

**BARANGAROO CONCEPT PLAN (MP06_0162)
PROPOSED MODIFIED INSTRUMENT (MOD 8)**

Note: The changes proposed under Concept Plan (Mod 8) are shown in bold red.

SCHEDULE 1

PART A – TABLE

Application made by:	Sydney Harbour Foreshore Authority (SHFA)
Application made to:	Minister for Planning
On land comprising:	Barangaroo, Sydney Lots 1 to 6 DP 876514; Lot 7 DP 43776; Lot 100 DP 838323; Lots 6 & 7 DP 869022; part of Lot 110 DP 1061311; part of C.T. Volume 5018 Folio 1
Local Government Area:	City of Sydney
For the carrying out of:	A detailed description of the proposal approved to is described in Modification A1, Part A, Schedule 2
Capital Investment Value:	\$1.5 Billion
Type of development:	Concept approval under Part 3A of the EP&A Act
Determination made on:	9 February 2007
Determination:	Concept approval is granted subject to the modifications in the attached Schedule 2.
Date of commencement of approval:	This approval commences on the date of the Minister's approval.
Date approval is liable to lapse:	10 years from the date of determination unless specified action has been taken in accordance with Section 75Y of the EP&A Act.

PART B – DEFINITIONS

In this approval the following definitions apply:

Act means the *Environmental Planning and Assessment Act, 1979* (as amended).

Council means City of Sydney Council.

Department means the Department of Planning or its successors.

Director General means the Director General of the Department of Planning.

Minister means the Minister for Planning.

Project means development that is declared under Section 75B of the Act to be a project to which Part 3A of the Act applies.

Proponent means the person proposing the carry out of development comprising all or any part of the project, and includes persons certified by the Minister to be the proponent.

Regulations means the Environmental Planning and Assessment Regulation, 2000 (as amended).

SHFA means the Sydney Harbour Foreshore Authority.

Subject Site has the same meaning as the land identified in Part A of this schedule.

Barangaroo has the same meaning as the land identified in Part A of this schedule.

Barangaroo Concept Plan means the project described in Schedule 2, Part A, Modification A1 and the accompanying plans and documentation described in Schedule 2, Part A, Modification A2.

SCHEDULE 2

TERMS OF APPROVAL AND MODIFICATIONS – BARANGAROO CONCEPT PLAN No. 06_0162

PART A – TERMS OF APPROVAL

A1. Development Description

Concept approval is granted only to the carrying out of the development solely within the Concept Plan area as described in the documents titled “East Darling Harbour State Significant Site Proposal, Concept Plan & Environmental Assessment (Volume 1 & 2)” prepared by JBA Urban Planning Consultants & SHFA (dated October 2006) and amended by Barangaroo Part 3A Modification Report (Volume 1 & 2) prepared by MG Planning Pty Ltd & SHFA (dated June 2008) and amended by Barangaroo Part 3A Modification Report – Headland Park and Northern Cove prepared by MG Planning Pty Ltd on behalf of Sydney Harbour Foreshore Authority and dated January 2009 and amended by Barangaroo South Concept Plan Modification and Major Development SEPP Amendment Environmental Assessment Report prepared by JBA Urban Planning Consultants (dated August 2010) and amended by Barangaroo Concept Plan Section 75W Modification prepared by JBA Urban Planning Consultants (dated June 2013) and amended by Barangaroo Concept Plan Section 75W Modification prepared by JBA Urban Planning Consultants (dated October 2013), **and amended by Barangaroo Concept Plan Section 75W Modification prepared by JBA (dated November 2014)** including:

Reason for modification: *The condition has been updated to reference the Concept Plan (Mod 8) Environmental Assessment Report*

