

EXPLANATION OF INTENDED EFFECT

PROPOSED AMENDMENTS TO

STATE ENVIRONMENTAL PLANNING POLICY (MAJOR DEVELOPMENT) 2005 SCHEDULE 3 PART 12 BARANGAROO SITE

STATE ENVIRONMENTAL POLICY (STATE AND REGIONAL DEVELOPMENT) SCHEDULE 2 AND

SYDNEY REGIONAL ENVIRONMENTAL PLAN (SYDNEY HARBOUR CATCHMENT) 2005

1.0 PROPOSED AMENDMENT TO STATE ENVIRONMENTAL PLANNING POLICY (MAJOR DEVELOPMENT) 2005 SCHEDULE 3 PART 12 BARANGAROO SITE

1.1 Objectives or intended outcomes

The Barangaroo site is listed as a State Significant Site in Part 12 of Schedule 3 of State Environmental Planning Policy (Major Development) (The Major Development SEPP). The Major Development SEPP zones the land part B4 Mixed Use and part RE1 Public Recreation.

Maximum building heights and GFA restrictions are established for nominated development blocks within the B4 Mixed Use zone under the Major Development SEPP. There are currently no maximum building heights or specific GFA restrictions imposed by the Major Development SEPP on land within the RE1 Public Recreation Zone.

As outlined in the Concept Plan (Mod 8) Environmental Assessment Report, relocating the landmark hotel building, which is currently approved on a public pier extending into the harbour, back onto another part of the site necessitates a number of changes to the existing Major Development SEPP maps.

These components of Lend Lease's scheme consequently require a SEPP Amendment to reconcile the Major Development SEPP planning provisions with this Modification and more specifically to:

- relocate Block Y (the landmark hotel building site) from extending over the harbour onto land within the site in front of Blocks 4A – C;
- redefine the existing development blocks 4A – C to accommodate the relocated Block Y and changes to the configuration of the adjoining public domain;
- redefine the boundaries between mixed use development and public recreation within Barangaroo South;
- amend the Barangaroo site boundary to reflect:
 - the modified size and location for the proposed public pier; and
 - widening the Waterfront Promenade adjacent to a section of Block Y;
- redistribute the maximum permissible gross floor area (GFA) across Blocks 1-3, 4A –C, X and Y and increase the maximum gross floor area GFA for Block Y;
- increase the maximum permissible height controls within Block 4 and the relocated Block Y to reflect the changes in configuration of land uses and GFA across the site.

In summary, the SEPP Amendment only proposes amendments to the gazetted Major Development SEPP maps including the Land Application Map, Land Zoning Map, Gross Floor Area Map, Height of Buildings Map and Heritage Map.

1.2 Explanation of Provisions

This section provides an explanation of the proposed provisions of the SEPP Amendment. Terms used in this description have the same meaning as in the *Environmental Planning and Assessment Act 1979* ('EP&A Act') or the *Standard Instrument (Local Environmental Plans) Order 2006*, unless otherwise specifically defined.

Clause 1 Land to which this Part Applies

This section identifies all land that is covered by the provisions of the SEPP. The map associated with this clause has been updated to reflect the change to the Barangaroo site boundary as a result of the relocation of the Landmark Hotel Building.

The changes proposed to the site boundary relate to Barangaroo South only and are intended to:

- reduce the size of, and modify the location of, the public pier; and
- extend the site boundary 5m to the west in front of modified Block Y in order to provide a continuous 30m wide pedestrian zone along the foreshore.

The total Barangaroo site area has been reduced from 7.8 ha to 7.6 ha as a result of the above.

Clause 7 Land use zones

The relocation of the landmark hotel building from extending into the Harbour to being wholly located on land has necessitated the reconfiguration of boundaries between the B4 Mixed Use zone and the RE1 Public Recreation zone within Barangaroo South.

