



10051
24 March 2015

Carolyn McNally
Secretary
Department of Planning and Environment
23-33 Bridge Street
SYDNEY NSW 2000

Attention: Ben Eveleigh

Dear Ms McNally

**RESPONSE TO SUBMISSIONS
BUILDING C2/C6 BARANGAROO SOUTH (SSD 6425)**

The Building C2 State Significant Development Application (SSD 6425) was submitted to the Minister for Planning by Lend Lease (Millers Point) Pty Ltd (Lend Lease) in October 2014. The Building C2 SSDA was publicly exhibited between 6 November 2014 and 8 December 2014. Public exhibition occurred in accordance with the requirements of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

This letter, prepared by JBA on behalf of the proponent, sets out the responses to the issues raised in accordance with Clause 85A of the *Environmental Planning and Assessment Regulation 2000* (EP&A Reg), and details the final project design for which approval is now sought. The final project design includes amendments made by Lend Lease pursuant to Clause 55 of the EP&A Reg, including changes to address matters raised in the submissions.

A single submission was received from the general public. This submission objected to the proposal on the basis of height and a variety of issues not associated with the subject application. The proposed Building C2 is within the maximum height parameters approved under the Barangaroo Concept Plan.

Building C2 was referred to relevant government agencies and the City of Sydney Council for comment. It is understood that the Department of Planning and Environment (the Department) received five (5) submissions from the following stakeholders:

- City of Sydney Council (Council);
- Ausgrid;
- Sydney Water;
- Roads and Maritime Services (RMS);
- Office of Environment and Heritage (OEH);
- Transport for New South Wales (TfNSW); and
- Environment Protection Authority (EPA).

A detailed response to all submissions has been provided at **Attachment A**. The submissions from RMS, OEH and EPA confirmed that they have no objection to the proposed development. The Ausgrid and Sydney Water submissions confirmed that no objection is raised, subject to negotiating easements, leases, rights-of-way and access agreements.

The submission from TfNSW raised two matters which have been addressed in detail at **Attachment A**. The Council submission also raised several matters, as well as a list of recommended conditions. Detailed responses have been provided to each of these matters and recommended conditions.

The Department has also prepared a letter setting out additional information or clarification required prior to the final assessment of the project. A detailed response to each of the matters raised in the Department's letter is provided at **Attachment A** and addressed further below where necessary.

Proposed Amended Development

Since public exhibition of the proposal, a number of minor amendments have been made to the proposed development. The changes include those made in response to the issues and comments raised by the Department, along with adjustments made to strengthen and enhance the design of the proposal.

The proposal (as amended) seeks approval for the construction of a building with retail uses on the ground floor and six storeys of commercial floor space above (to a height of RL33.2) known as Building C2.

Building C2 is intended to be used for a combination of retail and commercial and retail purposes. Separate approval (CDC or DA as required) will be lodged for the fit-out of the building once the tenant has been confirmed.

The proposal (as amended) also seeks approval for:

- operation and use of the basement car park to accommodate 12 car spaces (12 for the commercial component and 2 for the retail component or Building C2); and
- signage zones to accommodate building identification signage.

The main changes in the amended development from the exhibited proposal include:

- deletion of the Kiosk building from Hickson Place;
- deletion of the technology screen from the southern elevation of Building C2;
- structural amendments, including relocated bracing internal to Building C2;
- adjustment to the extent of awnings over the ground floor plane;
- amended plant layout on the roof of Building C2; and
- replacement of the roof garden with additional PV cells on Building C2.

Consistency with the Concept Plan Built Form Principles

As requested by the Department, a table outlining the consistency of the proposal with the approved Built Form Principles is provided at **Table 2**.

Table 1 – Consistency with the Built Form Principles

Built Form Principle	Proposals consistency
City's New Western Façade	This built form principle does not directly relate to the proposal as Building C2 is located on the Hickson Road side of Barangaroo South. The proposal will not have any effect on the orientation of slender buildings to the water, and does not disrupt the provision of an open silhouette. The proposal works with the other building at Barangaroo South to create a new integrated western frontage to Sydney's CBD.
Hickson Road as a Boulevard	The proposal directly contributes to providing a commensurate scale, form and materials to the existing built form of Hickson Road, reaffirming the aim of this road as a boulevard. Building C2 is provided at a similar scale to KPMG, the Sussex Hotel, and 30 Hickson Road (The Bond). The key material used in the design is timber, reflecting the history of

