



## APPENDIX C RESPONSE TO CONCEPT APPROVAL CONDITIONS

Condition of Consent	Assessment
<p><b>A1. Development Description</b></p> <p>Concept approval is granted only to the carrying out of the development solely within the Concept Plan area as described in the documents titled “<i>East Darling Harbour State Significant Site Proposal, Concept Plan &amp; Environmental Assessment (Volume 1 &amp; 2)</i>” prepared by JBA Urban Planning Consultants &amp; SHFA (dated October 2006), amended by <i>Barangaroo Part 3A Modification Report (Volume 1 &amp; 2)</i> prepared by MG Planning Pty Ltd &amp; SHFA (dated June 2008), amended by <i>Barangaroo Part 3A Modification Report – Headland Park and Northern Cove</i> prepared by MG Planning Pty Ltd on behalf of Sydney Harbour Foreshore Authority and dated January 2009, and amended by <i>Barangaroo South Concept Plan Modification and Major Development SEPP Amendment Environmental Assessment Report</i> prepared by JBA Urban Planning Consultants (dated August 2010), and amended by <i>Barangaroo Concept Plan Section 75W Modification</i> prepared by JBA Urban Planning Consultants (dated June 2013) and amended by <i>Barangaroo Concept Plan Section 75W Modification</i> prepared by JBA Urban Planning Consultants (dated October 2013) and as amended <i>Barangaroo Concept Plan Section 75W Modification (MOD 8)</i> prepared by JBA Urban Planning Consultants (dated March 2015), and amended by <i>Section 75W Modification (MOD10)</i> prepared by Ethos Urban (dated 7 April 2020), and amended by <i>Section 75W Modification (MOD11)</i> submitted by INSW on 17 July 2020 including:</p>	<p>The proposed early works seek to initiate early establishment works for the renewed, mixed-use waterfront precinct development at Central Barangaroo in accordance with the approved Concept Plan (MP06_0162).</p>
<p>(1) A mixed use development involving a maximum 602,354 sqm gross floor area (GFA), including:</p> <p>a. a maximum of 191,031 sqm of residential GFA of which a maximum of 162,031 sqm will be in Barangaroo South;</p>	<p>No GFA is proposed as part of the early works SSDA application.</p>

<b>Condition of Consent</b>	<b>Assessment</b>
b. a maximum of 76,000 sqm of GFA for tourist uses of which a maximum of 59,000 sqm will be in Barangaroo South;	As above.
c. a maximum of 34,000sqm of GFA for retail uses of which a maximum of 30,000 sqm will be in Barangaroo South;	As above.
d. a maximum of 5,000 sqm of GFA for active uses in the Public Recreation zone of which 3,500 will be in Barangaroo South; and	As above.
d. a minimum of 12,000sqm GFA for community uses  <u>Note:</u> the GFA detailed above is amended by Modification B4(4) below.	As above.
(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.	No change. The proposed early works will not impact the delivery of 11 hectares of public open space across the Barangaroo precinct. The proposed works are not located in the RE1 Zone.
(3) Built form design principles, maximum building heights and GFA for each development block within the mixed-use zone	No change. No permanent built form is proposed as part of the early works SSDA.
(4) Public domain landscape concept, including parks, streets and pedestrian connections.	No change. No permanent public domain is proposed as part of the early works SSDA.
(5) Alteration of the existing seawalls and creation of a partial new shoreline to the harbour.	No change to seawalls or shoreline is proposed as part of the early works SSDA.
(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.	The early works SSDA applies only to a portion of the site for the purposes of secant pile wall as illustrated in the Site Plan. The early works SSDA is supported by a detailed

