept Plan.

1.2 Barangaroo Public Domain (SSD 7944)

Development consent SSD 7944 was granted by the Independent Planning Commission on 11 September 2018 for the public domain and associated works within Barangaroo South and Central Barangaroo, including Watermans Cove (and a public pier), Hickson Park, Watermans Quay, Wulugul Walk and a section of Barangaroo Avenue, as illustrated in **Figure 2** below.

This modification application (SSD 6957 MOD 5) does not propose to alter the timing of delivery of any other areas of public domain, apart from Hickson Park. Condition B12 of the Concept Plan approval will therefore continue to be satisfied.



Figure 2 Overview of public domain works

Source SSD 7944, Environmental Impact Statement

2.0 Consent proposal to be modified

Development Consent for a mixed-use building, known as the Crown Sydney Hotel Resort, was granted by the Planning Assessment Commission on 28 June 2016.

On 31 October 2019, Application SSD 6957 MOD 1 was approved. The modifications related to various alterations to the approved scheme including the reconfiguration of the internal layout and apartment layouts, resulting in changes to the GFA breakdown and an increase in the number of residential apartments. The modification also included the reconfiguration of the basement car park resulting in a changes to the car space allocation, additional residential bicycle parking spaces, minor design amendments to the ground level including landscaping, reconfiguration to the terrace layouts on Levels 3, 4 and 24, and the addition of an observation deck for the public within Level 66.

On 7 May 2020 a second modification under section 4.55(1A) (SSD 6957 MOD 2) was approved. The modification included the amalgamation of apartments on Levels 33, 37, 51, 60 and 61. The second modification resulted in a decrease in the total number of residential apartments from 87 to 81 as currently approved.

Subsequently on 13 July 2020 a third modification under section 4.55(1A) (SSD 6957 MOD 3) was approved. The modification included the amalgamation of apartments on Levels 48 and 49 and a commensurate minor reduction in residential GFA.

A fourth modification under section 4.55(1A) was prepared and lodged on 14 August 2020 with the DPIE (SSD 6957 MOD 4) for internal design amendments, extension to roof parapet, expansion of the level 64 terrace for a pool and recalculation of the overall building GFA. This application is still under assessment by DPIE.

The proposed modification that is the subject of this application represents the fifth modification (SSD 6957 MOD 5).

3.0 Proposed modifications to the consent

This modification application seeks approval to amend the SSD 6957 Development Consent to facilitate the staged delivery of Hickson Park to align with the current status of the development of the surrounding buildings in Barangaroo South and Central Barangaroo, and to avoid the potential for abortive and reinstatement works.

Further details are provided in the sections below.

3.1 Hickson Park

This section 4.55(1A) modification application seeks approval to amend the SSD 6957 Condition F2 to facilitate the staged delivery of Hickson Park, to align with the current status of the development of the surrounding buildings in Barangaroo South and Central Barangaroo. It is noted that the SSD 6957 Development Consent itself does not grant consent for Hickson Park. However, Condition F2 refers to the staging and delivery of Hickson Park in relation to the Crown Sydney Hotel Resort. The proposed staging of Hickson Park in relation to the other related development consents is outlined in further detail below.

Hickson Park is proposed to be located directly north of Block 4A and Block 4B and in its entirety will be 11,304m². See the Hickson Park Staging Plan 7 in **Figure 3** and **Attachment A** for a plan of Hickson Park upon completion.

Condition B12 of the Concept Plan MOD 8 requires Hickson Park (among other areas of the public domain) to be constructed, landscaped and made publicly accessible prior to the issue of any Occupation Certificate within Block 4A (Buildings R4A and R4B), Block 4B (Building R5), or Block Y (Crown Hotel). It is understood that the intent of this condition was to ensure that key areas of the public domain were delivered together with the first building to be occupied in these Blocks.