- (1) A mixed use development involving a maximum of **605,911 563,965** gross floor area (GFA), comprised of:
 - (a) a maximum of **128,763 183,000**sqm and a minimum of 84,595 sqm residential GFA;
 - (b) a maximum of **5076,000**sqm GFA for tourist uses **(of which a maximum of 59,000sqm may be located in Barangaroo South);**
 - (c) a maximum of **394,000**sqm GFA for retail uses **(of which a maximum of 30,000sqm may be located in Barangaroo South);**
 - (d) a maximum of **4,500 5,000**sqm GFA for active in the Public Recreation zone **(3,000 3,500** sqm of which will be in Barangaroo South); and
 - (e) a minimum of 12,000sqm GFA for community uses **that may be located within the Public Recreation or Mixed Use zones.**
- (2) Approximately 11 hectares of new public open space/public domain, with a range of formal and informal open spaces serving separate recreational functions and including an approximate 2.2km public foreshore promenade.
- (3) Built form design principles, maximum building heights and GFA for each development block within the mixed use zone **for Barangaroo Central and the Barangaroo South Design Guidelines and building envelope plan for each development block within the mixed use zone Barangaroo South.**
- (4) Public domain landscape concept, including parks, streets and pedestrian connections.
- (5) Alteration of the existing seawalls and creation of a partial new shoreline to the harbour.
- (6) Construction, operation and maintenance of a concrete batching plant to supply concrete for construction of future development under this Concept Plan at Barangaroo South.

Reason for modification: *The development description, including maximum GFAs, has been updated for the entire Barangaroo site to reflect the modifications proposed under Concept Plan (Mod 8).*

(7) For Barangaroo South, A mixed use development involving a maximum of 535,686 sqm gross floor area (GFA) within Barangaroo South precinct, comprised of:

- (a) a maximum of 154,000 sqm of residential GFA;**
- (b) a maximum of 59,000 sqm GFA for tourist uses;**
- (c) a maximum of 30,000 sqm GFA for retail uses;**
- (d) a maximum of 3,500 sqm GFA for active uses in the Public Recreation zone, which may include Community Uses.**

Reason for modification: *A breakdown of the maximum GFA for Barangaroo South has been provided to clarify the distribution of GFA across the entire Barangaroo Site.*

A2. Development in Accordance with Plans and Documentation

(1) The following plans and documentation (including any appendices therein) are approved as part of the Concept Plan:

- (a) East Darling Harbour State Significant Site Proposal Concept Plan and Environmental Assessment (Volume 1) and Appendices (Volume 2) prepared by JBA Urban Planning Consultants Pty Ltd on behalf of Sydney Harbour Foreshore Authority and dated October 2006.

Except as modified by

- (b) Barangaroo Part 3A Modification Report (Volume 1) and Appendices (Volume 2) prepared by MG Planning Pty Ltd on behalf of Sydney Harbour Foreshore Authority and dated June 2008.
- (c) Barangaroo Part 3A Modification Report – Headland Park and Northern Cove prepared by MG Planning Pty Ltd on behalf of Sydney Harbour Foreshore Authority and dated January 2009; and
- (d) Barangaroo South Concept Plan Modification and Major Development SEPP Amendment Environmental Assessment Report prepared by JBA Urban Planning Consultants and dated August 2010.
- (e) Barangaroo South Concept Plan Modification Environmental Assessment Report prepared by JBA and dated June 2013.
- (f) Barangaroo South Concept Plan Modification Environmental Assessment Report prepared by JBA and dated October 2013.
- (g) Barangaroo South Concept Plan Modification Environmental Assessment Report prepared by JBA and dated November 2014.**

(2) The following Preferred Project Report including a revised Statements of Commitment are approved:

- (a) Response to Department of Planning and Revised Statement of Commitments prepared by JBA Urban Planning Consultants Pty Ltd on behalf of Sydney Harbour Foreshore Authority and dated January 2007.

Except as modified by

- (b) Preferred Project Report Barangaroo Part 3A Modification – Commercial Floor Space and Revised Statement of Commitments and Preferred Project Report Addendum prepared by Sydney Harbour Foreshore Authority and dated October 2008.
- (c) Preferred Project Report Barangaroo Part 3A Modification Report – Headland Park and Northern Cove prepared by MG Planning Pty Ltd on behalf of the Barangaroo Development Authority and dated September 2009 and Preferred Project Report Addendum Map prepared by the Barangaroo Development Authority dated September 2009 (Revision F); and

(d) Preferred Project Report Concept Plan Modification 4 (MP 06_0162 MOD 4) Barangaroo Stage 1 prepared by JBA Urban Planning Consultants on behalf of Lend Lease and dated November 2010 and revised Statement of Commitments (December 2010).

(e) Preferred Project Report Concept Plan Modification 6 (MP06_0162), Barangaroo South prepared by JBA Urban Planning Consultants on behalf of Lend Lease and dated 17 October 2013.

(f) Preferred Project Report Concept Plan Modification 8 (MP06_0162), Barangaroo South prepared by JBA on behalf of Lend Lease and dated XXX.