Condition of Consent	Assessment
	Construction and Environmental Management Plan (Appendix X) which outlines the intended site establishment works within the Central Barangaroo site, part of which has historically been utilised as a concrete batching plant.
(7) No approval is granted or implied for the future use of a heliport and/or a helipad.	There is no heliport or helipad proposed as part of the early works SSDA.
<p><b>A2. Development in Accordance with Plans and Documentation</b></p> <p>(1) The following plans and documentation (including any appendices therein) are approved as part of the Concept Plan:</p> <p>a. <i>East Darling Harbour State Significant Site Proposal Concept Plan and Environmental Assessment (Volume 1) and Appendices (Volume 2)</i> prepared by JBA Urban Planning Consultants Pty Ltd on behalf of Sydney Harbour Foreshore Authority and dated October 2006.</p>	No change to the plans and documentation proposed as part of the proposed works. The proposed early works SSDA therefore remains consistent with these documents.
<p><i>Except as modified by</i></p> <p>b. <i>Barangaroo Part 3A Modification Report (Volume 1) and Appendices (Volume 2)</i> prepared by MG Planning Pty Ltd on behalf of Sydney Harbour Foreshore Authority and dated June 2008;</p>	As above.
<p>c. <i>Barangaroo Part 3A Modification Report – Headland Park and Northern Cove</i> prepared by MG Planning Pty Ltd on behalf of Sydney Harbour Foreshore Authority and dated January 2009; and</p>	As above.
<p>d. <i>Barangaroo South Concept Plan Modification and Major Development SEPP Amendment Environmental Assessment Report</i> prepared by JBA Urban Planning Consultants and dated August 2010.</p>	As above.
<p>e. Section 75W Modification titled ‘Concept Plan Modification 6, Barangaroo South’ prepared by JBA Urban Planning Consultants and dated June 2013.</p>	As above.

<b>Condition of Consent</b>	<b>Assessment</b>
f. Section 75W Modification titled 'Concept Plan Modification 7, Barangaroo South' prepared by JBA Urban Planning Consultants and dated October 2013.	As above.
g. Section 75W Modification titled "Concept Plan Modification 8 and Major Development SEPP, State and Regional Development SEPP and Sydney Harbour SREP Amendments" prepared by JBA Urban Planning Consultants and dated March 2015.	As above.
h. State Environmental Planning Policy Amendment (Sydney Harbour) 2016 made on 28 June 2016.	As above.
i. Section 75W Modification titled "Concept Plan MP06_0162 Modification 10 and State Significant Precinct Amendment" prepared by Ethos Urban and dated 7 April 2020.	As above.
j. Section 75W Modification titled "Section 75W Modification Application - Environmental Assessment Report Barangaroo Concept Plan MP06_0162 (MOD 11)" submitted by INSW on 17 July 2020.	As above.
(2) The following Preferred Project Report including a revised Statement of Commitments are approved: a. <i>Response to Department of Planning and Revised Statement of Commitments</i> prepared by JBA Urban Planning Consultants Pty Ltd on behalf of Sydney Harbour Foreshore Authority and dated January 2007.	As above.
<i>Except as modified by</i> a. <i>Preferred Project Report Barangaroo Part 3A Modification – Commercial Floor Space and Revised Statement of Commitments and Preferred Project Report Addendum</i> prepared by MG Planning Pty Ltd on behalf of Sydney Harbour Foreshore Authority and dated October 2008;	As above.

<b>Condition of Consent</b>	<b>Assessment</b>
b. 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);	As above.
c. 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	As above.
d. 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.	As above.
e. Response to Submissions and Preferred Project Report titled “Concept Plan Modification 8, Major Development SEPP and State and Regional Development SEPP and Sydney Harbour SREP Amendments, Barangaroo South” prepared by JBA Urban Planning Consultants Pty Ltd and dated September 2015, as amended by drawings B10_AMP_08_0093-01, B10_AMP_08_0094-01 and B10_AMP_08_0095-01 prepared by Lend Lease dated 25 November 2015 and the SEPP Amendment made on 28 June 2016.	As above.
f. Response to Submissions titled “Barangaroo South Concept Plan MP06_0162 Modification 10” prepared by Ethos Urban and dated 17 July 2020. Together with revised Statement of Commitments contained within Section 75W Modification titled “Concept Plan MP06_0162 Modification 10 and State Significant Precinct Amendment” prepared by Ethos Urban and dated 7 April 2020 and revised ‘Appendix C Built Form and Urban Design Controls’ prepared by Ethos Urban and submitted on 18 August 2020.	As above.
g. Response to Submissions titled “Response to Submissions – S75W Modification Application to Barangaroo Concept Plan MP06_0162 (MOD 11)” prepared by MG Planning and dated 8 September 2020, as amended by Road Safety Audit ref JN21019_Report01 Rev02-JMT Barton, prepared by AMWC RSA and dated 22 September 2020	As above.

