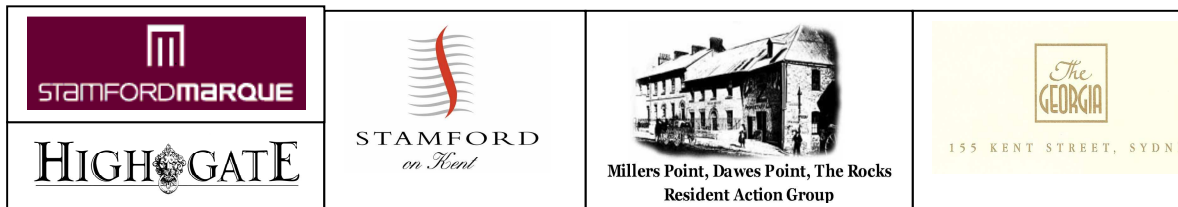


## Department of Planning

### MP10\_0048 - Headland Park and Northern Cove - Main Works



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## KENT STREET RESIDENTS GROUP (KSRG)

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## **Submission**

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There are also serious flaws in the detail of the application itself.

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The whole proposal is an expensive construct which has no real relation with the history or the functions of the site. It's expensive construction is not in response to any identified existing need or desire on the part of the community.

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Residents look to the government to insist that the open space acknowledges the history of this area and accepts that rather than embarking on an expensive and flawed project which has no local relevance.

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area of space would be available, more attractive to users, easier to police and very much less expensive.

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That has changed. The modern community expects that a balance be achieved between the demand to expand and the acknowledgement of our past. As Jack Kerouac said “Those who ignore history are condemned to repeat it.” Pandering to passing whims to carve holes in the Sydney sandstone to provide facilities not being asked for is not good planning. We look to the government to control uninformed further changes to the landscape for no good reason.

Millers Point residents have for many years worked hard to protect the records of our past in this area. Most of Millers Point lies within a heritage precinct. We expect the government to support us in protecting the remaining landscape rather than adding cosmetic changes which have no relevance to the area.

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It is usual in local government proposals for a token area of open space to be included. It would appear that this is the token open space. This is clear from the lack of consultation and planning for the use and management of the space in the future.

There are two main bodies in Sydney with long and highly respected experience in the planning and management of large public spaces – the Botanic Gardens Trust and the City of Sydney. There is no mention of consultation with either of them in this proposal. Yet it is clear that either body (or a consortium of both) could manage the space and integrate it into plans for the amenity of the Sydney community and its visitors. The lack of early consultation with both bodies is an indication of the flawed approach to the proposal.

The most urgent reason for the need for expert guidance at the planning stage is the complexity of the management of this type of area. The wide variety of uses of such an area pose specific problems. These include safety, noise and expense.

#### **6. Safety**

Safety in this type of area is threatened by the potential lack of supervision of the area and the attraction of this type of area to people who can be a source of danger. The larger open spaces in the city such as the Botanic Gardens and Centennial Park limit vehicular and /or pedestrian access to daylight hours. Provision is made for surveillance after dark. While it is acknowledged that there are large open spaces which are not enclosed or regularly policed such as Moore Park, most of these are not next to small dwellings in areas of limited street lighting and within the CBD and walking distance of known problem areas such as the George Street theatre environs.

Due to heightened police activity, the crime rate in the Millers Point area has declined over recent years. However, constant surveillance is needed. This is not only in regard to known local offenders but to the attraction of Circular Quay and The Rocks as areas where stealing and street violence have been a constant element for two hundred years. Police still describe the arrival by train of groups of youths known to the police for their illegal behaviour.

The developments proposed for Barangaroo will have great attraction for these youths by combining large areas not enclosed and difficult to police with a local population considered to be wealthy and potential targets for pickpockets and muggers. This is not mere supposition. The area around the King Street wharf has been the site of numerous daylight and evening muggings since the building of high-rise offices there. While increased police surveillance will no doubt support street safety, open spaces are more difficult to police.

