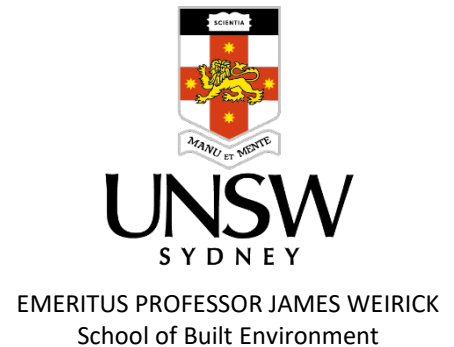


21 February 2024

Director - Key Sites Assessment
Planning & Assessment
NSW Department of Planning & Environment
Locked Bag 5022
Parramatta, NSW 2124



Dear Sir or Madam,

MP 06_0162 MOD 9 (Revised) - Blocks 5, 6 & 7, Barangaroo Central

Thank you for the opportunity to comment on the revised plans and supporting documents submitted by Infrastructure NSW for MP 06_0162 MOD 9 in response to issues raised by government agencies, the City of Sydney and members of the public on initial release of the MOD 9 application in July 1922.

I make this submission in my personal capacity as a concerned citizen based on the MP 06_0162 MOD 9 (Revised) documentation uploaded to the Major Projects site of the NSW Planning Portal and notified on 11 January 2024.

I object to the proposal on the following grounds:

- Unacceptable impacts of the proposed building envelopes on the heritage values of the State Heritage listed Millers Point & Dawes Point Village Precinct (SHR 01682) and the Millers Point Conservation Area (SHR 00884, LEP C35).
- Unacceptable impacts of the proposed building envelopes on views to and from Observatory Hill Park (LEP 935).

The original Barangaroo Concept Plan, approved in 2007, states with respect to heritage, *inter alia*:

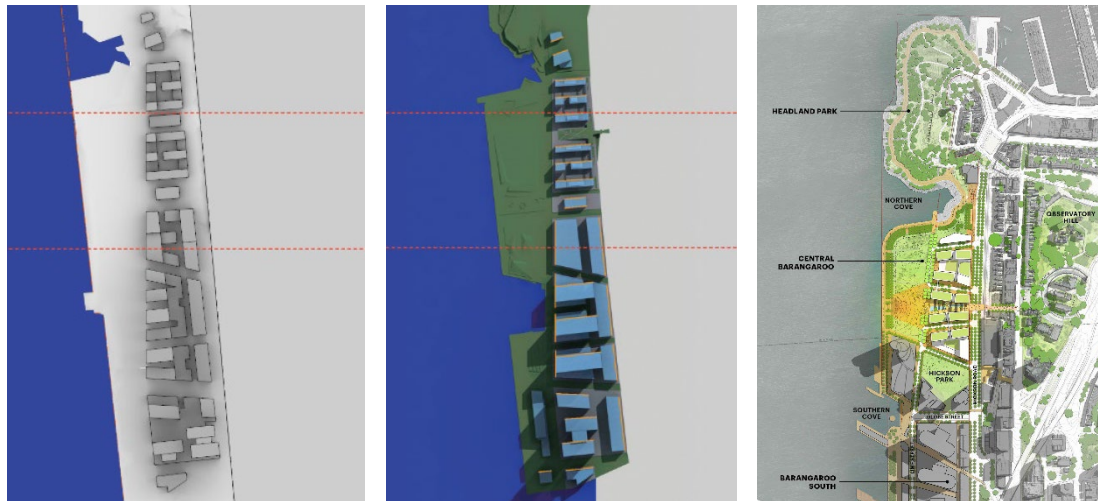
The heritage significance of EDH (East Darling Harbour) is found in the history of its former operations. The site was once socially and physically connected to the working class residential areas of Millers Point which provided labour for the wharf operations during the 19th and early 20th centuries. The adjoining built form and landscapes reflect the history of this part of Sydney. The strategy for EDH is based on protecting and enhancing the surrounding townscape and views, and telling the history of EDH through the design of the public domain and public art . . .