The B4 Mixed Use zone on the public pier has been replaced with the RE1 zone. This change confirms the intent of the pier as being primarily for public open space, recreation and community uses. Consistent with this intent, an increased number of uses will be prohibited on the pier, including residential accommodation.

In addition, the boundary between the B4 Mixed Use zone and the RE1 Public Recreation zone north and east of the pier will be changed.

The previous layout had the RE1 zone extending in a north-east direction to accommodate the Southern Cove and northern park. The new alignment will facilitate an amendment to the size and location of the Southern Cove and also relocate the northern park to border Hickson Road. The landmark hotel building and residential towers will occupy a band of B4 zoning that is to be established between the foreshore and northern park.

No modifications are proposed to the land use zoning, extent or configuration of Blocks 1, 2, 3 and X.

The effect of the land use zoning changes will be to:

- remove intrusion of the landmark hotel building into the Harbour;
- facilitate delivery of the landmark hotel building within the main land area of the site;
- make the northern park a more distinct destination from the remainder of the foreshore open spaces and create a greater sense of place and character;
- better enclose, define and activate the northern park by co-locating it with the landmark hotel building, which is a key attractor on the site, and bordering it with high density residential uses on its southern side;
- improve the residential amenity of residential towers on the site and on the eastern side of Hickson Road through a better relationship to, and overlooking of, the northern park;

- create a greater level of amenity for Hickson Road by improving physical and visual access to the northern park from Hickson Road.

Clause 17 Height of buildings

Due to the relocation of the landmark hotel building and its impact upon building location, footprint and GFA, maximum height and distribution of height within Barangaroo South will change. In order to offset the potential loss of public domain that would otherwise occur as a result of the relocation of the landmark hotel building back on to land, the maximum height of the buildings within the modified Block 4 is to be increased, and the footprints of these buildings rationalised.

Specifically, height will be increased within the reconfigured Blocks 4A and Y. A maximum height of RL 275 is to be established within Block Y (compared to RL 170) and of RL 250 within Block 4A (compared to RL 41.5).

At the same time, the maximum permitted building height on Blocks 1 and 4B is to be reduced, and the existing Block 4C is to be deleted. Block 1 will have a maximum height of RL 25 (compared to the existing permitted RL 80), Block 4B of RL 107 (compared to the existing RL 175). Block 4C, which is to be deleted, has an existing maximum building height control of RL 160.

The intended effect of the proposed amendments is as follows:

- The landmark hotel building in Block Y will become the tallest tower on the site, and one of the tallest buildings in Sydney. By locating the highest form at the north western end of the site, the proposed height completes the city frame and marks the City's north western edge.
- The taller residential buildings in the reconfigured Block 4A are now located further south within the site, increasing their separation from the existing residential buildings on Kent Street. The location of the reconfigured Block 4A to the south of the northern park will enhance activation of the Southern Cove area with building frontages now provided on 3 sides, and will maximise the amenity of the dwellings by enhancing their outlook and solar access whilst minimising the impacts of shadows, which largely fall on the facade of Commercial Building C3.
- The height of the residential building in the reconfigured Block 4B is consistent with the predominant height of the residential buildings on Kent Street, providing a transition between these existing buildings and the taller towers in Block 4A and Y. The additional height in this location assists in marking the entry to the Northern Park on Hickson Road and with Block 4A frames the southern side of the park.
- The reduction in height of Block 1 will provide a smaller scale building that references the height of the adjacent Commercial Building C5 podium and creates a more welcoming entry to the Barangaroo site for visitors arriving from the south or via Wynyard Walk.

Clause 18 Gross floor area restrictions

The proposed modification seeks to increase the GFA within the Barangaroo site to 605,911 m², of which 535,186 m² GFA is within Barangaroo South.

The total GFA within the B4 Mixed Use zone across the Barangaroo site has increased to 590,911 m² of which 531,686 m² GFA is located within Barangaroo South. This equates to a 7.5% increase in GFA located within the B4 zone across the wider Barangaroo site.