The Crown Hotel in Block Y will be the first of these buildings to receive an Occupation Certificate, several years before the completion of Building R4A, Building R4B and Building R5, therefore requiring Hickson Park to be delivered beforehand, for Condition B12 to be satisfied.

Hickson Park is defined in Condition B3(1)(a) by reference to the map at Appendix 1 of the Concept Plan MOD 8 outlined in **Figure 1** (see Section 1). For context, this map was prepared several years before the Development Application for the Public Domain (comprising the detailed design of Hickson Park and the surrounding public domain areas) was prepared and consent was granted (SSD 7944).

Hickson Park is separated by Barton Street to comprise:

- the area located on Block 4 within Barangaroo South; and
- the area described as the expansion of Hickson Park in the Concept Plan MOD 8, located on Block 5 within Central Barangaroo.

Having regard to the ongoing development of the R4A, R4B and R5 Buildings in Barangaroo South following the completion of the Crown Hotel in Block Y and the proposed future construction of the basement and above ground structures in Central Barangaroo, Infrastructure NSW is seeking to modify the Concept Plan (MP06_0162 MOD 11) to allow Hickson Park to be delivered in stages as outlined in the Staging Plans at **Attachment A**. This application is consistent with Concept Plan MOD 11, seeking to modify the staged delivery of Hickson Park.

For completeness, prior to the issue of an Occupation Certificate for the Crown Hotel (SSD 6957) (as modified), all other areas of the public domain required to be constructed, landscaped and publicly accessible in accordance with Condition B12, including the foreshore promenade known as Wulugul Walk, Waterman's Cove, the Pier, Barangaroo Avenue, and Barton Street will be completed prior to the issue of an Occupation Certificate, with the final delivery of Hickson Park being the only outstanding item.

4.0 Modification to conditions

The proposed modifications described above necessitate amendments to the consent conditions under SSD 6957 which are identified below.

The description of the approved development is amended by the deletion of struck out words and the insertion of bold and italicised words as follows:

Public Domain Works

F2. *The works to the public domain are to be completed in accordance with the approved plans **and Hickson Park Staging Plans 1-7 (BAR418-SIN-SK-063) prepared by Grant Associates and dated 04.06.2020. prior to the issue of any Occupation Certificate or before the use commences, whichever is sooner.** In particular, prior to the issue of any Occupation Certificate:*

- (a) ***Stage 1 of Hickson Park** (other than the temporary construction road corridor on the alignment of the former Barton St) must be completed, landscaped and publicly accessible;*
- (b) *the 30 m wide publicly accessible foreshore promenade must be completed (in accordance with the requirements of the Concept Plan), landscaped and publicly accessible; and*
- (c) *the associated 9 m wide licenced terrace areas shall also be landscaped; and*
- (d) *a public domain maintenance plan approved by the Secretary, setting out:*
 - (i) *the schedule maintenance works for Hickson Park and the foreshore promenade;*
 - (ii) *the parties responsible for the maintenance of these spaces, both in relation to the funding and delivery of the works;*
 - (iii) *the contingencies in place, including the timeframes for replacement or repair of damaged structures and plantings.*

*The timing for the replacement of Barton St, in accordance with Concept Plan Modification B3(5), is to be **agreed with the Secretary in accordance with the Hickson Park Staging Plans 1-7 (BAR418-SIN-SK-063) prepared by Grant Associates and dated 04.06.2020.***

Reason for Modification:

This condition is required to be updated to align with the proposed Staging Plans (**Attachment A**) and allow for compliance with the condition by delivering a portion of Hickson Park prior to the issue of an Occupation Certificate for the Crown Hotel rather than in its entirety. The proposed amendments are consistent with the intent for the Concept Plan MOD 11 as submitted.

5.0 Minimal Environmental Impact

Section 4.55(1A) of the EP&A Act states that a consent authority may modify a development consent if it is satisfied that the proposed modification is of minimal environmental impact.