<b>Condition of Consent</b>	<b>Assessment</b>
<p>(3) In the event of any inconsistencies,</p> <p>a. the Statement of Commitments referenced in A2(2)(f) of this approval prevails to the extent of any inconsistency in the plans and documentation identified in A2(1)(a-i), and</p>	As above.
<p>b. the modifications of the Concept Plan approval identified in Part B &amp; C Schedule 2 prevail over the documentation listed in (1), (2) and (3)(a) above.</p>	As above.
<p><b>A3. Lapsing of Approval</b></p> <p>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.</p>	Detailed applications have been approved under the terms of the Concept Plan approval.
<p><b>A4 Determination of Future Applications</b></p> <p>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 &amp; C of Schedule 2.</p>	The proposed early works SSDA is generally consistent with the terms of this approval as outlined in this Response to Concept Approval conditions table.
<b>PART B – MODIFICATIONS TO CONCEPT PLAN</b>	
<p><b>B1 Public Domain – Northern Headland</b></p> <p>(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.</p>	Not applicable. The proposed early works SSDA do not relate to Barangaroo Reserve.
<p>(2) The plans identified in (1) above are to address the following requirements and objectives:</p>	Not applicable. The proposed early works SSDA do not relate to Barangaroo Reserve.

<b>Condition of Consent</b>	<b>Assessment</b>
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”;	The proposed early works SSDA will not result in a permanent disruption to pedestrian accessibility along the foreshore.
c. ensure adequate surveillance of the park to enhance security while limiting vehicular access into and through the park;	Not applicable. The proposed early works SSDA do not relate to Barangaroo Reserve.
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;	Not applicable. The proposed early works SSDA do not involve permanent above-ground works that would impact aspects when approaching the northern headland from the south.
e. public safety through the day and night considering surveillance, lighting, planting and materials; and	The proposed early works SSDA is supported by a detailed Construction and Environmental Management Plan (Appendix X) which outlines the proposed safety measures to be implemented during construction to ensure the safety of the surrounding public domain is maintained.
f. the impact on and the treatment of the Sewage Pumping Station.	The new secant pile wall proposed along Hickson Road in this SSDA will enable the future relocation and commission of the Sewer Pump Station for Sydney Water as part of a separate application. The proposed early works will not adversely impact the operation or treatment of the Sewer Pump Station. The proposed secant pile wall is located at a minimum distance of approximately 2.5m away from the outer edge of the pumping station asset. It is considered that a minimum clearance of 1.8m would be acceptable to adopt

Condition of Consent	Assessment
	for the proposed works. In the area of proposed works located near to the pump station, a temporary cased secant pile solution with temporary bracing could be proposed as a protective measure. Refer to further discussion in the Preliminary Specialist Engineering Assessment provided at Appendix U and Section 6.7.5 of the EIS.
(3) The above redesign may include provision of a public car park within the headland.	Not applicable. The proposed early works SSDA do not relate to works for the purposes of a public car park.
<p><b>B2. Public Domain – Northern Cove</b></p> <p>(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.</p>	Not applicable. The proposed early works SSDA do not relate to Nawi Cove or Barangaroo Reserve.
<p>(2) The plans identified in (1) above are to address the following requirements and objectives:</p> <p>a. an enlargement of the water intrusion; and</p> <p>b. a greater naturalised shape, form and edges including treatment surrounding the cove.</p>	Not applicable. The proposed early works SSDA do not relate to Nawi Cove or Barangaroo Reserve.
<p><b>B3 Future Built Form and Public Domain:</b></p> <p>Hickson Park</p> <p>(1) Hickson Park is:</p> <p>a. shown in the map at appendix 1 and generally defined by the boundaries of Block 4A and 4B, Block 5 (as amended in B3(2) below), Hickson Road, Globe Street and Barangaroo Avenue;</p>	<p>Not applicable. The proposed early works SSDA do not relate to the detailed design, location or form of Hickson Park.</p> <p>The proposed works are wholly contained within the existing B4 mixed use zone and do not encroach into the RE1 zone or current Hickson Park boundary.</p>

<b>Condition of Consent</b>	<b>Assessment</b>
b. to provide view corridors from Hickson Road to the harbour;	Not applicable. The proposed permanent works are entirely below ground and will not impact view corridors from Hickson Road.
c. to support large mature trees, including with the provision of at least 2,000 sqm of deep soil with a depth of at least 3 m;	The proposed early works SSDA do not relate to landscaping within Hickson Park and do not encroach into the Hickson Park boundary or sub-surface.
d. not to be overshadowed by built form over more than an average area of 2,500 sqm between the hours of 12:00 and 14:00 on the 21 June each year; and	The proposed early works are entirely below ground and will not impact solar access to Hickson Road. Whilst site establishment works including temporary sheds are proposed, these will be located entirely within the site boundary and will not overshadow Hickson Park.
e. to be primarily comprised of soft landscaping, including extensive areas of grass.	The proposed early works SSDA do not relate to landscaping within Hickson Park.
<p>Block 5</p> <p>(2) The footprint and building envelope of Block 5 is to be reduced to remain within the B4 zoned land. Future above ground buildings in Block 5:</p> <p>a. are to minimise overshadowing of Hickson Park, ensuring no more than an average of 2,500 sqm of Hickson Park is overshadowed by built form between the hours of 12:00 and 14:00 on the 21 June each year.</p>	The proposed early works are entirely below ground and will not impact solar access to Hickson Road. Whilst site establishment works including temporary sheds are proposed, these will be located entirely within the site boundary and will not overshadow Hickson Park.
<p>Block Y:</p> <p>(3) In order to provide an appropriately dimensioned unobstructed public promenade on the northern edge of Watermans Cove, any future building to be located in Block Y is to comply with the following setback controls from the northern edge of Watermans Cove:</p>	The proposed early works are not located within Block Y.