(3) In the event of any inconsistencies,

(a) the Statement of Commitments referenced in A2(2)(**d f**) of this approval prevails to the extent of any inconsistency in the plans and documentation identified in (1), and

(b) the modifications of the Concept Plan approval identified in Part B & C Schedule 2 prevail over the documentation listed in (1), (2) and (3)(a) above.

Reason for modification: <i>The condition has been updated to reference the Concept Plan (Mod 8) documentation.</i>
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A3. Lapsing of Approval

Approval of the Barangaroo Concept Plan shall lapse 10 years after the determination date in Part A of Schedule 1 unless an application is submitted to carry out a project or development for which concept approval has been given.

A4. Determination of Future Applications

(1) The determination of future applications for development is to be generally consistent with the terms of approval of Concept Plan No. 06_0162 as described in Part A of Schedule 1, and subject to the modifications of approval set out in Parts A, B & C of Schedule 2.

PART B – MODIFICATIONS TO CONCEPT PLAN

B1. Public Domain – Northern Headland

(1) Noting the jury report recommendations on the competition winning design scheme, further detailed design plans for the northern headland are to be provided to the Department prior to or concurrently with the lodgement of the first project application for major public domain works. These are to be to the written satisfaction of the Director General.

(2) The plans identified in (1) above are to address the following requirements and objectives:

(a) the reinstatement of a headland at the northern end of the site with a naturalised shape and form including a build up of height and a generous landscaped connection to physically link Clyne Reserve, to allow direct pedestrian access from Argyle Place and appreciation of the landform of the former headland;

(b) encourage pedestrian permeability along the foreshore, with links to Hickson Road, Argyle Place, Towns Place and "Globe Street";

(c) ensure adequate surveillance of the park to enhance security while limiting vehicular access into and through the park;

(d) a welcoming aspect when approaching the northern headland from the south along "Globe Street" and Hickson Road, in landform, materials, accessibility and view lines;

(e) public safety through the day and night considering surveillance, lighting, planting and materials; and

(f) the impact on and the treatment of the Sewage Pumping Station.

(3) The above redesign may include provision of a public car park within the headland.

B2. Public Domain – Northern Cove

(1) Noting the jury report recommendations on the competition winning design scheme, further detailed design plans for the Northern Cove located opposite Munn Street are to be provided to the Department prior to or concurrently with the lodgement of the first project application for major public domain works. These are to be to the written satisfaction of the Director General.

- (2) The plans identified in (1) above are to address the following requirements and objectives:
- (a) an enlargement of the water intrusion; and
 - (b) a greater naturalised shape, form and edges including treatment surrounding the cove.

~~B3. Public Domain – Southern Cove Deleted~~

~~(1) Noting the jury report recommendations on the competition winning design scheme, further detailed design plans for the Southern Cove (north of Napoleon Street and opposite proposed “Bull Street”) are to be provided to the Department prior to or concurrently with the lodgement of the first project application for major public domain works. These are to be to the written satisfaction of the Director General.~~

- ~~(2) The plans identified in (1) are to address the following objectives:~~
- ~~(a) an enlarged water intrusion including a component east of the proposed “Globe Street”;~~
 - ~~(b) active edges around the enlarged waterbody, including appropriate ground floor uses in buildings to activate the foreshore area;~~
 - ~~(c) achieving appropriate pedestrian linkages along the foreshore and connections to Hickson Road; and~~
 - ~~(d) a theme which celebrates the water as an important part of the landscape element.~~

Reason for modification: This condition was satisfied under Concept Plan (Mod 4). Concept Plan (Mod 8) still provides a water intrusion north of Napoleon Street as envisaged in the original jury report, however the Barangaroo Review, which was undertaken following Concept Plan (Mod 4) made a series of recommendations, such as the relocation of the hotel, which result in the design no longer providing the water component east of Globe Street (now referred to as Lime Street). As the findings of the Barangaroo Review supersede those of the original jury report this condition is proposed to be deleted. Further discussion regarding the size and design of the Southern Cove is provided in the EAR.