The major views over the EDH site from the opposite headlands to Millers Point and Observatory Hill are to be improved with the removal of the existing stevedoring sheds and their replacement by parkland or low scale development. Views from Observatory Hill to the water are retained by the Concept Plan which maintains lower height development opposite Millers Point and Observatory Hill, with the development increasing in height further south as the site merges into the existing CBD cityscape.¹

¹ JBA Urban Planning Consultants 2006, *East Darling Harbour State Significant Site Proposal, Concept Plan & Environmental Assessment*, Prepared under Part 3A of the Environmental Planning & Assessment Act 1979 (as amended), p.53 – MP 06_0162 as determined, 9 February 2000.

The 'low scale development' adjoining the Millers Point conservation areas was conceived as a series of narrow, east-west building masses separated by slots of open space or lower built forms in a 'bar code' configuration, a reinterpretation of the 19th/early 20th century East Darling Harbour finger wharves. Sympathetic in scale and presence with Millers Point, this urban design typology was based on a series of view corridors to and from the State Heritage-listed precinct on the heights above the harbour and its crowning green space, Observatory Hill Park.

The 'bar code' configuration of Barangaroo Central (approved in 2007), was maintained in MP 06_0162 MOD 2 (approved in February 2009), and formed the basis for the MOD 9 studies undertaken by Skidmore, Owings & Merrill and Andersen Hunter Horne from 2013 to 2019 (Figures 1-3).



Figures 1 - 3. 'Bar code' configuration of east-west buildings for Barangaroo Central, MP 06_0162 2007 (left), MOD 2 2009 (centre), and SOM study c.2016-2017 (this study post-dates approval of MOD 8 in June 2016). (Sources: Mecone 2023, *Response to Submissions Report – Barangaroo Central, MP 06_0162 MOD 9*, p.27, and SOM, <https://architizer.com/projects/central-barangaroo/> - accessed 21 February 2024).

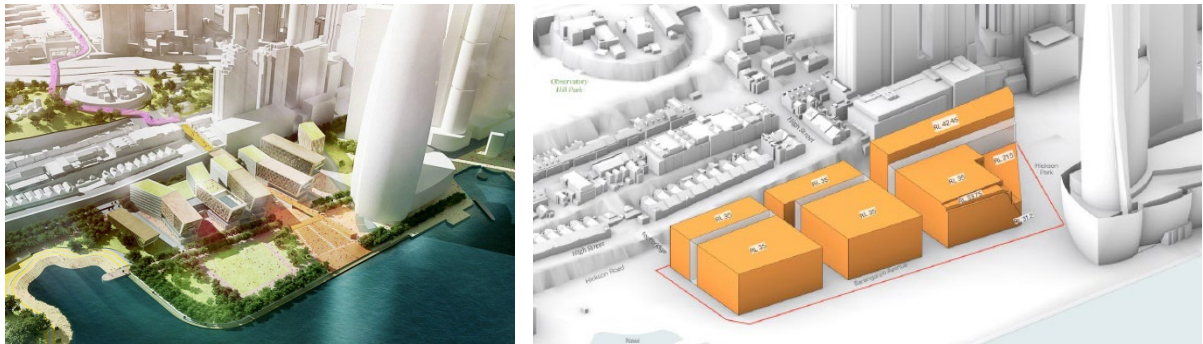
The SOM/AHH design team was replaced by Hassell in 2020. The 'bar code' configuration was abandoned in Hassell's scheme for the MOD 9 application lodged with the Department of Planning in July 2022. A massive 'perimeter block' configuration was proposed instead, dominating the Millers Point conservation areas and blocking significant views to and from Observatory Hill.