<b>Condition of Consent</b>	<b>Assessment</b>
a. an average of approximately 27.5m to the ground floor façade (excluding any structures associated with any future ground floor licensed area); and	
b. a minimum 18.5m to the outside edge of any vertical structure associated with any ground floor licensed area. This setback is to be unobstructed including by any ground level structures associated with any future ground floor licensed area.	The proposed early works are not located within Block Y.
(4) In order to mitigate the visual perception of bulk, the façades of the podium of any future building in Block Y are to be broken down into separate discernible elements, such that: a. the southern podium façade is comprised of two major elements with an unbroken horizontal dimension of approximately 32.5 metres;	The proposed early works are not located within Block Y.
b. the western podium façade is comprised of two major elements with an unbroken horizontal dimension of approximately 45 metres. The two façade elements are to be broken up by an approximately 7 metre wide recess which extends vertically for the full height of the podium; and	The proposed early works are not located within Block Y.
c. the eastern façade is to appear as 3 distinct, but visually related, elements.	The proposed early works are not located within Block Y.
Barton Street: (5) Barton Street is approved as a temporary road (for use by construction and non-construction vehicles) and is subject to the future environmental assessment requirements in C8. Following the completion of the development on Block Y and the construction of Barangaroo Avenue in Central Barangaroo, Barton Street shall be redesigned and returned as parkland and integrated to form part of Hickson Park. Any future application in respect of Hickson Park shall ensure the design, construction and use of this area is public open space and parkland.	Consistent with the intent of this condition, the proposed early works will involve use of Barton Street by construction vehicles during the construction phase. The proposed early works SSDA is supported by a detailed Construction and Environmental Management Plan (Appendix X) which contains further discussion of construction vehicle access.

<b>Condition of Consent</b>	<b>Assessment</b>
<p>Foreshore Promenade in the vicinity of Block Y:  (6) The foreshore promenade along the western side of Block Y shall be designed, constructed and landscaped:</p>	<p>The proposed early works are not located within Block Y and do not impact the existing design, construction or landscaping of Wulugul Walk.</p>
<p>a. to its western most extent, as mapped in the SEPP Amendment made on 28 June;</p>	<p>As above.</p>
<p>b. to read as public open space; and</p>	<p>As above.</p>
<p>c. to include mature tree plantings and other soft landscaping elements and places to stop and sit.</p>	<p>As above.</p>
<p><b>B4 Built Form</b>  (1) Approval is given to a mixed use development involving a maximum of 602,354 sqm gross floor area (GFA), including:  a. A maximum of 191,031 sqm GFA for residential uses of which a maximum of 162,031 sqm may be located in Barangaroo South;</p>	<p>The proposed early works do not involve the provision of GFA on the site.</p>
<p>b. A maximum of 76,000 sqm GFA for tourist uses of which a maximum of 59,000 sqm may be located in Barangaroo South;</p>	<p>The proposed early works do not relate to Barangaroo South.</p>
<p>c. A maximum of 34,000 sqm GFA for retail uses of which a maximum of 30,000 sqm may be located in Barangaroo South;</p>	<p>The proposed early works do not relate to Barangaroo South.</p>
<p>d. maximum of 5,000 sqm GFA for active uses in the Public Recreation zone (3,500sqm of which will be in Barangaroo South); and</p>	<p>The proposed early works do not involve the provision of GFA on the site.</p>
<p>e. A minimum of 12,000sqm GFA for community uses.</p>	<p>The proposed early works do not involve the provision of GFA or building height on the site.</p>

