



28 March 2013

Mr Sam Haddad  
Director-General  
Department of Planning and Infrastructure  
GPO Box 39  
SYDNEY NSW 2001

Attention: Kate MacDonald

Dear Mr Haddad

**BARANGAROO HEADLAND PARK AND NORTHERN COVE MAIN WORKS  
PROPOSED MODIFICATION TO APPROVAL MP10\_0048  
RESPONSE TO PROFESSOR JAMES WEIRICK SUBMISSION**

I refer to modification application MP10\_0048 MOD 3 and to the Department's recent request for comment on the submission from Professor James Weirick of the Faculty of the Built Environment, University of New South Wales (dated 22 March 2013).

A detailed response to each submission's recommendations is provided in the enclosure to this letter.

If you have any queries please do not hesitate to contact me on 9255 1725 to discuss.

Yours sincerely



Brian ten Brinke  
Project Director

Encl: Response to submission by James Weirick on MOD3 application

# Response to James Weirick submission on MOD3 application

## **BACKGROUND**

In March 2011 the Barangaroo Headland Park and Northern Cove – Main Works was approved (Approval 10\_0048) under the now repealed provisions of Part 3A of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

In December 2012 modification of Approval 10-0048 was sought for a range of minor changes to the project as documented in the Environmental Assessment Report lodged with the modification application.

The Department of Planning and Infrastructure (the Department) publicly displayed the proposed modification and invited submissions during the period between 17 December 2012 and 31 January 2013. A total of four submissions were received during the display period. A further submission was received from the City of Sydney in mid-February 2013. The issues raised in submissions were considered and responses to those issues were provided to the Department.

On 25 March 2013, the Authority was asked by the Department to provide comment on a submission from Professor James Weirick of the Faculty of the Built Environment, University of New South Wales (dated 22 March 2013). The issues raised and the recommendations made by that submission have been considered below.

## **GENERAL STATEMENT**

The modifications to the Headland Park landscape design as proposed in Mod 3 are the result of detailed design development and are entirely consistent with the overall design philosophy and concept. The changes do not represent significant departure from the design concept as claimed by the submitter but rather have been conceived to improve the connectivity of the Headland Park with the surrounding neighbourhood.

In summary it is considered that the proposed modifications are minor only representing routine design progression rather than a reconsideration of the design concept. The development as modified will deliver to the people of Sydney a exemplary naturalistic headland park for the 21st Century with space for recreation, expression, celebration and community, as originally conceived. Further the Cultural Space will continue to form an extension of the park experience as designed, where the inside space is part of the landscape outside and the parkland is as much part of the cultural space as the inside.

Design excellence is preserved through ongoing engagement with Peter Walker Partners (Concept Landscape Architect), Johnson Pilton Walker (Landscape Architect) and WMK (Architect) in collaboration with the Barangaroo Design Director Robert Nation.

## ISSUES AND RESPONSES

**Recommendation 1:** The NSW Department of Planning & Infrastructure should investigate whether substantial construction works have been underway at Headland Park since February 2013 WITHOUT PLANNING APPROVAL, and if this is the case, construction of the unapproved works should be stopped forthwith.

**Response 1:** The construction contractor (Boulderstone Pty Ltd) has confirmed that no construction work has been or will be carried out on site that is not in compliance with current applicable planning approvals and the design documentation certified by the Certifier (Phillip Chun.)

The certifier has issued a design verification certificate for the retaining wall in accordance with Section 109R of the *Environmental Planning and Assessment Act 1979*. This certificate is dated 17 October 2012. The certifier has noted that the design is consistent with the Early Works Planning Approval No.10\_0047 dated 8 November 2010 including the Director-Generals Environmental Assessment Report dated November 2010. Specifically, page 6 and Figure 4, which identifies the requirements for the retaining wall to be constructed to receive fill up to 150,000m<sup>3</sup> for the Headland Park.

**Recommendation 2:** The 'Super T' post-and-beam roof structure to the underground Cultural Facility proposed in MP 10\_0048 MOD 3 must not proceed. To ensure success of the 'Roof Garden' conditions of landscape on structure, involving a spatial sequence of approximately thirty (30) canopy trees and associated plantings, the original profile of the Cultural Facility roof slab approved as part of the Headland Park Main Works Project Application in 2011, stepped north-south and east-west with integral tree pits to support major trees and drained accordingly, must be retained.

**Response 2:** The design allows for significant trees on the roof. The girders will be topped with an in-situ roof slab, overlaid by waterproofing membrane, drainage layer, thermal insulation layer. Planting soil depths suitable for the specified species at maturity remain part of the design as per the recommendations of the soil scientist Simon Leake and horticulturist Stuart Pittendrigh.

The use of 'Super T' beams are a function of 30m structural spans which in turn provide a future design flexibility for the Cultural Space. The structure gently follows the contours of the Park landscape above.

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The detail design process has provided significant improvement, as it not only retains the ability for tree planting over the structure, but also:

- ☐ Eliminates sunken tree pits and the need to drain and waterproof. Avoiding risk associated with the creation of water-retaining vessels;
  - ☐ Facilitates subsoil drainage by the gently convex shape of the structure, eliminating the creation of vessel shapes in the roof;
  - ☐ Includes east-west cross falls to facilitate drainage and plant / lawn / tree health;
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**Recommendation 3:** The radically redesigned southern entrance to the Cultural Facility proposed in MP 10\_0048 MOD 3 must not proceed. To maintain the design excellence of the harbour foreshore approach to this facility and the cultural significance of this major public work, the original 'bridge and void' design of the entrance must be retained, ensuring that ambient light - and at times shafts of sunlight are brought to play at ground level around the entrance, animating the public address of the place.