The additional GFA is a direct result of the GFA in Block Y (the landmark hotel building) being increased by 44,500 m² from 33,000 m² to 77,500 m². The GFA that may be provided within the RE1 zone is as per the approved Concept Plan (i.e. a maximum of 5,000 m² active/community uses, including 3,500 m² within Barangaroo South).

The amendment also includes the redistribution of GFA within development Blocks 1-4 (principally to shift GFA from Block 1 to Blocks 2-4), but does not include any additional floor space across these development blocks.

The effect of the proposed amendments are as follows:

- The proposed increase in GFA in Block Y reinforces the hotel building's status as a landmark and will assist in the achievement of marking the city's north-western corner and completing the city frame. The additional GFA for Block Y also contributes to achievement of the strategic objectives and targets in the Draft Metropolitan Plan, particularly in relation to tourism, recreation, employment and housing.
- The redistribution of GFA between Block 1 to Blocks 2-4 reflects the desire to provide a smaller scale building on Block 1 that references the height of the adjacent Commercial Building C5 podium and creates a more welcoming entry to the Barangaroo site for visitors arriving from the south or via Wynyard Walk. The shift in GFA away from Block 1 is consistent with the reduction in maximum building height for this block from RL 80 to RL 25.

1.3 Clause 21 Heritage conservation

The relocation of the landmark hotel building out of the water and the reconfiguration of the size and location of the pier necessitates a change to the boundary of the Barangaroo site as shown on the Heritage conservation map, for consistency reasons. Other than updating the site boundary, no other change to the heritage map is proposed.

2.0 STATE AND REGIONAL DEVELOPMENT SEPP AMENDMENT

The Barangaroo site is shown on the 'State Significant Development Sites Map – Barangaroo' declared in Schedule 2 of the State Environmental Planning Policy (State and Regional Development) 2011 (the State and Regional Development SEPP).

As the modification involves relocating the hotel out of the water and will change the Concept Plan site boundary (see Section 4.2), the boundary of the site shown on the 'State Significant Development Sites Map – Barangaroo' in the State and Regional SEPP will need to be modified to reflect the amended boundary.

No other modifications are proposed to the State and Regional Development SEPP.

3.0 SYDNEY HARBOUR SREP AMENDMENT

Barangaroo is located within the boundaries of the Sydney Harbour Catchment and as such is subject to the provisions of Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (Sydney Harbour SREP).

The Barangaroo site is included in the following SREP Maps:

- Sydney Harbour Catchment Map
- Foreshores and Waterways Area Map
- Strategic Foreshore Sites (Sheet 3)
- Zoning Map (Sheet 10)
- Strategic Foreshore Sites (Sheet 1 - City Foreshores Area) Map
- Wetlands Protection Area Map
- Heritage Map

The Barangaroo Concept Plan site (as approved) involves a hotel out over Sydney Harbour is not reflected on the current SREP maps, noting that the Major Development SEPP prevails to the extent of any inconsistency. However in the interest of ensuring the SREP is consistent with the SEPP and Concept Plan it is proposed to amend the boundary of the site as shown on the SREP maps, to reflect the change to the boundary proposed as part of this Concept Plan Modification.

The SREP zones the part of Sydney Harbour adjacent to Barangaroo 'W1 Maritime Waters'. The proposed amendment to the site boundary will require the location of the zone boundary to also be amended. The part of Sydney Harbour that will form part of the Barangaroo site will now be zone RE1 Public Recreation under the Major Development SEPP.

No modifications are proposed to the written instrument.

4.0 CONCLUSION

The information contained within this Explanatory Note is to provide a plain English explanation of the intended outcomes and intentions of the proposed amendments to maps for Schedule 3 Part 12 of the Major Development SEPP, the State and Regional Development SEPP, and the Sydney Harbour REP.

Having regard to the proposed Concept Plan Modification, and in accordance with provisions in Part 3 of the Environmental Planning and Assessment Act, 1979, it is requested that the Director General make arrangements for the SEPP / SREP Amendments as outlined above.