Condition of Consent					Assessment
<p>(2) Despite A1 (1) and B4(1) above, future development applications are not to exceed the GFA, maximum residential GFA and building heights specifically identified in table (2)(a) below.</p>					<p>The proposed early works do not involve the provision of GFA or building height on the site.</p>
	GFA (sqm)	Residential GFA (Max) (sqm)	Height (Max AHD)	Height above existing ground level (m)	
Block 1	1,927		RL 25	23	
Block 2	197,280		RL 180	178	
Block 3	129,934	10,515	RL 209	207	
Block 4A	92,629	91,816	RL 250	248	
Block 4B	21,508	20,637	RL 107	173	
Block X	18,908	16,463	RL 41.5	39.5	
Block Y	77,500	22,600	RL 275	273	
Block 5	29,688	15,000	RL 34	32	
Block 6	3,000	-	RL 29	27	

Condition of Consent					Assessment
Block 7	15,000	14,000	RL 35	33	
TOTAL	587,354	191,031			
<p>(3) Notwithstanding B4(2) above, future development applications for buildings within Blocks 2, 3, 4A and 4B and Y, 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.</p>					As above.
<p>Wintergardens may be excluded from the maximum residential and tourist GFA stipulated for Blocks 4A, 4B and Block Y in the Table above, subject to compliance with the wintergarden objectives and standards contained within the Built Form Principles and Urban Design Controls (Modification B5).</p>					As above.
<p><b>B5. Revised Design Principles</b> Future applications in Barangaroo South are to demonstrate consistency with the Built Form Principles and Urban Design Controls</p>					The proposed early works do not relate to Barangaroo South.
<p><b>B6. Tourist Uses</b> (1) The 'tourist uses' shall be a maximum of 76,000 sqm 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 12,500sqm.</p>					The proposed early works do not propose serviced apartment uses.
<p>(2) Future applications for serviced apartments are to have equivalent amenity standards to residential buildings, in accordance with State Environmental Planning Policy No 65.</p>					As above.
<p><b>B7. Community Uses</b></p>					The proposed early works do not propose community use GFA.

Condition of Consent	Assessment
<p>(1) At least 3,000 sqm of approved community uses shall be located within Barangaroo South, of which up to a maximum of 2,000 sqm of community facilities GFA may be located on a public pier in a central location that engages with the public domain, subject to compliance with the future environmental assessment requirement C10 below. All community uses GFA is to be constructed prior to the final occupation of any building in Stage 1B.</p>	
<p>(2) The proponent shall consult the City of Sydney 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.</p>	As above.
<p>(3) Despite any other modification of this approval, a minimum of 2,000 sqm of community uses GFA must be provided within Block 6 or 7 (or other block approved by the Secretary and be of a type acceptable to the Secretary.</p>	As above.
<p><b>B9. Barangaroo Central Envelope Amendments</b>  Barangaroo Central  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).</p>	The proposed early works do not involve permanent built form.
<p>c. Appropriate street wall heights to Agar Street and Healy Street need to mediate between podium heights fronting Hickson Road and Globe Street.</p>	As above.
<p>d. Above podium elements are to have a minimum setback of 25 metres from the Hickson Road street wall or podium edge.</p>	As above.
<p>e. Above podium elements are to have an appropriate setback from the Globe Street, Agar Street and Healy Street wall or podium edge to ensure an appropriate scale to these streets.</p>	As above.

<b>Condition of Consent</b>	<b>Assessment</b>
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.	As above.
g. Any above podium forms are to be separated from tower forms on Block 4 by a minimum of 20 metres.	As above.
<p><b>B10. Lightweight Bridge, Floating Dock or Pontoon</b></p> <p>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.</p>	The proposed early works do not involve
<p><b>B11. Key Worker Housing</b></p> <p>Key worker housing for Barangaroo South shall be provided generally in accordance with Statement of Commitment 34 and comprise at least:</p> <p>a. 2.3% of residential GFA on site, within Barangaroo South; and</p>	The proposed early works do not relate to Barangaroo South.
b. at least an additional 0.7% of the residential GFA on Barangaroo South, or its equivalent development value (but comprising at least a minimum of 1,740sqm of residential GFA), to be provided:	As above.
i. offsite, but within 5 km of the site, or elsewhere within the City of Sydney LGA;	As above.
i. as a mix of unit sizes, including at least 40% of the GFA allocated to dwellings comprising 2 or more bedrooms;	As above.
i. prior to the issue of the first Occupation Certificate for the residential component of Building R5.	As above.