Hassell's scheme, prepared in association with a number of prominent architects, was widely condemned by experts and lay people alike – including the Minister for Planning in the Perrottet L-NP Government, Anthony Roberts, who took particular exception to a 22-storey residential tower designed by British 'starchitect' David Chipperfield. The NSW Government Architect, advising the Minister, stated at this time, 'the increased building heights did not follow the important urban language established by the Millers Point Conservation Area.'²

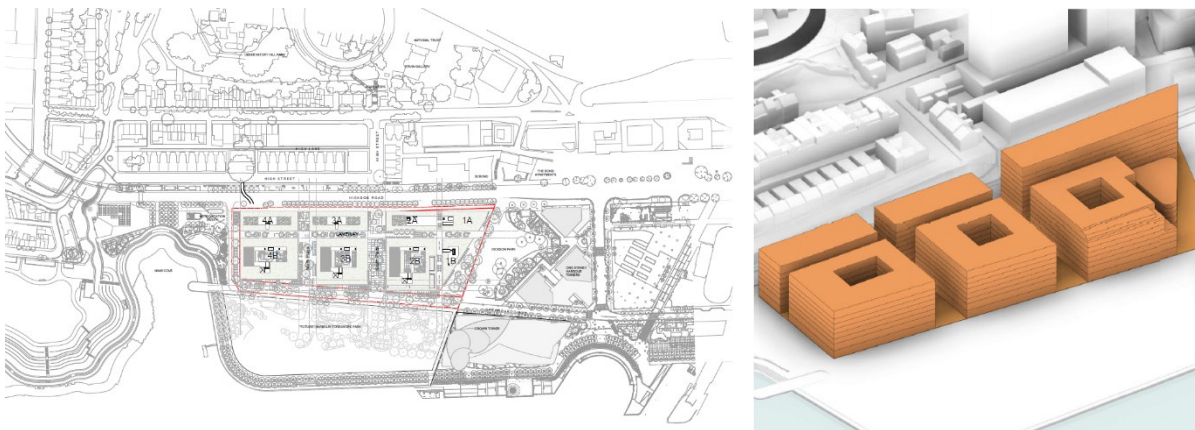
The current 'Response to Submissions' scheme, prepared by SJB Architects, has removed the Chipperfield tower, and reduced other building heights by 2.05 and 3.7 metres. The scheme, however, retains the bulky, view-blocking 'perimeter block' configuration rather than reverting to the 'bar code' configuration. Compared to the currently approved Concept Plan for Blocks 5, 6 & 7, Barangaroo Central (MP 06_01682 MOD 3, approved 11 November 2009, and MOD 8, approved 28 June 2016), the maximum height of Block 5 at RL42.5 is 8.45m higher; Block 6 at RL35m is 6m higher; Block 5 at RL35 remains the same.³

² Koziol, M. 2022, 'Planning minister kills proposal for new tower at Barangaroo's missing link,' *Sydney Morning Herald*, 8 October, <https://www.smh.com.au/national/nsw/planning-minister-kills-proposal-for-new-tower-at-barangaroo-s-missing-link-20221007-p5bo3k.html> - accessed 21 February 2024.

³ Mecone 2023, *Response to Submissions Report*, pp.42-43, 90.



Figures 4 & 5. SOM/AHH MOD 9 study, c.2016-2017 (left) incorporating generous view corridors to and from the Millers Point conservation areas and Observatory Hill inherent in its 'bar code' configuration; SJB MOD 9 (Revised) scheme, 2023 (right) based on bulky, view-blocking building envelopes inherent in its 'perimeter block' configuration. (Sources: SOM, <https://architizer.com/projects/central-barangaroo/> - accessed 21 February 2024; Mecone 2023, *Response to Submissions Report*, p.56).



Figures 6 & 7. SJB MOD 9 (Revised) Reference Scheme, 2023 demonstrating the unacceptable bulk and scale of development on Blocks 5, 6 & 7, Barangaroo Central under the 'perimeter block' urban design typology in relation to the traditional fine scale of the Millers Point heritage conservation areas. (Sources: Mecone 2023, *Response to Submissions Report*, Appendix U – SJB Reference Scheme, Site Plan, Drawing AR 00-0101, Revision 8, 30.10.23); SJB 2023, *Central Barangaroo Urban Design Report & Design Guidelines*, p.63.

