



12 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 submissions**

I refer to modification application MP10_0048 MOD 3 and note that the public display period has now concluded. I understand that a total of five submissions were received from government, community groups and individuals either during the display period or shortly after.

The Authority has considered the issues that were raised in submissions and has prepared a response to each. A review of issues and responses is included in the attachment to this letter.

If you have any queries please do not hesitate to contact me on 9255 1719 to discuss.

Yours sincerely

A handwritten signature in black ink, appearing to be "Phil Paris", written over a circular stamp or seal.

Phil Paris
Development Director

ATTACHMENT

No.	Respondent	Issue	Response
1	NSW Environment Protection Authority	a. The Authority concludes that these works will not result in any significant environmental impacts over and above those associated with the originally approved project. b. The Authority comments that environmental impacts associated with this modification can be adequately managed providing the applicant complies with the Statement of Commitments, the relevant Project Approval Conditions, Environmental Management Plans and the conditions of Environment Protection Licence (EPL) No. 13336.	Noted Noted
		c. No objection to the modification.	Noted.
2.	Sydney Harbour Association	a. Broad support for the proposed modification. b. Query as to whether the allowance for future climate change that is assumed in the car park floor level indicated in the plans is adequate to accommodate the future development of climate science.	Noted. It has been assumed that the increase in sea levels by 2100 will be in the order of 900 millimetres. This projection is consistent with the sea level rise planning benchmarks for use in coastal hazard and flood risk assessments that are set by the NSW <i>Sea Level Rise Policy Statement</i>¹. The projection includes sea level rise, accelerated ice melt, regional variation and rounding². It is considered the most appropriate current reference point for

¹ NSW Sea Level Rise Policy Statement. Published by the Department of Environment, Climate Change and Water, October 2009.

² Derivation of the NSW Government's sea level rise planning benchmarks – Technical Note. Published by the Department of Environment, Climate Change and Water, October 2009.

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			design. Adding this projection to the peak summer high tides (king tides) has allowed the design team to model and predict hydrostatic pressures – and associated seepage flow – in the sandstone seams and bedding planes surrounding the carpark. This flow prediction in turn has allowed the sizing of groundwater pump-out pits and associated pump equipment. This is common practice for any basement extending below the water table. In this case additional geotechnical work was required as a result of proximity to Sydney Harbour.
		c. Opposed to proposal for and approval of the over water hotel/apartment block on the proposed pier adjoining Barangaroo South commercial zone.	Not the subject of this modification application.
3.	Paul Wilson-Brown for the Residents of Merriman Street	a. Comment that Merriman Street is a very small cul-de-sac and that the maintenance of two access points more than integrates the street and park. Further comment that that the inclusion of a third access point is disproportionate to the street size and the extra public traffic that it will encourage. Suggestion that the purpose of the inclusion of the third access point on the street is to allow more access to the street by the public visiting the park with the view to making the street an extension of the park. Comment that that this comes at the expense of the residents' right to relative privacy	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 the park. It is not expected to encourage additional pedestrian traffic but may mean a small change in the distribution of that traffic. The residents' right to privacy will not be impeded by a third access way into a parkland on the opposite side of a public street. 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 the eastern edge of the

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			park and assist access / egress.
		b. Comment that the modification application states that a palisade style fence will exist along the entire length of Merriman Street creating a clear boundary. Support expressed for this element. c. Comment that if a third access point is placed in the middle of the street with palisade fencing surrounding, it will act like a 'sheep run' and guide park visitors through the middle of the street to the detriment of the residents.	Noted It is expected that most visitors entering the park will do so via Munn Reserve. Park patrons looking to gain access to the top of the park will likely use the southern most walkway at Bettington Street as it represents the shortest and most legible route to the park from this location. The other two walkways serve to improve permeability along eastern edge of the park. The provision of three well defined access points at this location aims to balance creation of a park for the wide Sydney and NSW community with the concerns of local residents..
		d. Concerns expressed regarding safety of residents, especially at night.	Headland Park will be a 24-hour accessible public open space in keeping with the approach to urban parklands within the Sydney area. The addition of a third pedestrian access would not materially affect safety and security outcomes at this location. An operational Plan of Management will be prepared prior to the opening of the park and will consider management of access points.
4.	Sydney Ports Corporation	a. Request that any provision of seating or	Noted. Details to be considered in consultation with