B4 Built Form

(1) Approval is given for a mixed use development involving a maximum of **605,911 563,965** gross floor area (GFA), comprised of:

- (a) a maximum of **128,763 183,000**sqm and a minimum of 84,595 sqm residential GFA;
- (b) a maximum of **5076,000**sqm GFA for tourist uses **(of which a maximum of 59,000sqm may be located in Barangaroo South);**
- (c) a maximum of **394,000**sqm GFA for retail uses **(of which a maximum of 30,000sqm may be located in Barangaroo South);**
- (d) a maximum of **4,500 5,000**sqm GFA for active in the Public Recreation zone **(3,000 3,500**sqm of which will be in Barangaroo South); and
- (e) a minimum of 12,000sqm GFA for community uses **that may be located within the Public Recreation or Mixed Use zones.**

Reason for modification: The development description, including maximum GFAs, has been updated for the entire Barangaroo site to reflect the modifications proposed under Concept Plan (Mod 8).

For Barangaroo South, A mixed use development involving a maximum of 535,686 sqm gross floor area (GFA) within Barangaroo South precinct, comprised of:

- (a) a maximum of 154,000 sqm of residential GFA;**
- (b) a maximum of 59,000 sqm GFA for tourist uses;**

- (c) a maximum of 30,000 sqm GFA for retail uses;
- (d) a maximum of 3,500 sqm GFA for active uses in the Public Recreation zone, which may include Community Uses.

Reason for modification: A breakdown of the maximum GFA for Barangaroo South has been provided to clarify the distribution of GFA across the entire Barangaroo Site.

(2) Despite B4(1) above, future **project** applications are not to exceed the GFA, maximum residential GFA and building heights, specifically identified in table (2)(a) below.

	GFA (sqm)	Residential GFA (Max)(sqm)	Height (Max AHD)	Height above existing ground level (m)
Block 1	9,400 1,927	9,000	RL 80 25	78
Block 2	209,213 197,280	-	RL 180	178
Block 3	142,669 129,934	10,515 -	RL 209	207
Block 4A	8,150 86,579	6,900 85,535	RL 41.5 250	39.5
Block 4B	29,900 19,558	28,900 18,887	RL 175 107	173
Block 4C	39,000	38,500	RL 160	158
Block X	18,908	16,463	RL 41.5	39.5
Block Y	33,000 77,500	22,600 -	RL 170 275	168
Block 5	41,225	15,000	RL 34	32
Block 6	3,000		RL 29	27
Block 7	15,000	14,000	RL 35	33
TOTAL	549,465 590,911	128,763 183,000		

Reason for modification: The maximum GFAs and heights have been updated to reflect the modifications proposed under Concept Plan (Mod 8). The structure of the GFA breakdown has been amended to allow for a logical separation of Barangaroo South, Barangaroo Central and Headland Park.

'Height above existing ground level' has been deleted as the 'existing ground level' as at the time of the original Concept Plan no longer exists and this control serves no purpose in the context of there being maximum AHD heights in place.

The maximum for active uses in the public domain has been amended (and correspondingly increased) to include community uses, providing a clear maximum for the zone.

A note has been added to the minimum amount of community uses to clarify that they can occur in either the Public Domain or Mixed Use zone.

Note: Additional GFA is also proposed under the concurrent Concept Plan Modification 9 for Barangaroo Central (Blocks 5-7), but excluded from this table.

(3) Despite B4(2) above, future **project** applications for buildings within Blocks **1, 2, 3, 4A and 4B, and 4C** may accommodate a redistribution of GFA (but not in excess of the total GFA for those blocks) **resulting from the Urban Design Controls identified in modification B9.**

Reason for modification: To reflect the deletion of Block 4C and Condition B9 (as it relates to Barangaroo South) as proposed under Concept Plan (Mod 8).

B5. Revised Design Principles

(1) Future applications in Barangaroo South are to demonstrate consistency with the **Barangaroo South Design Guidelines**. ~~Built Form Principles and Urban Design Controls within the Supplementary Urban Design Statement by Rogers Stirk Harbour + Partners (12 November 2010) and as amended by the Block 3, 4B + 4C, and X + 4A Amended Urban Design Controls (April 2013), with required modifications as outlined in B9.~~

Reason for modification: The Supplementary Urban Design Statement as amended by the Urban Design Controls have been consolidated into the new Barangaroo South Design Guidelines.

B6. Tourist Uses

- (1) The 'tourist uses' shall be a maximum of **5076,000m²** and shall not include serviced apartments, unless they are in single ownership and title (no strata titling). If they do meet these criteria they will be considered residential uses. In any event serviced apartments shall not exceed 12,500m².
- (2) Future applications for serviced apartments are to have equivalent amenity standards to residential buildings, in accordance with State Environmental Planning Policy No 65.