All modifications proposed within this application are minor and administrative and will have no perceptible environmental impact. An assessment of the anticipated impacts of the proposed modification is provided in Section 7.0 below. Due to minimal environmental impacts associated with the proposed modification it can be approved under Section 4.55(1A) of the EP&A Act.

6.0 Substantially the same development

Section 4.55(1A) of the EP&A Act states that a consent authority may modify a development consent if *“it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all)”*.

The development, as proposed to be modified, is substantially the same development as that originally approved in that:

- The proposed modifications do not seek to alter the approved built form or function;
- The proposed modifications do not alter any of the approved land uses or GFA;
- The proposed modifications to Hickson Park relate only to its staging and are required to maintain public safety, and to avoid undertaking works that would subsequently need to be demolished and rebuilt in the future;
- The proposed modifications do not change the ultimate area of public open space provided as part of Hickson Park and will continue to ensure the public open space identified in Condition F2 of the SSD 6957 is delivered as early as practical; and
- The anticipated environmental impacts are consistent with those of the approved development.

The development, as proposed to be modified is therefore both essentially and materially of the same essence as that of the approved development and is therefore considered to be substantially the same as the approved development. The modification of the Development Consent can therefore be lawfully made under section 4.55 of the EP&A act.

7.0 Environmental assessment

Under section 4.55(3) the Consent Authority must also take into consideration the relevant matters to the application referred to in section 4.15(1) of the EP&A Act and the reasons given by the consent authority for the grant of the original consent.

The planning assessment of the proposed modified development remains generally unchanged with respect to the large majority of the above matters. The following matters however warrant further assessment.

7.1 Compliance with Statutory Plans and Policies

An assessment of the proposed changes against the relevant statutory plans, including the Barangaroo Concept Plan, are provided in the sections below.

7.1.1 Barangaroo Concept Plan (MOD 8)

The development is located within Block Y of Barangaroo South and has been designed with consideration of the approved Concept Plan (MOD 8).

The proposed modification intends to align with the proposed staging in MOD 11 which seeks to deliver a portion of Hickson Park prior to delivery and occupation of buildings within the Barangaroo South precinct and allow for Barton Street to be accessible to all vehicles to alleviate traffic and improve vehicle circulation until Barangaroo Avenue is completed and operational.

The proposed change retains all components of the approved overall layout and spatial characteristics of the Concept Plan (as modified) and no changes are proposed to the approved built form, function or land uses. It does not alter the ultimate areas of public open space provided under the Concept Plan and will continue to ensure the public open space identified in Condition B12 of MOD 8 is delivered as early as practical.

7.2 Staging of Hickson Park

Grant Associates have prepared a Staging Plan (**Attachment A**) to illustrate the proposed staged delivery of Hickson Park which includes indicative timeframes in relation to Occupation Certificates for each Building within the Barangaroo South precinct. The proposed staging of Hickson Park is reproduced in **Table 2** below.

Table 2 Proposed staging of Hickson Park

Stage	Requirements	Park area	Indicative timing
1	Prior to the issue of an Occupation Certification for Crown Sydney Hotel Resort	7,224m ²	Late 2020
2	Prior to occupancy of the amenities building (adjacent to Building R5)	7,472m ²	Mid 2021
3	Prior to the issue of an Occupation Certification for Building R4A	7,660m ²	Early 2024
4	Prior to the issue of an Occupation Certification for Building R4B	8,141m ²	Late 2024
5	Prior to the issue of an Occupation Certification for Building R5	8,581m ²	Mid 2025
6	Prior to the reinstatement of Barton Street to parkland (Block 5)	11,304m ²	Late 2025
7	Completion of the reinstatement of Barton Street to parkland	11,304m ²	Late 2025

The proposed staged delivery of Hickson Park will temporarily reduce the amount of open space to be provided at Barangaroo upon the opening of the Crown Hotel. However, substantive completion of the public domain in accordance with Condition B12 will be delivered through the construction of the foreshore promenade, Watermans Cove and public pier, together with the majority of Hickson Park south of Barton Street.

