

**BARANGAROO CONCEPT PLAN (MP06\_0162)**  
**CONSOLIDATED INSTRUMENT (MOD 4)**

**SCHEDULE 1**

**PART A – TABLE**

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

- ~~(1) A mixed use development involving a maximum of 489,500m<sup>2</sup> gross floor area (GFA), comprised of:
  - ~~(a) a maximum of 97,075m<sup>2</sup> and a minimum of 58,245m<sup>2</sup> residential GFA;~~
  - ~~(b) a maximum of 50,000m<sup>2</sup> GFA for tourist uses;~~
  - ~~(c) a maximum of 39,000m<sup>2</sup> GFA for retail uses; and~~
  - ~~(d) a minimum of 2,000m<sup>2</sup> GFA for community uses.~~~~
- ~~(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 a 1.4km public foreshore promenade.~~
- ~~(3) A maximum of 8,500m<sup>2</sup> GFA for a passenger terminal and a maximum of 3,000m<sup>2</sup> GFA for active uses that support the public domain within the public recreation zone.~~
- ~~(4) Built form design principles, maximum building heights and GFA for each development block within the mixed use zone.~~
- ~~(5) Public domain landscape concept, including parks, streets and pedestrian connections.~~
- ~~(6) Alteration of the existing seawalls and creation of a partial new shoreline to the harbour.~~

- (1) A mixed use development involving a maximum of **563,965sqm** gross floor area (GFA), comprised of:
  - (a) a maximum of 128,763sqm and a minimum of 84,595sqm residential GFA;
  - (b) a maximum of 50,000sqm GFA for tourist uses;
  - (c) a maximum of 39,000sqm GFA for retail uses;
  - (d) a maximum of 4,500sqm GFA for active uses in the Public Recreation zone (3,000sqm of which will be in Barangaroo South); and
  - (d) a minimum of 12,000sqm GFA for community uses (10,000sqm of which will be in Barangaroo South).
- (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.
- (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.

##### 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.**

- (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).**

- (3) In the event of any inconsistencies,

- (a) ~~the revised Statement of Commitments in Schedule 3 of this approval prevails to the extent of any inconsistency in the plans and documentation identified in (1),~~

- (a) **the Statement of Commitments referenced in A2(2)(d) 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.

### **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, ~~except as provided in (2) below.~~

## **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**

- (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.

### **B4. Built Form**

- ~~(1) Approval is given to a mixed use development involving a maximum of 489,500m<sup>2</sup> gross floor area (GFA), comprised of:~~
  - ~~(a) a maximum of 97,075m<sup>2</sup> and a minimum of 58,245m<sup>2</sup> residential GFA;~~
  - ~~(b) a maximum of 50,000m<sup>2</sup> GFA for tourist uses;~~
  - ~~(c) a maximum of 39,000m<sup>2</sup> GFA for retail uses; and~~
  - ~~(d) a minimum of 2,000m<sup>2</sup> GFA for community uses.~~

- (2) Despite (1) above future project applications are not to exceed the GFA, maximum residential GFA and building heights, specifically identified in table (2)(a) below, except as provided for in C1(1).

Development Blocks:

	Block 1	Block 2	Block 3	Block 4	Block 5	Block 6	Block 7
<b>GFA</b>	11,800m <sup>2</sup>	211,907m <sup>2</sup>	85,568m <sup>2</sup>	121,000m <sup>2</sup>	41,225m <sup>2</sup>	3,000m <sup>2</sup>	15,000m <sup>2</sup>
<b>Residential GFA (Max)</b>	-	20,000m <sup>2</sup>	9,575m <sup>2</sup>	25,000m <sup>2</sup>	15,000m <sup>2</sup>	-	14,000m <sup>2</sup>
<b>Height (Max AHD)</b>	RL 62	RL 180	RL 112	RL 100	RL 34	RL 29	RL 35
<b>Height above existing ground level</b>	60 m	178 m	110 m	98 m	32 m	27 m	33 m

- (3) The specific forms contained in Section 13.0 - *Built Form* of the EA are not approved as part of this approval. This is due to concern that appropriate street edges and forms are not provided to Hickson Road and "Globe Street" (see additional design principle below). Not approving indicative building forms also allows evolution of design excellence.
- (4) Despite (3) above future project applications are to provide a comparison, and outline any variations from, the urban design principles outlined in Section 7.3.3 of the Barangaroo Part 3A Modification Report dated June 2008 and the objectives of the Performance Based Urban Design Controls set out in the Preferred Project Report Barangaroo Part 3A Modification dated October 2008.
- (5) Despite (4) above future project applications are to demonstrate consistency with the Built Form Controls identified by modification B9.
- (6) Future project applications for buildings within Blocks 2, 3, 4 and 5 may accommodate a redistribution of GFA (but not in excess of the total area for those blocks) resulting from the Built Form Controls identified in modification B9.