**Response 3:**

The land bridge concept re-connects Munn Reserve / Argyle Place to the Headland Park, allowing Munn Reserve to become a key park entrance. The Authority is partnering with City of Sydney in the delivery of public domain improvement in Millers Point from the "Harbour Village North Study" to improve these connections.

The architectural finish to the cultural facility entrance at the foreshore promenade level has been preserved until a tenant for the space has been secured. The long-span structural solution at the southeast entrance allows for maximum flexibility of architectural feature in the future without disrupting the integration of the underground space with the naturalistic landform. The recessing of the cultural space entry doors under the land bridge could be modified in the future to provide a new entrance statement under the edge of the land bridge while maintaining an important forecourt space.

The architectural representations of Figures 8, 9 and 10 from the respondent's submission did not form part of the project application.

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**Recommendation 4:** The design of the new southern fire exit from the underground Cultural Facility must be re-conceptualised and re-presented as an integrated architectural composition

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with the public entry to the facility a few metres to the east, reliant on structure, scale, proportions and materials to 'read' as visually subservient to the public entry- not tree planting within the egress from the fire exit as at present, which is unlikely to meet code.

**Response 4:**

The architectural composition of the fire egress has been integrated into the surrounding landscape. The impact of the fire egress onto the foreshore is minimised by keeping the ceiling height below the first bush-retaining terrace, thus reducing the break in the continuity of the terraces. Trees will be planted in the area in front of the doors to further integrate into the landscape. Trees along the northern cove side of the foreshore path have been added, which will screen the distant views from Barangaroo Central. Because the egress is set perpendicularly back within the bush landscape, the visual experience walking along the foreshore promenade will remain relatively unbroken from a distance.

The respondent's proposed alternative for the fire egress (i.e. direct integration with main entry) was considered early in the design development phase. Unfortunately, the Building Code of Australia does not permit more than 50% of occupants to egress via the main entry. The certifier has validated the current proposal.

The Building Code consultant, the Fire Engineer and the certifier have considered the suitability of trees located in the path of egress. From an overall available width of 8.6 metres, the required width of egress of 7.0 metres for that exit would be maintained.

**Recommendation 5:**

The third bridge from Merriman Street to Headland Park proposed in MP 10\_0048 MOD 3 should not proceed. In addition to the legitimate concerns raised by the residents of Merriman Street about this proposal in terms of the safety and security of their neighbourhood, the bridge will have an unacceptable impact on the amenity and spatial quality of the underground Cultural Facility by 'closing in' a significant section of the void along the sandstone cliff, limiting ambient light conditions and the penetration of sunlight, and closing off vistas to the sky.

**Response 5:**

The merits of this change have been dealt with in some detail, both in the modification application and in the subsequent response to submissions.

As noted in the modification application, the aim of the additional pedestrian access is to improve the integration of the parkland for present and future occupants of Millers Point and in doing so, help develop a sense of ownership of

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the park.

This aspect of the proposed modification is supported by the City of Sydney. The City has noted that the additional pedestrian access would improve permeability along eastern edge of the park.

The inclusion of the third bridge will still provide sufficient natural light penetration into the cultural space.

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<b>Recommendation 6:</b>	The significant reduction in the size of the Cultural Facility envelope at Headland Park proposed in MP 10_0048 MOD 3 should not proceed. As the March 2013 report of the NSW Creative Industries Taskforce indicates, considerable progress has been made in the investigation of cultural futures for Barangaroo. The configuration of the Cultural Facility envelope should be maintained with maximum physical potential and flexibility, as approved as part of the original MP 10_0048 Project Application in 2011.
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**Response 6:**

The Cultural Space has not significantly reduced in size. The Main Works Environmental Assessment describes the flexibility proposed for the Cultural Space, providing for an initial volume of 75,000m<sup>3</sup> with a maximum total volume of 100,000m<sup>3</sup>. The proposed volume is approximately 80,000 cubic metres and is consistent with the project approval.

Apart from two plans where the “piano shaped extension” to which the respondent refers is shown, most sections and other references show the space in its rectangular footprint. No sections in the application set show this ‘piano shaped extension’ in recognition that flexibility for further design development was desired. The ‘piano shaped’ extension was a potential ‘add-on’ to increase the maximum volume achievable within the Headland Park mound.

The space is comparable in size to a range of other cultural institutions considered as part of the design process. It is considered that the design as currently proposed offers a suitably flexible space.

It is also noted that the Project Approvals allow the placement of up to 350,000 cubic metres of general fill plus topsoil. The fill placement is now expected to be approximately 240,000 cubic metres. The volume of fill is consistent with the project approval.

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<b>Recommendation 7:</b>	Headland Park Main Works MP 10_0048 MOD 3 proposes large-scale changes to the landscape design of Headland Park and the architectural design of the associated
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underground Cultural Facility that represent significant departures from the design concept and design resolution of this significant public work on Sydney Harbour at Barangaroo, as approved at the original Project Application stage in 2011. The changes are inappropriate, poorly documented and unacceptable at any level. MP 00\_0048 MOD 3 should not be approved.

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**Response 7:**

Please refer to the General Statement above.

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