The area of Hickson Park proposed to be delivered immediately prior to the opening of the Crown Hotel will comprise extensive planting and soft landscaped areas that will remain of a size suitable for a wide range of passive recreation activities and events.

An appropriate level of public amenity will be maintained with all the mature tree planting able to be provided except for a single Fig tree located alongside Watermans Quay and immediately between the R4B and R5 Buildings that will be under construction for several years.

Further, the staging of the areas located immediately adjacent to the Buildings are not located in the main park area but rather in a paved area outside of the sandstone retaining walls that provides a transition zone between Building R4A, R4B and R5 forecourts and the park. This transition zone upholds the safety of park users and pedestrians whilst the Buildings are being constructed.

As noted in **Table 2**, the completion of each of these areas will be aligned with the completion of the construction of each of the Buildings. The area of Hickson Park located on Block 5 and Barton Street will be returned to parkland following completion of Barangaroo Avenue in Central Barangaroo, which is currently anticipated to be in or around 2025 (see **Figure 3**).

On balance, it is considered that the benefits of protecting public safety, avoiding potential rebuilding and associated costs at Hickson Park on Block 5, and providing for appropriate interim traffic arrangements until the permanent road network in Barangaroo has been completed, outweigh the temporary reduction in open space between Stages 1 and 6.