- (1) Approval is given to a mixed use development involving a maximum of **563,965sqm** gross floor area (GFA), comprised of:
- (a) a maximum of 128,763sqm and a minimum of 84,595sqm residential GFA;
  - (b) a maximum of 50,000sqm GFA for tourist uses;
  - (c) a maximum of 39,000sqm GFA for retail uses;
  - (d) a maximum of 4,500sqm GFA for active uses in the Public Recreation zone (3,000sqm of which will be in Barangaroo South); and
  - (d) a minimum of 12,000sqm GFA for community uses (10,000sqm of which will be in Barangaroo South).
- (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.

	<b>GFA (sqm)</b>	<b>Residential GFA (Max) (sqm)</b>	<b>Height (Max AHD)</b>	<b>Height above existing ground level (m)</b>
<b>Block 1</b>	9,400	9,000	RL 80	78
<b>Block 2</b>	209,213		RL 180	178
<b>Block 3</b>	142,669		RL 209	207
<b>Block 4A</b>	8,150	6,900	RL 41.5	39.5
<b>Block 4B</b>	29,900	28,900	RL 175	173
<b>Block 4C</b>	39,000	38,500	RL 160	158
<b>Block X</b>	18,908	16,463	RL 41.5	39.5
<b>Block Y</b>	33,000		RL 170	168
<b>Block 5</b>	41,225	15,000	RL 34	32
<b>Block 6</b>	3,000		RL 29	27
<b>Block 7</b>	15,000	14,000	RL 35	33
<b>TOTAL</b>	<b>549,465</b>	<b>128,763</b>		

- (3) *Despite B4(2) above, future project applications for buildings within Blocks 2, 3, 4A, 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.*

**B5. Revised Design Principles**

- (1) ~~Design Principle 2 in Section 13.0 – Built Form of the EA is amended to state “Buildings are to provide a consistent street wall and form to Hickson Road and “Globe Street” and use a palette of consistent and natural materials that are complementary to the sandstone nature of the headland”.~~
- (2) ~~Built Form Principle 4 in Section 7.3.3 of the Barangaroo Part 3A Modification Report is to be amended to provide for greater pedestrian permeability through the blocks (north-south and east-west) which relate to pedestrian desire lines.~~
- (1) *Future applications in Barangaroo South are to demonstrate consistency with the Built Form Principles and Urban Design Controls within the Supplementary Urban Design Statement by Rogers Stirk Harbour + Partners (12 November 2010), with required modifications as outlined in B9.*

**B6. Tourist Uses**

- (1) The ‘tourist uses’ shall be ~~modified to~~ a maximum of 50,000m<sup>2</sup> 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 12,500m<sup>2</sup>.
- (2) Future applications for serviced apartments are to have equivalent amenity standards to residential buildings, in accordance with State Environmental Planning Policy No 65.

**B7. Community Uses**

~~The minimum of 2000m<sup>2</sup> allocated for community uses are to be provided for in Block 6 or 7 (or other block approved by the Director General) and be of a type acceptable to the Director General.~~

- (1) *At least 3,000sqm of approved community uses shall preferably be located within one building in Barangaroo South in a central position that engages with the public domain, and shall be constructed prior to the final occupation of 250,000sqm of commercial floorspace, or the 3 commercial buildings (C3, C4 and C5) in Blocks 2 and 3, whichever occurs first.*
- (2) *The proponent shall consult the City of Sydney 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.*
- (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. Pedestrian Bridges**

~~Concept Plan approval is not provided for any of the proposed pedestrian bridges that cross Hickson Road, with the exception of the pedestrian access referred to in B1(2)(a). East-west connections shall be considered with the public domain works. Connections should not compromise creation of a boulevard down Hickson Road.~~

**B9. Built Form Controls**

~~In addition to the approved controls in the Concept Plan, the following Controls apply.~~