The unacceptable bulk and scale of the 'perimeter block' configuration in relation to the fine scale of the State heritage listed Millers Point conservation areas is graphically shown in the 3D view of the SJB MOD 9 (Revised) Reference Scheme (Figure 7) where the impact of walling in the terrace houses of High Street can be clearly seen, and the SJB site sections (Figures 8 & 9) where the impact of the height differential of these long walls of development dominating the High Street terraces and the stepped profile of the Millers Point precinct is all too evident.

In addition, the long walls of development block views to and from the waterfront of this traditional maritime precinct, and views to and from Observatory Hill.

The Statement of Significance of the Millers Point & Dawes Point Village Precinct (SHR 01682) includes the following:

Millers Point & Dawes Point Village Precinct is of state significance for its ability to demonstrate, in its physical forms, historical layering, documentary and archaeological records and social composition, the development of colonial and post-colonial settlement in Sydney and New South Wales.

The natural rocky terrain, despite much alteration, remains the dominant physical element in this significant urban cultural landscape in which land and water, nature and culture are intimately connected historically, socially, visually and functionally.

Much . . . of the colonial-era development . . . remains substantially represented in . . . the walking-scale, low-rise, village-like character of the place with its . . . its vistas and glimpses of the harbour along its streets and over rooftops, the sounds of boats, ships and wharf work, and the smells of the sea and harbour waters.

The post-colonial phase is well represented by the early 20th century public housing built for waterside workers and their families . . . and the connections to working on the wharves and docklands still evident in the street patterns, the mixing of houses, shops and pubs, and social and family histories of the local residents The whole place remains a living cultural landscape greatly valued by both its local residents and the people of New South Wales.⁴