As well as the threat within the area of the headland, we anticipate increased threats to the residents, particularly in Merriman and Munn Streets once the park is built. This is particularly concerning as the residents range from the extremely elderly to families with small children.

We note that it is suggested that not only will there be people coming in and out of the car park under the park, but that a theatre or cultural space is also proposed. The juxtaposition of late night events with a dark and uncontrolled open space is not sensible.

This is not an argument for not having a park, but for proper planning before the danger is created and for expert guidance in the creation of the park.

## **7. Environmental safety**

We are very concerned about the potential for inadvertent danger in the use of fill from the contaminated area in Hickson Road. We understand that the remediation process being proposed has been very recently developed and has not been tested over time. Also the process was developed for in situ remediation. What is being proposed here is the remediation and then movement and re-use of the debris. We are not convinced that this part of the process has been adequately tested. We hope the government can give us complete assurances for anything approved.

It should be noted that the remediation only addresses part of the contamination problem. The tanks and their surrounds are also heavily contaminated with heavy metals such as lead, copper, arsenic and lead – all very poisonous. We question whether the government should allow any part of this dangerous material to be disposed of other than in a guarded repository away from the city. There can be no certainty that land movements, increases in water levels (confidently predicted) and erosion will not expose materials which are so dangerous.

Residents in this area have had experience of lead poisoning from the paint used on the Harbour Bridge for thirty years. Some of these unfortunate people are still being treated. We have to grow any food items in pots with soil brought in from elsewhere because of the continuing residue of lead in the soil in much of Millers Point. We would not like to think that any government department would risk such an extreme danger again.

## **8. Noise**

The proposal does not adequately address the problem of noise in this area. One of the difficulties which arise in Sydney is the proximity of places of public gathering and entertainment with residential areas. This is particularly so in this area. It is freely acknowledged that sound carries well across open spaces such as the harbour.

This headland is close to East Balmain, Pyrmont and McMahon's Point, all areas of increasingly concentrated residential development. As well, on the landward side, there is extensive residential development in existence and planned. The proposal that a large theatre or cultural centre be established with parking for 300 cars requires consideration of the noise to be generated late at night on a regular basis.

Local experience of the noise generated by theatre patrons and restaurant-goers late at night indicates that this type of development may be inappropriate in such an exposed area impinging on the lives of thousands of people.

## **9. Expense**

We are very concerned that the headland park, at great expense is being proposed as the site of an unidentified cultural site and a car park. The Government is on the one hand making inroads on one of the outstanding surviving villages in New South Wales to shore up the Department of Housing by selling off long term leases for its heritage houses and then, in this area, spending millions of dollars for a facility not wanted locally at all. This has the potential of being a political time bomb for both sides of politics.

Residents have been very angry at the increased office and residential floor space in the Barangaroo development. The impairment in the outlooks for Kent Street residents will be extreme and the extra traffic and congestion horrific. On the other hand, if this car park and cultural space were not built, such an extreme development in the southern part of the area would not be needed.

This is particularly where those headland developments eat up funds needed in other parts of the community. The local Resident Action Group has no place of its own to meet or store its 35 years of archives, but money is available for a facility not wanted in the area. It should be noted however that any suggestion of the allocation of space in the development would be seen as an attempt to curtail the RAG's opposition to this project.

## **10. Flaws in the Application**

### **10.1. Exclusion of National Trust**

Among the issues raised by the Community in consultation were respect for Miller's Point Heritage and Maritime History. The National Trust has been excluded from the Reference Group. One can only conclude that their exclusion has been due to their criticism of many aspects of the LendLease plan and the BDA. The National Trust are significant stakeholders in preventing destruction of historic built environment and it reflects badly on the State Government, the BDA and LendLease that they have been excluded

## **Recommend The National Trust be consulted**

### **10.2. Draft Remediation Action Plan**

**6.5.2** The proposed remediation strategy to comply with Contaminated Site Guidelines will not be known until the intrusive works are conducted. The Project Application is requiring State Planning and the Community to trust' that a suitable LTEMP will be prepared but is not bound to retrospectively have it approved as a condition precedent to continue operations.