<b>Condition of Consent</b>	<b>Assessment</b>
<p><b>B12. Staging</b></p> <p>Prior to the issue of any occupation certificate within Block 4A, 4B or Y, the foreshore promenade (to the full extent mapped in the SEPP Amendment), pier, and Watermans Cove shall be constructed, landscaped and publicly accessible.</p> <p>Hickson Park (other than the road corridor for Barton Street) shall be completed in accordance with the Staging Plan Nos 1-7 (BAR418-SIN-SK-063) prepared by Grant Associates and dated 04.06.2020.</p> <p>The timing for the replacement of Barton St, in accordance with B3(5), is to be agreed with the Secretary.</p>	Not applicable.
<b>PART C – FUTURE APPLICATIONS</b>	
<p><b>C1 Future Building/s on Block 5</b></p> <p>Any future development application/s within Block 5 is to satisfy the following:</p> <p>a. demonstrate that views will be retained:</p>	The proposed early works are entirely below ground and do will not impact existing views.
<p>i. from Millers Point and Observatory Hill to the western part of Sydney Harbour; and</p> <p>ii. from Block Y to the Sydney Harbour Bridge and the Opera House; and</p>	As above.
<p>b. be supported by shadow diagrams demonstrating compliance with the overshadowing limits specified in B3 (1) d) and B3(2).</p>	The proposed early works are entirely below ground and will not impact solar access.
<p><b>C2. Design Excellence</b></p> <p>(1) This provision applies to the following development:</p> <p>a. The erection of a new building that will be greater than Reduced Level (RL) 57,</p>	The proposed early works do not involve the erection of a new building.
<p>b. The erection of a new building on a site greater than 1,500 square metres.</p>	The proposed early works do not involve the erection of a new building.
<p>c. any new structure/s on the public pier proposed in accordance with environmental assessment requirement C10.</p>	The proposed early works do not involve the erection of any structures on the public pier.
<p>(2) The Proponent shall hold a design excellence competition for all development identified at (1) above.</p>	Not applicable.

<b>Condition of Consent</b>	<b>Assessment</b>
(3) The design competition brief shall be approved by the Director General or his delegate.	Not applicable.
(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;	Not applicable.
b. whether the form and external appearance of the building will improve the quality and amenity of the public domain;	Not applicable.
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;	Not applicable.
d. a comparison of the proposed development against the indicative building controls identified in <i>Section 13.0 - Built Form</i> of the EA; and	Not applicable.
e. whether the new development detrimentally impacts on view corridors, particularly from public spaces and streets.	Not applicable.
(5) The design review panel shall also be utilised for any significant changes to the Concept Plan, as determined by the Director General.	There are no significant changes to the Concept Plan proposed as part of the early works SSDA.
(6) For the purposes of this modification, a <i>design review panel</i> means a 3 to 5 member panel comprised of appropriately qualified design professionals, chaired by a registered architect.	Not applicable.
(7) Notwithstanding (2) above, <i>the requirement for a design excellence competition may be waived if the Director General:</i>	Not applicable.

Condition of Consent	Assessment
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	Not applicable.
(ii) necessary arrangements have been made to ensure that the proposed design is carried through to the completion of the development concerned.	
<b>C3. Transport and Pedestrian Management</b> (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.	Not applicable.
(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.	Not applicable.
(3) The Transport Management and Access Plan shall be reviewed and updated at key transport milestones in the year 2018 and year 2024, or timing as otherwise directed by the Secretary, to enable the development of Barangaroo to align with key planned public transport improvements.  Notwithstanding C3(3) above, the Transport Management and Access Plan is required to be reviewed at the following milestones: no later than 6 months following the occupation of the first building within Block 2; no later than 6 months following the occupation of the first building within Block 3; and completion of works on each development block.	Not applicable.
<b>C3A. Traffic Impact Assessment</b>	Not applicable.

Condition of Consent	Assessment
<p>(1) 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:</p> <p>(2) An updated Transport Management and Access Plan in accordance with the requirements of Condition C3</p>	
<p>(3) 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:</p>	Not applicable.
<p>a. Revised intersection modelling;</p> <p>b. Detailed review of the traffic operations (existing and proposed) along Sussex Street, Hickson Road Erskine Street, Lime Street , Shelley Street and Globe Street;</p> <p>c. Details of any changes to network intersection designs and lane configurations as a result of the modifications; and</p> <p>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.</p> <p>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.</p>	As above.
<p><b>C3C Traffic and Transport related matters- Consultation with Roads and Maritime Services (RMS) and Transport for NSW (TfNSW)</b></p> <p>(1) The Proponent is to undertake further consultation with the RMS and TfNSW regarding the following:</p> <p>a. any proposed traffic signals at the Hickson Road/Shelley Street and Barton Street/Hickson Road intersections;</p>	No permanent traffic signals proposed as part of the early works SSDA.
<p>b. coach set-down provisions within the Barangaroo Precinct, ensuring there are no laybys on Barangaroo Avenue;</p>	Not applicable.
<p>c. the construction of Barton Street and</p>	Not applicable.