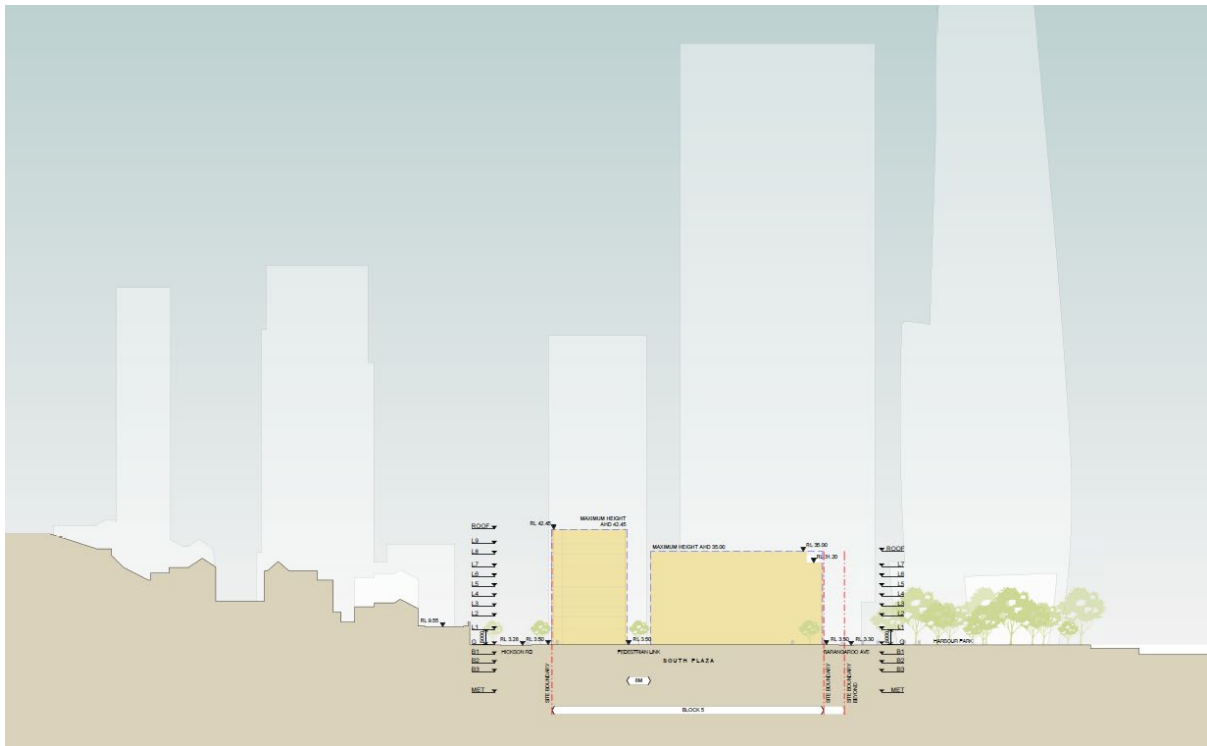


Figure 8. Dominance of the ‘perimeter block’ development under the proposed MOD 9 (Revised) scheme shown in relation to the diminutive scale of the terraces in High Street, Millers Point, stepped down from Observatory Hill. (Source: Mecone 2023, *Response to Submissions Report*, Appendix U – SJB Reference Scheme, South Plaza Elevation to proposed development on Block 5, Drawing AR 00-1409, Revision 4, 30.10.23).

⁴ NSW State Heritage Inventory, Millers Point & Dawes Point Village Precinct (SHR 01682), Statement of Significance (extracts).