**The procedure outlined in 8.3 for third party verification of acceptability of the REMP (Remediation) should apply to the LTEMP.**

### **10.3. Main Works Section 7.5 Noise and Vibration Impact**

A Noise and Vibration Assessment has been undertaken to assess the impact of the works. "The construction of the Headland Park will by necessity involve noise and vibration impacts'

"The objective is to minimize those impacts as far as is reasonable and possible"

"The report concludes that a number of the proposed activities....will exceed the noise effected management goal at receiver sites.

"It concludes that noise emissions should be minimized by adopting the mitigation measures as outlined in the proposed Noise and Vibration Plan (NVMP)"

#### **Section 7.5.1 Mitigation.**

The Orwellian text in this section avoids any mention of the specific action referred to in 7.5 page 86. It is noted that the proposed NVMP is preliminary only and subject to change once the Contractor is on site. Again, approval is being sought by L to proceed on the basis of "trust me" it will all work out in the end. The single biggest issue is that the hours of work include Saturday when all week noise levels above accepted industry practices as require by State Government legislation will have been endured by local businesses. The best mitigation strategy is to NOT WORK.

**There should be an agreement o discontinue Saturday work**

**Page 11 of the Acoustic Logic Consultancy Report 19 Oct 2010 states;**

"It is noted that the period from 1.pm to 3 pm Saturday exceeds the DECCW standard construction hours promulgated in the Interim Construction Hours Guideline"

The justifications provided are not relevant to the local residents who will need relief on Saturday form what they have suffered for 5 days.

**Page 33 States:**

“The predictions indicate that hammering, electric saw, concrete trucks and concrete pump during the construction stage and excavator mounted hydraulic hammers, rock saws and loader during the sandstone extraction stage would exceed the noise management level. “

This does not leave much activity that would not exceed the levels. All the signs are from the report that the project will be EXCEEDINGLY noisy for the local resident and a non work period for Saturday should be declared. The burden on the local resident for the sake of all Sydneysiders is unreasonable.

The current solution proposed is yet another Orwellian offer:

Those activities identified as exceeding the management level should be managed by adopting alternative processes and investigating mitigation measures etc as indicated in the NVMP to the extent that it is feasible and reasonable. The **final processes** used and mitigation measures applied will be developed by the contractor who will be required to meet the objectives of the NVMP”

This is not a commitment that will lead to anything other than the contractor doing whatever it takes to get his contract delivered on budget ,on time and forget the locals as going slower or changing hours would not be “feasible and reasonable” from his perspective.

In fact it appears that the writers of the report anticipated that the contractors would decide that is not “feasible and reasonable” to mitigate the noise to the required level as they go on page 11 of the Summary to say

**“In the event that it is not feasible and reasonable to meet the noise or vibration goals, specify other management measures to mitigate impacts such as time management, notification and liaison with the community, monitoring, etc’**

On page 7 of the Acoustic Logic Consultancy Report “Preliminary Main Works Noise and Vibration Management Plan’ the noise mitigation offer in the NVMP states:

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**It is suggested that Saturday be declared a respite day.**

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It states on page viii:

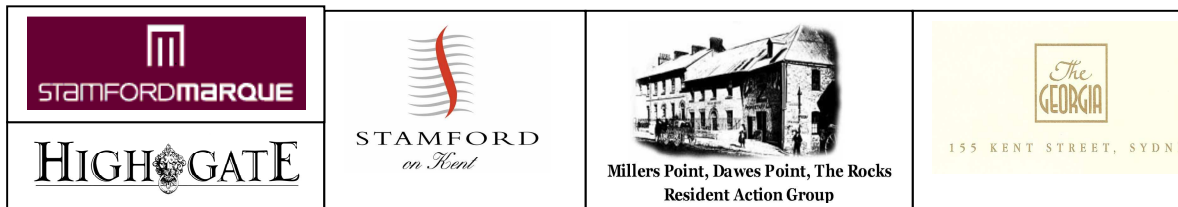
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**Who will monitor the project managers to ensure these controls are implemented?**



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