<b>Condition of Consent</b>	<b>Assessment</b>
<p>d. the conversion of Barangaroo Avenue from the northern exit of the porte cochere on Block Y to the north-western corner of Block 5 to a shared zone.</p> <p>The results/ recommendations arising from the above consultation is to be included in the updated TMAP and is to inform the relevant future development application/s for the public domain works.</p>	Not applicable.
<p><b>C4. Car Parking</b></p> <p>(1) The following maximum car parking rates shall apply to future development within the site:</p> <p>a. Commercial: - 1 space/600m<sup>2</sup> GFA</p> <p>b. Residential: - 1 bedroom/bedsitter unit – 1 space/2 units  - 2 bedroom unit – 1.2 spaces/unit  - 3+ bedroom unit – 2 spaces/unit</p> <p>c. Other Uses: - City of Sydney Council rates.</p> <p>d. Hotel: City of Sydney Council rates or as otherwise approved by the relevant delegate of the Minister.</p>	No parking proposed as part of the early works SSDA.
<p><b>C5. Marine Ecology</b></p> <p>(1) Any future Project Application for the construction of the public pier and ferry wharves in Barangaroo South, formation of the Watermans 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.</p>	The proposed early works SSDA does not relate to public pier and ferry wharves in Barangaroo South, formation of the Watermans Cove and formation of the new shoreline.
<p><b>C6. Rail</b></p> <p>(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.</p> <p>(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</p>	Not applicable.

Condition of Consent	Assessment
the development on Railcorp, and the involvement of Railcorp staff in ensuring appropriate safety and technical standards are complied with throughout the development.	
<p><b>C7. Pedestrian Linkages, Activation of Streets and Public Domain</b></p> <p>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 public streets.</p>	Noted. The proposed early works SSDA does not seek consent for permanent public domain works.
<p>In addition, future applications shall comply with the following:</p> <p>a. the detailed design of the promenade, in particular, the licensed areas are to promote visual and physical connectivity and legibility as a generous and inclusive public space;</p>	The proposed early works SSDA does not impact the detailed design of the promenade.
<p>b. generous through-site links and activation to promote visual and physical permeability through the podium of the Residential 4A and 4B Buildings within Block 4A, connecting Hickson Park to Watermans Cove; and</p>	As above.
<p>c. future applications shall maximise active interfaces of buildings to streets, through site connections and public open space, to encourage diversity and public access.</p>	As above.
<p><b>C8 Road design in vicinity of Block Y</b></p> <p>The future design of Barangaroo Avenue shall:</p> <p>a. provide for a shared zone between the northern exit of the Porte Cochere on Block Y to the north-western corner of Block 5;</p> <p>b. minimise the road surface area, to promote pedestrian access and safety; and</p> <p>c. shall comply with Transport for NSW guidelines on shared zones and RMS specifications to minimise the potential for vehicular and pedestrian conflict and improve the amenity and quality of the streetscape.</p> <p>Any future application for the shared zone section of Barangaroo Avenue shall also be accompanied by a Road Safety Audit.</p>	Not applicable.
<p>The provision of any future intersection with Hickson Road in the vicinity of the boundary between Block 4 and 5 shall be for the temporary road (Barton Street) and is to ensure that pedestrian access between Hickson Park and the waterfront in the vicinity of Block Y is prioritised. In this regard, any relevant future public domain application shall be designed to minimise the potential for vehicular and pedestrian conflict and shall be designed and</p>	The proposed early works SSDA is supported by a detailed Construction and Environmental Management Plan (Appendix X) which outlines the proposed safety measures to be implemented during construction to ensure the safety of Barton Street is maintained throughout construction.