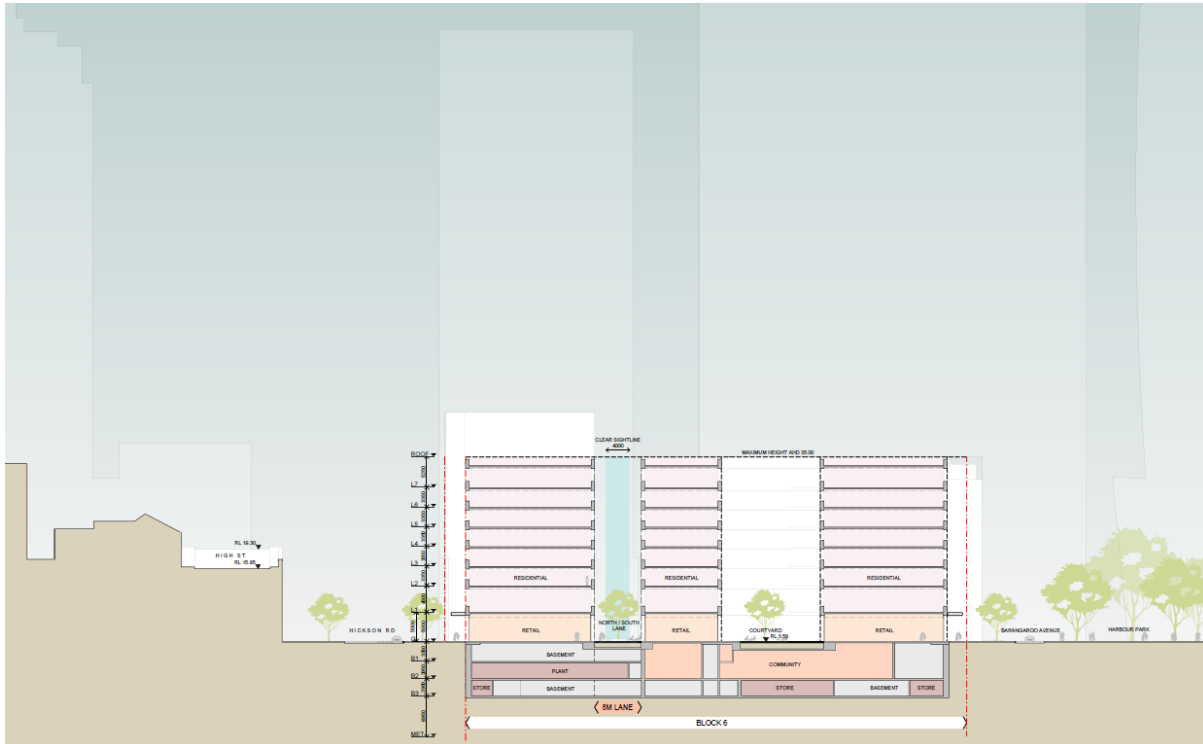


Figure 9. Dominance of the ‘perimeter block’ development under the proposed MOD 9 (Revised) scheme shown in relation to the diminutive scale of the terraces in High Street, Millers Point above the Hickson Road cut, and the modest ‘three storey part four storey’ scale of the contextual Langham Hotel designed by Cox, Richardson, Taylor & Partners in 1987-1988 (City of Sydney Development Application 44/87/165). (Source: Mecone 2023, *Response to Submissions Report*, Appendix U – SJB Reference Scheme, Site Section, through Block 6, Drawing AR 00-1506, Revision 7, 30.10.23).

The Applicant’s heritage consultants, GML Heritage, have assessed the heritage impacts of the MOD 9 (Revised) scheme to be overwhelmingly adverse:

- of fifteen (15) assessments under ‘Settings, Views & Vistas,’ fourteen (14) were found to be adverse, with six (6) found to be ‘Major Adverse’;
- of eleven (11) assessments of ‘Additional Views,’ ten (10) were found to be adverse;
- of two (2) assessments of ‘Heritage Conservation Areas,’ one (1) was found to be adverse, with the other not visible from the subject site;
- of three (3) assessments of ‘Heritage items in Barangaroo,’ one (1) was found to be adverse, with one not visible from the subject site;
- of twenty three (23) assessments of ‘Heritage Items in the Vicinity,’ eighteen (18) were found to be adverse, with three (3) found to be ‘Major Adverse’;

Overall, the Applicant’s Heritage Consultants undertook fifty four (54) assessments, and found forty four (44) to be adverse. Nine (9) were found to be ‘Major Adverse.’⁵

⁵ GML Heritage 2023, *Central Barangaroo - Response to Submissions and Updated Heritage Impact Statement*, pp.31-61.

The consultants' determination of what constitutes a 'Major Adverse' impact can be called into question. Taking one example, the impact on Observatory Hill Park (LEP 935), the assessment text includes the following:

- *The amended proposal includes three blocks of built form with RLs between 42.45, RL35 and RL22. Notwithstanding the east west openings, the built form will essentially form a wall of varying height parallel to Hickson Road that will impact the ability to visually appreciate features that evidence the heritage significance of Observatory Park. This includes the landform's prominence comparative to the distinctive human modified topographical change between the park, as the highest point in Millers Point, when viewed from Pyrmont, Darling Harbour and water. The legibility of the natural landform and its transition will be obscured, although the tops of figs within the park will remain visible above the buildings associated with the amended proposal RTS.*
- *Existing views to the harbour from the southwest will be obscured by the proposed building envelopes. Darling Harbour and parts of Pyrmont will no longer be visible.*
- *The loss of the harbour view to the southwest and screening of Millers Point historical maritime precinct roofline will impact the setting, and the ability to read and appreciate aspects of the modified landform and the historical maritime, industrial and Victorian features that characterise the area.⁶*

Despite this accurate, and damning assessment, the consultants determined that the heritage impact of the MOD 9 (Revised) proposal on Observatory Park would be 'Moderate Adverse,' not 'Major Adverse,' as would clearly be the case.

The consultants' assessment of the Cumulative Impacts of the MOD 9 (Revised) proposal includes the following statements:

The concept approval and the amended proposal of Central Barangaroo will:

- *contribute cumulatively to impacts on the historic and other heritage values associated with the Millers Point and Dawes Point village precinct, the Millers Point heritage conservation area and listed heritage items . . .*
- *contribute to the cumulative loss of historic visual connections and views to and from Millers Point to the waterfront . . .*
- *exceed the heights of former historical maritime buildings. This will impact Millers Point and obscure the historical visual relationships and associations between the modified landforms, the maritime working harbour and the Victorian period workers housing located along the ridge.⁷*

The consultants' assessment of the MOD 9 (Revised) proposal with respect to the heritage issues raised in submissions to the original MOD 9 application includes the following statements:

While heritage impacts have been reduced, the amended proposal will still have considerable heritage impacts on the heritage items and conservation areas in Millers Point. This is predominantly through visual and setting impacts.