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		plantings along the proposed path adjacent to the security fence of the Moore's Wharf site be placed at an adequate distance from the fence so as to not compromise the security of the Moore's Wharf site.	Sydney Ports Corporation.
		b. For security reasons, the respondent does not support the planting of trees along the path adjacent to the security fence.	Noted. Landscaping details to be considered in consultation with Sydney Ports Corporation.
5.	City of Sydney Council	c. Support expressed for the additional pedestrian access between Headland Park and Merriman Street. The respondent notes that the skylights down to the cultural facility represent a significant physical barrier between the neighbourhood of Millers Point and Headland Park. They state that while the major entry and exit point will be through Munn Reserve, these secondary access points assist in integrating the park with its neighbourhood. Council further notes that the additional pedestrian access increases permeability and safety along the eastern edge of the park and reduces the potential for conflicts during events such as New Years Eve.	Noted
		d. Council asks that the southern entrance to the park from Merriman Street be designed to appear as the main entrance / exit to reduce pedestrian traffic further along Merriman Street and subsequent impact upon residents.	It is expected that most visitors entering the park in this area will do so via the southern most walkway as it represents the shortest and most legible route to the park from this location. The Merriman Street southern and northern entry paths were included in the planning approval

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		Council suggests that the design / width of each access point should be informed by a study into pedestrian flows.	(MP10_0048). This modification application does not seek to change their configuration and for this reason further pedestrian studies are not proposed. However, as per the statement of commitment #30, a Plan of Management will be developed in consultation with City of Sydney prior to the opening of the park.
		e. Council states that the existing Merriman Street sidewalk is to be repaved and have new lighting installed. Council further comments that both the paving materials and lighting types should be selected consistent with the <i>Draft City of Sydney Design Code</i> .	It is currently proposed that these elements will be included in a forthcoming development application to the City of Sydney for Millers Point integration works.
		f. Council does not support the palisade fence along the interface between Merriman Street and the Headland Park. Council expresses the opinion that the fence would contradict the intention of designing a park that is well integrated with its surroundings. Council suggests that the fence has no functional purpose for security as there are no gates to the openings, and the rest of the park will remain unfenced. A preference for low barrier plantings to the skylights is expressed.	A palisade fence runs the length of Merriman Street with openings at each of the access ways into the parkland. The fence is necessary to ensure the safety of visitors to the park around the cultural space skylight openings. In addition, the fence provides the parkland with greater flexibility for managing access to future events in the park.
		g. Council refers to the proposed 1 in 3 slope with sandstone blocks stepping down in to the water in the vicinity of Moore's Wharf. Council asks that public safety is considered in the detailed design to ensure that the risk of falling into	The steps at Moore's Wharf, as per those at the eastern end of the Northern Cove, have been designed as a gradual, gentle gradient into the inlet.

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		water is minimised.	1.
		h. Council notes that previous comment had been provided on the proposed removal of the caissons along the northern edge of the site. Of concern was the stability of the caissons following cutting or exposure of their structure. Council supports minimising this identified cause of potential failure.	Noted
		i. Council notes that with the changes to the location of the steps down to the water on the western side of the park from the upper bluff - there is still one break in the wall between the cycle way and the pedestrian path that needs to be moved to align with the new step locations.	Stairs are aligned with crossings where visibility at landscape maturity is expected to be good. Where this is not so the misalignment is intentional, as a device to slow down users at a point where pedestrians may clash with cyclists.