- (1) ~~Block 2~~
- (a) ~~The maximum horizontal dimension of any tower form fronting Globe Street and Hickson Road is not to exceed 25 metres.~~
- (b) ~~Any tower forms are to be separated from the tower forms on Block 3 by a minimum of 30 metres.~~
- (2) ~~Blocks 3 – 4~~
- (a) ~~The maximum horizontal dimension of any tower form fronting Globe Street and Hickson Road is not to exceed 20 metres.~~



- ~~(b) The maximum horizontal dimension of any tower form fronting Napoleon Street, Bull Street and Healy Street is not to exceed 60 metres.~~
- ~~(c) Tower elements are to be setback a minimum of 25 metres from the Hickson Road street wall or podium edge.~~
- ~~(d) Towers elements are to be separated from each other by a sufficient width so that they appear as separate structures, and may be connected by a differentiated link structure (which may contain services / circulation / staff amenity space but is not to contain net lettable office space).~~
- ~~(e) The podium or street wall to Hickson Road is to have a height of RL 33.2 metres (Note: existing ground level = RL 2.0).~~
- ~~(f) 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).~~
- ~~(g) Appropriate street walls heights to Napoleon Street, Bull Street and Healy Street need to mediate between podium heights fronting Hickson Road and Globe Street.~~
- ~~(h) 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.~~
- ~~(i) Any tower forms on Block 3 are to be separated from tower forms on Block 4 by a minimum of 20 metres~~

## **B9. Envelope Amendments and Built Form Controls**

### **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. A consolidated Urban Design Statement shall be provided to the Director General incorporating all of the required modifications set out in B9 (2) to (4).*

#### 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.*

### **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.
- ~~(4) — Connections between tower elements and above podium elements are not permitted over public streets.~~

~~(5) — Globe Street~~

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

~~(6) — Podium roofs are to be green and accessible.~~

~~(7) — Variation of up to 10% to the numerical controls relating to towers (identified in modifications B9(1)(a), B9(2)(a) and B9(2)(b)) with a signature building arising out of international best practice will be considered on merit subject to compliance with the design excellence provisions of the State Environmental Planning Policy (Major Projects) 2005.~~

#### **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**

#### ~~**C1. Built Form — Blocks 2, 3, 4 and 5**~~

~~(1) — Future project applications for buildings within Blocks 2,3,4 and 5 may accommodate a redistribution of the GFA (but not in excess of the total area) that is displaced by any encroachment of the enlarged southern cove identified in modification B3 or built form controls identified in modification B9.~~

#### **C2. Design Excellence**

- (1) This provision applies to the following development:
  - (a) any development comprising the erection of a building exceeding 55 metres in height;
  - (b) any development of land exceeding 1,500 square metres in area; and
  - (c) each “block” where this is not covered by (a) or (b) above.
- (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 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.

### **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 shall be provided with the first Project Application for Blocks 2, 3, 4 or 5 and shall be completed prior to any occupation of Blocks 2, 3, 4 or 5.~~
- (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 is required to be reviewed at the completion of works on each development block.~~
- (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.*

### **C4. Car Parking**

- (1) The following maximum car parking rates shall apply to future development within the site:
  - (a) Commercial: - 1 space/600m<sup>2</sup> 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.
  - ~~(d) Passenger Terminal – subject to a future traffic report based on demand estimates.~~

### **~~C5. Consolidated Concept Plan~~**

- ~~(1) A consolidated Concept Plan containing the administrative modifications outlined below is to be provided to the Department as soon as possible and before lodgement of the first application.~~
  - ~~(a) Legal description and ownership.~~
  - ~~(b) Reference to Stamford on Kent as a commercial not residential building.~~
  - ~~(c) Proposed 300 car parking station in Headland park not shown on plans.~~
  - ~~(d) HIS and Heritage Items Plan do not include the MSB Stores at 34 Hickson Road.~~

- ~~(e) Inclusion of the correct version of the Heritage Impact Statement (HIS) (*East Darling Harbour History*, by Sydney Harbour Foreshore Authority, unpublished document, July 2006) is the incorrect version of this report.~~
- ~~(f) Inclusion of the heritage listed former gasworks AGL building.~~
- ~~(g) Inclusion of a list of changes from the winning scheme.~~

**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 Central and the Headland Park/Northern Cove will be required to address in detail any impacts on the existing marine ecology.*

**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.