

Council Ref: DWS 3399329
Contact: Clare Harley
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Date: 3 November 2015



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Dear Mr Sargent,

**RE: STATE SIGNIFICANT DEVELOPMENT APPLICATION FOR CROWN SYDNEY
HOTEL RESORT (SSD 6957), 51A HICKSON ROAD, BARANGAROO – RESPONSE TO
SUBMISSIONS**

I refer to your letter dated Wednesday 21 October inviting Leichhardt Council to comment on the proposal and conditions of consent regarding the State Significant Development Application for Crown Sydney Hotel Resort (SSD 6957), 51a Hickson Road, Barangaroo.

Council has reviewed the Response to Submissions report and has the following comments:

- In its original submission, Council noted *"a target of 2.3% of residential gross floor area for key worker housing falls well short of affordable housing targets."* In response, the proponent has indicated that it remains committed to a target of 2.3%. This response has not addressed Council's concerns.
- In its original submission, Council noted *"the EIS does not provide an assessment of the impact of the proposal on the setting and context of the Opera House and therefore cannot be supported."* In response, the proponent states that *"no further analysis is considered necessary."* Without this analysis being carried out, Council is not in a position to support SSD 6957
- In its original submission, Council raised that *"there is no Social Impact Assessment for the proposed casino use and mixed development."* The response did not provide a Social Impact Assessment. Council also requested detail on the size and characterisation of the gaming facility. While the proponent directed Council to an "area schedule" and page 48 of the original EIS document, no criteria (e.g. an income/wealth test) were provided to demonstrate how access the Gaming facility would be restricted from lower socioeconomic backgrounds. Without a Social Impact Assessment and these additional details, Council is unable to comment on this component of the development and therefore is not in a position to support SSD 6957.
- Council also raised concern regarding elements of SSD 6957 such as the height and morphology. The response reiterates that this SSD was assessed against *"the proposed provisions of the Concept Plan Mod 8."* These responses have not addressed the specific concerns raised and refer to a Concept Plan modification which has not been approved.

Council at its August meeting noted that "the current planning process of the Barangaroo proposal represents an abrogation of good planning practice with serious implications for the surety of Leichhardt Municipal Council's own planning environment." (C408/15) Council maintains its opposition to State Significant Development Applications 6956 and 6957 due to the wider contextual issues that have not been addressed. In its submission on the 13th of

May 2015 (and reiterated on the 26th of October in relation to SSD 6956), Council detailed the flawed planning process associated with the proposed modification to the Barangaroo Concept Plan (MOD 8) as follows:

The most recent proposed modification to the Barangaroo Concept Plan (MOD 8) represents a significant departure from the 2007 Approved Concept Plan, so that the development is no longer “substantially the same development” as originally approved.

The gradual amendments to the Concept Plan, over the past eight (8) years means that the total development floor space, at Barangaroo, represents an overall increase in gross floor area (GFA) of 217,611m². The 2007 original Approved Concept Plan included a maximum GFA of 388,300m². Under Barangaroo Concept Plan MOD 8, the total GFA on the entire Barangaroo Site is proposed to be 605,911m². This represents a 64% increase in GFA across the Site, through modifications, rather than as a whole new approval process.

In addition, there has been an incremental “creep” in building height across the Site. The tallest building under the 2007 original Concept Plan (as approved) was 180m. The proposed Barangaroo Concept Plan MOD 8 includes a maximum building height of 275m.

The process of modifying Concept Plans under Section 75W of the Environmental Planning and Assessment Act 1979 (EP&A Act) has no rigour. There is no requirement to consider the cumulative impacts of the incremental increases. Each modification application has been compared to the previous modification, suggesting that the increases have not been particularly substantial, rather than a review of the overall increase, and the resulting impacts.

The Response to Submissions has not addressed this major issue of incremental and cumulative impacts and Council remains concerned that these have not been adequately considered by this application.

If you require any further information please do not hesitate to contact Clare Harley on 02 9367 9226.

Yours sincerely,



Elizabeth Richardson

Acting Director

Environment and Community Management