Reason for modification: The quantity of tourist uses has been increased to reflect the modifications proposed under Concept Plan (Mod 8).

B7. Community Uses

- (1) At least 3,000sqm of approved community uses shall ~~preferably~~ be located within ~~one building in~~ Barangaroo South, ~~of which up to 2,000sqm may be located on the public pier in a central position that engages with the public domain,~~ and shall be constructed prior to the final occupation of any building within Stage 1B ~~250,000sqm of commercial floorspace, or the 3 commercial buildings (C3, C4 and C5) in Blocks 2 and 3, whichever occurs first.~~

Reason for modification: The provision of community uses has been updated to reflect the modifications proposed under Concept Plan (Mod 8), specifically the provision of up to 2,000sqm of community uses on the public pier. As a result of the time it will take to construct the public pier and associated building, the provision of the community uses has been tied to the OC of any building in Stage 1B and not the commercial buildings. Notwithstanding Condition B7, provision is provided for additional community uses within both the RE1 and B4 zoned areas throughout the Barangaroo site.

- (2) The proponent shall consult **with the City of Sydney in respect to the future application for the community building located on the public pier.** ~~and consider the report titled Asset Assessment and Development Plan for Community Facilities in Harbour Village Centre (June 2010) in considering and determining the appropriate mix and provision of community uses within Barangaroo South and outline the outcome of such consideration and consultation with the relevant Project/development application.~~

Reason for modification: This condition is proposed to be amended to require consultation with the City of Sydney in relation to the future community building and remove the report referenced as it is now out of date and does not reflect the existing and proposed development at Barangaroo.

- (3) Despite any other modification of this approval, a minimum of 2,000sqm of community uses GFA must be provided within Block 6 or 7 (or other block approved by the Director General) and be of a type acceptable to the Director General.

B8. Deleted

B9. Envelope Amendments and Built Form Controls Deleted

Barangaroo South

~~(1) The Built Form Principles and Urban Design Controls within the Supplementary Urban Design Statement by Rogers Stirk Harbour + Partners (12 November 2010) for Barangaroo South are adopted, with required modifications as outlined below and as amended by the Urban Design Controls dated April 2013 titled "Block 3, 4B + 4C, and X + 4A Revised Urban Design Controls". A final consolidated Urban Design Statement shall be provided to the Director-General within one (1) month of the determination of this application (Mod 6), incorporating all of the required modifications set out in B9 (2) to (6) and the amended Urban Design Controls dated April 2013.~~

Envelope Amendments

~~(2) The proposed building envelopes for Blocks Y and X are to be modified as follows:~~

- ~~(a) Block Y – The envelope shall be amended so that the width is a maximum of 20m, and the length is a maximum of 60m, above RL 20; and~~
- ~~(b) Block X – The envelope shall be amended so that for the southern end of Block X (all of Building R1), the height is a maximum of RL 27, with a maximum of six (6) habitable levels above ground.~~

Urban Design Controls

~~(3) The following control shall be added to the Set of Controls and all Urban Design Controls for all Blocks within Barangaroo South:~~

~~Control 11: Sustainable Building Design~~

~~The design of buildings and the public domain shall incorporate, utilise and integrate leading sustainability practices in design, massing, materials and detailing. Buildings should be a model for sustainable building design and construction, and where accepted sustainability measures exist for the type of building being proposed, an industry-leading rating should be achieved. Sustainability measures should preferably be legible and discernable in the building design.~~

~~(4) The following changes shall be incorporated into the Urban Design Controls for each Block:~~

~~Block 1~~

~~Control 7 Objectives: Add "The width of driveways shall be minimised".~~

~~Control 8 Objectives: Add "Signage shall be integrated into the building design".~~

~~Block 2~~

~~Control 1 Objectives: Add "Interesting building shapes are encouraged".~~

~~Control 1 Standards: Delete "maximum of 29m setback from Hickson Road".~~

~~Control 1 Standards: Change minimum of 1 storey podium height to "minimum predominant podium height of 3 storeys".~~

~~Control 2 Objectives: Add "Podium height shall be determined having regard to compatibility of streetscape form with the surrounding area, and appropriate engagement and framing of the public domain, together with environmental considerations on the public domain and surrounding buildings".~~

~~Control 2 Objectives: Add "The streetwall height on Hickson Road shall be robust and complement the eastern side of Hickson Road, seeking a 'boulevard effect' along Hickson Road".~~