Close views to the waters of Darling Harbour and Pyrmont from Observatory Hill will be lost.

⁶ GML Heritage 2023, *Central Barangaroo - Response to Submissions and Updated Heritage Impact Statement*, p.56.

⁷ GML Heritage 2023, *Central Barangaroo - Response to Submissions and Updated Heritage Impact Statement*, p.62.

The amended proposal will still have a major adverse impact on several High Street Terrace duplexes, and a moderate adverse impact on the Millers Point conservation areas, Sydney Observatory, Observatory Hill Park and others.

Based on this assessment, the visual impact on the conservation areas and heritage items in Millers Point (especially High Street) is undoubtedly the proposal's most significant impact. The proposal, if built to the reference design, would significantly impact the connection of the terraces to the harbour and alter their setting.

The proposal, if built to the reference design, would significantly impact the connection of the terraces to the harbour and alter their setting.

The amended proposal will block views to many heritage terraces on High Street and partially on Kent Street. In the case of High Street, these views were historically screened by maritime warehouses, although the proposal and the approved concept plan are in excess of this.

The updated assessment assesses the impact of the additional height on the heritage items with views along High Street from the Kent Street intersection, and its impact on the Millers Point conservation areas. The assessment concludes that the additional height will have an additional adverse impact in excess of the approved concept plan. This derives from impacts to the character of the area and loss of the stepped terrace roofline silhouette against the sky.⁸

The Heritage Impact Statement by the Applicant's own heritage consultants effectively concludes that the MOD 9 (Revised) proposal is an over-development of the site. The consultants recommend reducing the development:

Future development should be designed to reduce impacts to and from the Millers Point and Dawes Point Village Precinct, the heritage conservation area and heritage items in Millers Point, Observatory Hill and elsewhere. The proposed built form in key locations could be reduced to optimise historical visual connections, and views to and from the harbour from Millers Point and Observatory Hill.⁹

The Applicant's heritage consultants' conclusion is correct - the proposal is an overdevelopment of the site - but their recommendation is meaningless unless the 'perimeter block' configuration and the bulk, heights and scale of the building envelopes of the MOD 9 (Revised) proposal are refused.

Conclusions & Recommendations

In their written statements and assessments embedded in their report, the Applicant's own heritage consultants, GML Heritage, provide clear, unequivocal support to my contention that the MOD 9 (Revised) proposal entails:

- Unacceptable impacts of the proposed building envelopes on the heritage values of the State Heritage listed Millers Point & Dawes Point Village Precinct (SHR 01682) and the Millers Point Conservation Area (SHR 00884, LEP C35).
- Unacceptable impacts of the proposed building envelopes on views to and from Observatory Hill Park (LEP 935).

⁸ GML Heritage 2023, *Central Barangaroo - Response to Submissions and Updated Heritage Impact Statement*, pp.69-73.

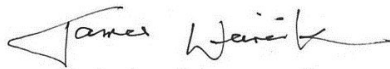
⁹ GML Heritage 2023, *Central Barangaroo - Response to Submissions and Updated Heritage Impact Statement*, p.66.

The MOD 9 (Revised) application is a deeply flawed proposal based on an over-development of the subject site.

I recommend the following:

- (1) MP 06_01682 MOD 9 (Revised) be refused.
- (2) Any future proposal for the Barangaroo Central site be based on the original 'bar code' configuration of low-scale development comprising a series of narrow, east-west building masses separated by slots of open space or lower built forms in a reinterpretation of the 19th/early 20th century East Darling Harbour finger wharves, sympathetic in scale and presence with the Millers Point heritage conservation areas, conserving views to and from Observatory Hill Park.
- (3) Given the over-development of the MOD 9 (Revised) proposal, the quantum of GFA for any future development of Barangaroo Central in accordance with Recommendation (2) be determined by a public hearing of the Independent Planning Commission.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'James Weirick', with a stylized flourish at the end.

Emeritus Professor James Weirick

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Sydney, NSW 2052