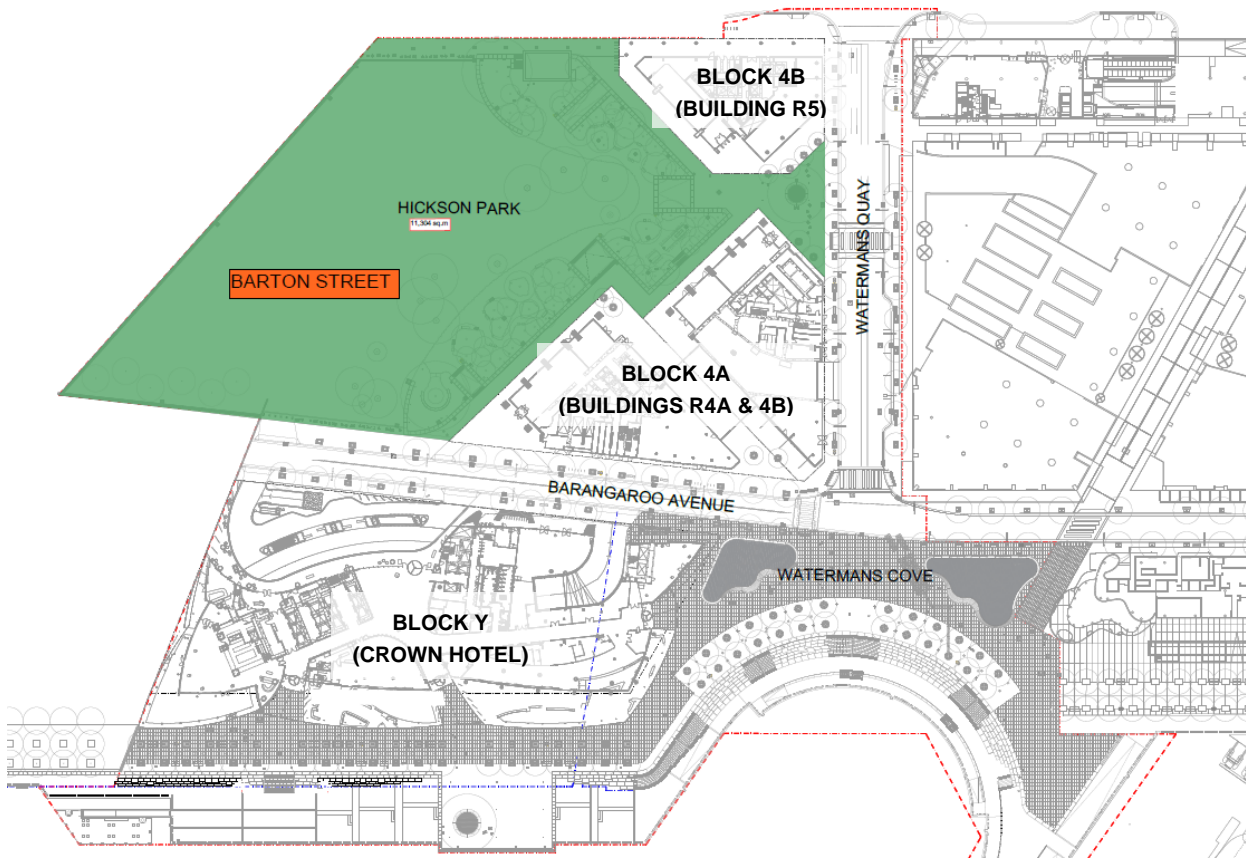


Figure 3 Completion of Hickson Park (Stage 7)

Source Grant Associates

7.2.1 Overall Staging Plan

MOD 8 included an overall staging plan which has now been updated to reflect the proposed staged delivery of Hickson Park (**Attachment C**). s

7.3 Delivery of Barton Street

No works are proposed as part of this modification application to Barton Street. However, to provide an assessment in relation to the broader works being carried out under the Barangaroo Concept Plan, relating to Barton Street and Hickson Park, further background information and assessment is provided below.

Barton Street is proposed as an east-west connection between Hickson Road and Barangaroo Avenue and has been a key component of various iterations of the Barangaroo Concept Plan (including the original 2007 Concept Plan). See the Hickson Park Staging Plan 1 in **Attachment A** for the location of Barton Street.

Concept Plan MOD 8 allows for the construction of Barton Street as a temporary construction road to reduce construction traffic congestion during the development of Barangaroo South and Central Barangaroo. It also requires Barton Street to be returned to parkland within Hickson Park following the completion of the development of Block Y (the Crown Hotel) and the construction of Barangaroo Avenue through Central Barangaroo, to connect with Hickson Road.

The timing for the reinstatement of Barton Street to parkland within Hickson Park has been agreed with the Secretary of DPIE in accordance with Condition B3(5), to allow Barton Street to remain in place until Barangaroo Avenue through Central is complete and operational.

The construction of Barton Street is 'development without consent' under clause 94 of the *State Environmental Planning Policy (Infrastructure) 2007* and has been the subject of a Part 5 Review of Environmental Factors (REF), which was determined by Infrastructure NSW in June 2020. The construction of Barton Street has recently commenced to facilitate access for construction vehicles.

Condition C8 of the Concept Plan MOD 8 provides that the intersection of Barton Street with Hickson Road shall be for temporary construction purposes only, and Infrastructure NSW is now seeking to modify the Concept Plan to allow both construction and non-construction vehicles to use Barton Street to ease pressure on the road network while development in Barangaroo South and Central Barangaroo is occurring. No changes are proposed to the road design or configuration.

In 2015 a Transport Management and Accessibility Plan (TMAP) was developed for the Barangaroo South precinct in support of Concept Plan MOD 8. This TMAP detailed the future traffic and transport environment within Barangaroo South, including the appropriateness of the proposed vehicle access and circulation routes. While findings supporting the TMAP remain valid, there are interim site condition changes since the preparation of the document, those being:

- (a) The TMAP assumed that the development of Building R4A (in particular) would be completed at approximately the same time as the Crown Hotel in Block Y. There have been amendments to the program for the R4A, R4B and R5 Buildings that have resulted in the construction of these buildings occurring well after the opening of the Crown Hotel in late 2020. This change in program has several implications on the operation of the transport network, including:
 - (i) an effect on the timing for the implementation of traffic lights at the intersection of Hickson Road and Watermans Quay immediately adjacent to the R5 Building, impacting the capacity for vehicles to efficiently arrive to and depart from the Barangaroo precinct; and
 - (ii) the requirement for construction vehicles entering and exiting the development site for the R4A, R4B and R5 Buildings to interact with general traffic in the Barangaroo precinct, including those travelling to/from the Crown Hotel, and to Barangaroo South more broadly.
- (b) The extension of Barangaroo Avenue through Central Barangaroo in Block 5, as envisaged in the Concept Plan (MOD 8), has been delayed and is still some years away from being completed. The consequence of this change in program expectation is that, for a period, all traffic entering and exiting the Crown Hotel would be reliant on using Watermans Quay and Barangaroo Avenue only.

Since the development of the TMAP in 2015 there has also been a significant take up of ride-share as a mode of transport, particularly with the growth of ride-sharing apps such as Uber. When the TMAP was prepared, ride-sharing apps were in their infancy and the precinct was planned and designed based on the level of taxi / ride-share usage at that time.

Barton Street therefore provides an opportunity to, as an interim solution, manage the transport implications of these site condition changes and the growth of ride-share vehicles prior to the completion of a permanent road connection through Central Barangaroo. This will ensure a good level of both pedestrian and traffic circulation is maintained through the Barangaroo Precinct, in line with the objectives of the TMAP.

7.3.1 Traffic impact

JMT Consulting has prepared a Transport Assessment to consider the traffic and transport implications of Barton Street becoming a temporary public road (refer **Attachment B**). This Traffic Assessment was also lodged in support of MOD 11.

The Transport Assessment has undertaken an assessment of the following matters:

- Traffic circulation arrangements;

- Future traffic flows and road network operation;
- Arrangements for taxis / ride-share vehicles;
- Construction traffic arrangements;
- Pedestrian movements and safety issues in Barangaroo South precinct;
- The Barton Street design, including measures to maintain good levels of pedestrian safety and connectivity; and
- Implications for public transport users and road user safety.

The Transport Assessment indicates that there are significant benefits to the transport network if Barton Street were to be used as a temporary road (by all vehicles) prior to the opening of Central Barangaroo. These are summarised in **Table 1** below. No adverse impacts have been identified.

Table 1 Transport implications of the use of Barton Street as a temporary road by all vehicles

Item	Summary of key changes as a result of the use of Barton Street as a temporary public road by all vehicles	Implications for the transport network
Traffic circulation	<ul style="list-style-type: none"> • Barton Street would act as a 'relief-valve' for traffic by providing another opportunity for vehicles to access Hickson Road via Barangaroo Avenue. • Instead of all traffic converging at the Watermans Quay / Barangaroo Avenue intersection, vehicles can instead bypass Watermans Quay and utilise Barton Street to access Hickson Road. 	Beneficial
Traffic flows / road network operation	<ul style="list-style-type: none"> • The use of Barton Street would distribute the traffic load across the Barangaroo South precinct and reduce traffic flows on Watermans Quay and Barangaroo Avenue. • The future Hickson Road / Watermans Quay traffic lights would operate in an improved manner with Barton Street in place. 	Beneficial
Taxis and ride-share vehicles	<ul style="list-style-type: none"> • Barton Street provides an opportunity to maintain a good level of operations for taxis and ride-share vehicles in Barangaroo South, particularly following the opening of the Crown Sydney Hotel Resort in late 2020. 	Beneficial
Construction traffic arrangements	<ul style="list-style-type: none"> • Barton Street would provide for a safer and more efficient environment for construction traffic accessing the One Sydney Harbour development by reducing the need to access the precinct via Watermans Quay. 	Beneficial
Pedestrian circulation	<ul style="list-style-type: none"> • Barton Street runs through Hickson Park and would therefore impact north-south pedestrian connectivity through the open space. • However, these impacts will be mitigated by providing two zebra crossings that meet key pedestrian desire lines and a continuous footpath that provides a connection between Hickson Road and the public access path to the foreshore. 	Neutral