~~Control 3 Objectives: Add "Methods to capture and reuse rainwater that strikes the southern elevation of Building C5 are encouraged".~~

~~Control 7 Standards: Add "There shall be no single plane in the façade having dimensions greater than 60m in length and 60m in height (or equivalent area) without articulation, and change in plane from adjoining building elements, unless as otherwise instructed by the Barangaroo Design Excellence Review Panel".~~

~~Control 8 Standards: Add "The width of driveways shall be minimised".~~

~~Control 9 Standards: Add "Signage shall not be greater than 1 building storey high (between floor slabs)".~~

~~Block 3~~

~~Control 1 Objectives: Add "The northern half of the Block (Building C7) shall contain comparatively lower buildings (when compared to the tower forms) as generally indicated in the indicative design".~~

~~Control 1 Standards: Delete "maximum of 29m setback from Hickson Road".~~

~~Control 1 Standards and Control 2 Objectives: Change minimum of 1 storey podium height to "minimum predominant podium height of 3 storeys".~~

~~Control 2 Objectives: Add "Podium height shall be determined having regard to compatibility of streetscape form with the surrounding area, and appropriate engagement and framing of the public domain, together with environmental considerations on the public domain and surrounding buildings".~~

~~Control 2 Standards: Add "The width and height of the colonnade along Hickson Road shall be appropriate to encourage its use, and be integrated into the proportions of the buildings of which it is part".~~

~~Control 7 Standards: Add "There shall be no single plane in the façade having dimensions greater than 60m in length and 60m in height (or equivalent area) without articulation, and change in plane from adjoining building elements, unless as otherwise instructed by the Barangaroo Design Excellence Review Panel".~~

~~Control 8 Standards: Add "The width of driveways shall be minimised".~~

~~Control 9 Standards: Add "Signage shall not be greater than 1 building storey high (between floor slabs)".~~

~~Block 4, B and 4C~~

~~Control 1 Objectives: Add "If two buildings are proposed within 4C they shall be separated by at least 18m and the podium shall be low to allow sunlight penetration through the buildings to the southern water cove and adjoining promenade on the southern side of the water cove".~~

~~Control 1 Standards "varified" be corrected to "varied".~~

~~Control 8 Standards: Add "The width of driveways shall be minimised".~~

~~Control 9 Standards: Add "Signage shall not be greater than 1 building storey high (between floor slabs)".~~

~~Block X and 4A~~

~~Control 1 Objectives: Add "The predominant height of the building mass fronting the foreshore promenade shall be 6 or 7 storeys above ground level, with over 70% of the building frontages having a consistent height. Any "pop-ups" shall not result in more than 9 storeys above ground level and the overall massing shall be such to create an homogenous yet interesting streetwall".~~

~~Control 8 Objectives: Add "At least 70% of the ground floor frontages to the pedestrian waterfront promenade shall comprise retail or entertainment uses, open to the public to activate the adjoining foreshore pedestrian promenade".~~

~~Control 8 Standards: Add "The width of driveways shall be minimised".~~

~~Block Y~~

~~Control 1 standards be amended to reflect the changes in the envelope in modification B9(2)(a) above.~~

~~Control 1 Objectives: Add "The design of the building shall appear open/ transparent at lower levels, particularly as viewed from the south and north along the foreshore promenade, to encourage views through the building at lower levels and greater appreciation of water and the surrounding public domain".~~

~~Control 1 Objectives: Add "The building massing at the lower levels (to RL 20) shall give primacy to the use, enjoyment, accessibility and activation of the public domain and walkways around the pier".~~

~~Control 1 Standards: Add "Any overhang of the building on western edge, above the public pedestrian promenade on the pier, shall be a minimum of 10m in height, so that the walkway is inviting and feels public".~~

~~Control 2 Objectives: Add "Canopies and awnings shall not dominate or unreasonably impact on views and vistas towards the water or past the building, along public promenades".~~

~~Control 5 Standards: Add "An average width of 10m, at ground, closest to the harbour waterfront, is to be provided around the perimeter of the pier, with a minimum width of 6m".~~

~~Control 5 Standards: Add "The taxi drop-off zone shall not extend into a 15m promenade zone measured from the harbour edge (excluding the pier), so that vehicles do not interrupt the use and enjoyment of the waterfront promenade by pedestrians".~~

~~Control 9 Standards: Add "Signage shall not be greater than 1 building storey high (between floor slabs)".~~

~~(5) Connections between tower elements and above podium elements are not permitted over primary public connections including Globe Street, Margaret Street West and City Walk, and shall be minimised in other laneways.~~

~~(6) Globe Street is to be activated by ground floor retail uses.~~

Reason for modification: The Supplementary Urban Design Statement as amended by the Urban Design Controls have been updated and consolidated into the new Barangaroo South Design Guidelines.