Condition of Consent	Assessment
appropriately treated to improve road and pedestrian safety. Any such future application shall also be accompanied by a Road Safety Audit.	
<p><b>C9 Public Access to Upper Levels of Block Y</b></p> <p>Any future development on Block Y is to comprehensively consider opportunities for public access to the upper levels of the tower in order to allow the general public to access views afforded by the building's height and location.</p>	Not applicable.
<p><b>C10 Public Pier and future building and other building works over the water</b></p> <p>a. The public pier is to be located wholly within the site boundary and is to clearly define the southern edge of Watermans Cove without impeding the key view corridors between the water and CBD and along the foreshore.</p> <p>b. Any future building on the pier is to be low-scale, provide appropriate public access around the full perimeter of the pier and maximise visual permeability.</p> <p>c. The dominant use of the pier and any future structure on the pier is to be for community facility/ies in accordance with Modification B7. Any other uses proposed on the pier must demonstrate that they are complementary and ancillary to community facilities.</p>	Not applicable.
<p>d. Prior to the submission of any future application for the pier and/or future building and any other building works over the water, the Proponent is to consult with Transport for NSW and the Ferry Operator in relation to the following:</p> <p>i. The clearance between the northern face of the northern-most public ferry wharf and the public pier to ensure that the width proposed supports the entering and exiting of a ferry vessel without any impediment;</p> <p>ii. Practical measures to be implemented to ensure adequate clearance is maintained between the pier and the northern-most public ferry wharf during construction and operation;</p> <p>iii. The design of the future building on the public pier (location and orientation), including in relation to sight lines for ferry vessel masters, the proposed installation of southern fender piles and the scope of construction works to ensure that they do not impact on the construction and operation of the Barangaroo Ferry Hub and associated ferry navigation; and</p> <p>iv. The design of any building works over the water.</p>	Not applicable.

Condition of Consent	Assessment
<p>e. Any future development application/s for the public pier and/or future building and any other building works over the water is to include a:</p> <p>i. Navigation Impact Assessment. The assessment is to demonstrate that adequate clearance is maintained at all times during construction and operation and that the proposal will not adversely impact on ferry navigation and safety; and</p> <p>ii. Demonstrate general compliance with the recommendations in the Royal Haskoning DHV Navigation Impact Assessment dated 19 September 2014 (MOD 8) and Navigation Report Addendum dated 2 September 2015 (MOD 8).</p>	Not applicable.
<p><b>C11 Landscaped Areas</b></p> <p>Where landscaped areas involving the planting of trees are proposed above basement car parking, the Proponent must ensure that there is adequate soil depth to support long-term viable stands of mature medium and large scale trees (to a height of at least 15 m, with well-formed canopies). Trees selected for landscaping shall not include species that are declared a noxious weed under the Noxious Weeds Act 1993.</p>	No landscaping proposed as part of the early works SSDA.
<p><b>C12 Wind Assessment Report</b></p> <p>A wind assessment report is to accompany all future development application/s (for above-ground works) and is to incorporate specific mitigation measures into the design of the building and public domain.</p> <p><u>Note:</u> any structure required in the public domain to mitigate wind should not adversely impact view corridors.</p>	Above ground works not proposed as part of the early works SSDA.
<p><b>C13 Lighting Strategy</b></p> <p>A Preliminary Lighting Strategy is to be submitted for all future development applications for above ground works. The Strategy is to:</p> <p>a. be prepared in consultation with the Sydney Observatory;</p> <p>b. include, but not be limited to, an assessment of the potential impact on the Sydney Observatory; and</p>	Above ground works not proposed as part of the early works SSDA.

<b>Condition of Consent</b>	<b>Assessment</b>
c. is to recommend relevant mitigation measures to be adopted, to minimise any adverse lighting impacts to neighbouring properties	
<p><b>C14 Intersection Design</b></p> <p>The Proponent is to consult with TfNSW and the RMS in relation the design for the intersections on Hickson Road, prior to the lodgement of the relevant future public domain development application/s.</p>	Not applicable.
<p><b>C15 Metro access points and transport interchanges</b></p> <p>The proponent shall ensure that any future development applications involving the installation of access points for the metro station, or any other subterranean pedestrian routes, shall ensure these access points (and any associated transport interchanges) are positioned to avoid safety conflicts with shared zones and to minimise high pedestrian traffic volumes in areas designated for soft landscaping.</p>	Not applicable.
<p><b>C16 Airspace</b></p> <p>The Proponent shall ensure that for all future development applications involving the erection of a building, all necessary approvals are obtained under the Airports (Protection of Airspace) Regulations 1996, where required.</p>	The proposed early works SSDA does not involve the erection of a building.
<p><b>C17 Statement of Commitments</b></p> <p>Any updates to the Statement of Commitments are to be submitted for the approval of the Secretary</p>	No updates to the Statement of Commitments are proposed as part of the early works SSDA.