It is noted that Transport for NSW made a submission regarding the proposed Concept Plan MOD 11, dated 22 July 2020, providing the following comments:

- The Transport Assessment does not provide sufficient information regarding the assessment of the impacts of the proposed on the general traffic, and public transport operation, and safety of pedestrians and cyclists along Hickson Road; and
- There are potential safety issues due to the close proximity of the Hickson Road intersections at Barton Street, Watermans Quay and Napoleon Street, in particular conflicts between vehicles turning right from Barton Street and vehicles waiting to turn into Watermans Quay from Hickson Road.

Therefore, a Supplementary Transport Assessment has been prepared by JMT Consulting (**Attachment C**) to respond to the submission from Transport for NSW, relating to Concept Plan MOD 11.

The updated traffic modelling continues to demonstrate that the road network operates in an improved manner with the introduction of Barton Street as a temporary public road. Movements along Hickson Road itself will continue to operate efficiently with the introduction of Barton Street and therefore existing public transport services will not be impacted by the proposed modification. The Hickson Road / Barton Street intersection is forecast to operate at Level of Service A during these morning and afternoon peak periods.

Transport for NSW additionally requested a Stage 2 (Concept Plan) Road Safety Audit for the Hickson Road intersections at Barton Road and Watermans Quay. This audit has already been undertaken as part of the Review of Environment Factors (REF) that was prepared for the temporary use of Barton Street as a construction only road. The REF was endorsed by Infrastructure NSW in June 2020. The full Road Safety Audit is provided within **Attachment C**.

7.4 Public safety

In contrast to a typical construction site in the CBD, which is surrounded by public roads with commuters protected from within their vehicles and pedestrians protected by Class B hoardings above footpaths, the construction works at Buildings R4A, R4B and R5 are located immediately adjacent to and directly between parts of a public park (Hickson Park).

Consequently, the period of exposure for a member of the public to the risk of suffering an injury as a consequence of an item falling from a high-rise building under construction is far greater than is the case in the CBD. The public is likely to spend a far greater period of time in the park, compared to a person that is ordinarily within proximity to a construction site for a matter of seconds as they walk or drive by towards their intended destination.

Noting that there are no physical protections available to the public inside Hickson Park, the primary means of protection is therefore to introduce an appropriate distance between park users and the construction activities, to reduce the likelihood of an injury and, in turn, improve amenity. As a result, the proposed staging of Hickson Park and transition zones around Blocks 4A and Blocks 4B is expected to assist in the appropriate management of safety associated with these ongoing construction activities.

8.0 Conclusion

The proposed modification to Development Consent SSD 6957 (MOD 5) seeks to amend Condition F2 to facilitate the staged delivery of Hickson Park, to align with the current status of the development of the surrounding buildings in Barangaroo South and Central Barangaroo.

In accordance with section 4.55(1A) of the EP&A Act, the consent authority may modify the consent as:

- The proposed modification is of minimal environmental impact as the works relate only to staged delivery rather than changes to the approved development. The modified staged delivery of Hickson Park will improve the pedestrian safety environmental impacts;
- The proposed changes do not alter the approved built form, function, GFA or land uses;
- The modifications to Hickson Park relate only to its staging, are required to maintain public safety, and to avoid works that may subsequently need to be demolished or rebuilt in the future as a consequence of the delivery of Buildings R4A, R4B and R5 and Central Barangaroo;
- The consent, as proposed to be modified, is substantially the same development as that originally approved; and
- The development (as proposed to be modified) continues to comply with the approved Barangaroo Concept Plan (MOD 8) and SSD 6957.

In light of the above, we therefore recommend that the proposed modification is supported by the consent authority. We trust that this information is sufficient to enable a prompt assessment of the proposed modification.

Yours sincerely,



Ben Craig

Director

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