Barangaroo Central

(7) Block 5

- (a) The podium or street wall to Hickson Road is to have a height of RL 29.6 metres (Note: existing ground level = RL 2.0).
- (b) The podium or street wall to Globe Street is to have a height of RL 18.8 metres (Note: existing ground level = RL 2.0).
- (c) Appropriate street wall heights to Agar Street and Healy Street need to mediate between podium heights fronting Hickson Road and Globe Street.
- (d) Above podium elements are to have a minimum setback of 25 metres from the Hickson Road street wall or podium edge.
- (e) Above podium elements are to have an appropriate setback from the Globe Street, Agar Street and Healy Street street wall or podium edge to ensure an appropriate scale to these streets.
- (f) The street wall or podium is to have a minimum setback of 5 metres from the Globe Street kerb to ensure an adequate footpath dimension for circulation and active uses.
- (g) Any above podium forms are to be separated from tower forms on Block 4 by a minimum of 20 metres.

B10. Lightweight Bridge, Floating Dock or Pontoon

The construction of a lightweight bridge, floating dock or pontoon to facilitate pedestrian movement over the Northern Cove to continue the axis of Globe Street is to be investigated during the preparation of the further detailed design plans for the Northern Cove and these plans are to be provided to the Department prior to or concurrently with the lodgement of the first project application for major public domain works in the vicinity of the Northern Cove.

PART C – FUTURE APPLICATIONS

C2. Design Excellence

(1) This provision applies to the following development:

- (a) The erection of a new building that will be greater than Reduced Level (RL) 57,
- (b) The erection of a new building on a site of greater than 1,500 square metres.

(2) The Proponent shall hold a design excellence competition for all development identified at (1) above.

(3) The design competition brief shall be approved by the Director General or his delegate.

(4) The Director-General shall establish a design review panel for the design excellence competition(s) that will consider whether the proposed development exhibits design excellence only after having regard to the following matters:

- (a) whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved;
- (b) whether the form and external appearance of the building will improve the quality and amenity of the public domain;

- (c) whether the building meets sustainable design principles in terms of sunlight, natural ventilation, wind, reflectivity, visual and acoustic privacy, safety and security and resource, energy and water efficiency;
 - (d) a comparison of the proposed development against the **relevant built form controls in the Concept Plan** ~~indicative building controls identified in Section 13.0 – Built Form of the EA;~~ **and**
 - (e) whether the new development detrimentally impacts on view corridors, particularly from public spaces and streets.
- (5) The design review panel shall also be utilised for any significant changes to the Concept Plan, as determined by the Director General.
- (6) For the purposes of this modification, a design review panel means a 3 to 5 member panel comprised of appropriately qualified design professionals, chaired by a registered architect.
- (7) Notwithstanding (2) above, the requirement for a design excellence competition may be waived if the Director General:
- (a) certifies in writing that the development is one for which an architectural design competition is not required because of the excellence of the proposed design for the development concerned, and
 - (b) is satisfied that:
 - (i) the architect responsible for the proposed design has an outstanding reputation in architecture, and
 - (ii) necessary arrangements have been made to ensure that the proposed design is carried through to the completion of the development concerned.

Reason for modification: *The indicative building controls have been updated and consolidated into the new Barangaroo South Design Guidelines. However, this condition applies to the entire site and therefore it has been amended to refer to the 'relevant' controls.*

C3. Transport and Pedestrian Management

- (1) The Transport Management and Access Plan, in relation to public transport, traffic and pedestrian access between the Barangaroo site and Wynyard, shall be provided prior to or concurrently with the lodgement of the first major project application that includes new floorspace.
- (2) Details of the proposed improved pedestrian linkages between the Barangaroo site and Wynyard train station shall be provided with the relevant Project Applications for built form above ground level within Blocks 2, 3, 4A, 4B, 4C, 5 or X and works shall commence prior to any occupation of Blocks 2, 3, 4A, 4B, 4C, 5, or X.
- (3) The Transport Management and Access Plan (TMAP) shall be reviewed and updated at key transport milestones in the year 2014 and year 2018, or timing as otherwise directed by the Director General, to enable the development of Barangaroo to align with key planned public transport improvements.
- (4) Notwithstanding C3(3) above, the Transport Management and Access Plan is required to be reviewed at the following milestones:
- (a) no later than 6 months following the occupation of the first building within Block 2;
 - (b) no later than 6 months following the occupation of the first building within Block 3; and
 - (c) completion of works on each development block.

C3A Traffic Impact Assessment

Within three (3) months of the determination of ~~this~~ Modification 6 and prior the submission of future application for Blocks 3, 4A and 4B, the proponent is to submit the following to the satisfaction of the Director General:

(1) An updated Transport Management and Access Plan in accordance with the requirements of Condition C3

(2) A Traffic Impact Assessment which comprehensively assesses the traffic impacts of the amendments to the Block Boundaries to Blocks 3, 4A and 4B detailed in Modification 6 to the concept plan. The report is to include, but not be limited to:

- a) Revised intersection modelling;
- b) Detailed review of the traffic operations (existing and proposed) along Sussex Street, Hickson Road Erskine Street, Lime Street, Shelley Street and Globe Street;
- c) Details of any changes to network intersection designs and lane configurations as a result of the modifications; and
- d) Updated cumulative traffic and transport changes including the announced CBD and South East Light Rail Project, changes to buses in the City Centre and other associated changes related to these projects.
- e) Recommend temporary traffic control measures required to address traffic impacts identified in a-d above until the design based solution for the redevelopment of Hickson Road is implemented.

Reason for modification: Minor change to reflect current status of Concept Plan modifications.

C4. Car Parking

(1) The following maximum car parking rates shall apply to future development within the site:

- (a) Commercial: - 1 space/600m² GFA
- (b) Residential: - 1 bedroom/bedsitter unit – 1 space/2 units
- 2 bedroom unit – 1.2 spaces/unit
- 3+ bedroom unit – 2 spaces/unit
- (c) Other Uses: - City of Sydney Council rates.

C5. Marine Ecology

(1) Any future Project Application for the construction of the public pier ~~and ferry wharves~~ in Barangaroo South, formation of the Southern Cove and formation of the new shoreline in Barangaroo South, Barangaroo Central and the Headland Park/Northern Cove will be required to address in detail any impacts on the existing marine ecology.

Reason for modification: The ferry wharves do not form part of the Barangaroo site.

C6. Rail

(1) The Proponent shall request service searches from Railcorp, to establish the existence and location of any Railcorp services and structures. Where Railcorp services are identified the Proponent must discuss and agree with Railcorp how these services are to be accommodated in the development.

(2) The Proponent may be required to enter into an agreement with Railcorp defining controls to be implemented in managing the access required and/or the potential impacts of the development on Railcorp, and the involvement of Railcorp staff in ensuring appropriate safety and technical standards are complied with throughout the development.

C7. Pedestrian Linkages, Activation of Streets and Public Domain

(1) In developing detailed plans for the development blocks, "internal" or "through-site" links and internal public domain activity should not occur at the expense of achieving primacy in pedestrian

activity and use, as well as the built form objectives for Hickson Road and Globe Street, and public streets. **In Barangaroo South, development of the built form and corresponding pedestrian links, activation and public domain should be consistent with the Barangaroo South Design Guidelines.**

***Reason for modification:** The indicative built form, pedestrian, activation and public domain controls have been updated and consolidated into the new Barangaroo South Design Guidelines for development carried out within Barangaroo South.*

C8. Gross Floor Area

Gross Floor Area (GFA) is to be calculated in accordance with the Standard Instrument – Principal Local Environmental Plan definition with the exception that area for wintergardens, being an enclosable balcony designed and constructed as an external balcony with drainage, natural ventilation and finishes acceptable for an outdoor space, is to be excluded.

***Reason for modification:** The wind testing undertaken as part of the design development of the Blocks 4A and 4B residential towers found that because of the location and height of the buildings, the balconies would be wind affected. Accordingly it has been recommended that wintergardens be used to provide a higher level of amenity throughout the year for the future occupants. However, the Standard Instrument definition for GFA can inadvertently prevent the provision of wintergardens by requiring an area of the building that would otherwise be excluded as GFA to be included. Accordingly this modification seeks to exclude wintergardens from the calculation of GFA for the purposes of future development under the Concept Plan.*