Built Form Principle	Proposals consistency
	the Barangaroo site as marine activities and also reaffirming the use of natural materials along Hickson Road.
Buildings to Define Streets	The siting of Building C2 as a north south building reaffirms the primary street edge to Hickson Road. The extension at the upper levels of the building over Union Walk further assists with the Concept Plan objective for the built form to define the streets. Where possible the building façades are provided with active uses which address the street, in turn ensuring that the street edges are further defined.
North South Pedestrian Connection	The siting of the proposal allows for a continuous north-south pedestrian link through the site and ensures that establish east-west pedestrian desire lines are maintained along both Union Walk and City Walk.
Tapering Built Form	This principle seeks to continue the built form dialogue with the adjoining city by ensuring the height of each development block tapers down so that the highest form is located at the centre of the site (Block 3). The proposal is consistent with the principle of tapering built form as it provides a lower scale building in keeping with existing development in the vicinity of Hickson Road. The proposal accords with the principle of providing lower scale buildings on the Hickson Road edge and providing higher development in the centre of the Barangaroo site.
Open Space Within Blocks	The proposal is consistent with this built form principle as the open space of Shelley Lane is proposed in accordance with the original principle. The proposal provides significant publically accessible open space to the south of Building C2, allowing for new public spaces within the development block.
View Sharing	The proposal accommodates view sharing, ensuring that private buildings to the east are afforded views along the defined street corridors to the Harbour. The upper level views are limited by the building façade across Union Walk, as contemplated as part of the Concept Plan Built Form Principles and Urban Design Controls (refer to the illustrative diagrams). The framing of the ground level view at Union Walk by the C2 building form is important in this location as it defines the view and ensures that a sense of scale is created along Union Walk and at the entry of the Barangaroo South site.
Orientation of Buildings	The main façade which is the longest of Building C2 is oriented to the east fronting Hickson Road. This is consistent with the built form principle of orientation of buildings and ensures that a linear edge is defined along the length of Hickson Road.

Consistency with the Concept Plan Urban Design Controls

As requested by the Department, further explanation and justification of the proposal's consistency with the relevant Concept Plan Urban Design Controls is provided in **Table 2** below.

Table 2 – Consistency with the Concept Plan Urban Design Controls

Control	Proposals consistency
Podium height determined having regard to streetscape, appropriate engagement of the public domain and environmental considerations (Control 2: Street Wall Establishment).	Consistent with the built form shown in the illustrative diagrams in the Concept Plan and indicative building envelope plan, the low scale 'podium style' building has been designed having regard to the streetscape, specifically to establish a street wall. A two storey colonnade has been provided around the entire building, enabling the creation of a street wall height and sense of scale for the ground plane. The colonnade will allow for the creation of an engaging public domain immediately around the base of the building, enhancing pedestrian desire lines and providing protection from the environmental conditions.
The street wall height on Hickson Road shall be robust and complement the eastern side of Hickson Road, seeking a 'boulevard effect' along Hickson Road (Control 2: Street Wall Establishment).	The proposal provides a street wall height on Hickson Road which reaffirms the road as a boulevard. Building C2 is provided at a similar scale to KPMG, the Sussex Hotel, and 30 Hickson Road (The Bond), ensuring the new development on the western side of Hickson Road is reflective of the existing development to the east.
For security purposes the secondary routes maybe closed at certain times (Control 5: Ground Floor Permeability and Accessibility in the Public Realm).	The proposal provides significant permeability on the ground plane, facilitating east-west connections through the Barangaroo Site. The through-site link provided at the base of the building allows for direct access to Union Walk.

Control	Proposals consistency
Building service areas, parking entrances and loading docks will be located on Margaret Street (Control 8: Active Street Fronts).	The proposal does not include any modification to the approved basement car park, including entrances and loading docks. Furthermore, the building does not directly front Transport Place (previously Margaret Street). As such, this Urban Design Control is not relevant to the proposal.

Signage

The Department has requested that further explanation and justification of the proposal's consistency with the criteria of Schedule 1 of *State Environmental Planning Policy No. 64 - Advertising and Signage* (SEPP 64) be provided. As such, **Table 4** provides further discussion on the proposal's consistency with these criteria.

Table 3 – Consistency with the Criteria of Schedule 1 in SEPP 64

Assessment Criteria	Comments	Compliance
Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?	The Sydney CBD is characterised by a mix buildings which typically display signage on roof level. The three commercial towers at Barangaroo will all contain roof level signage in accordance with the relevant Project Approvals. It is considered that the proposed signage zones are compatible with the existing character of the CBD and Barangaroo, and will provide for an appropriate level of signage for a building in this location.	Y
Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?	Signage within the CBD and Barangaroo is predominantly characterised by commercial tenant signage. The proposed signage zones will allow for such signage and ensure that future signs are integrated with the building design. The location of the proposed signage zones (at Level 6) is consistent with other roof level signs in the CBD and Barangaroo.	Y
Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?	The location and extent of the signage zones on the building façades ensures that the proposed signage will not adversely impact on views of the Sydney CBD or the significance of any surrounding buildings.	Y
Does the proposal obscure or compromise important views?	The proposed signage zones will be located on the building elevations and are within the proposed envelope. As such, the signage will not result in any additional visual impacts.	Y
Does the proposal dominate the skyline and reduce the quality of vistas?	The nature of the signage zones is in keeping with that of surrounding signs. The proposed signage zones are within the building envelope, and will not dominate the skyline or reduce the quality of vistas as they are provided on one of the lower scale buildings in Barangaroo.	Y
Does the proposal respect the viewing rights of other advertisers?	Since the proposed signage zones are of a similar nature to that of the surrounding signage strategies, it will not impact on the viewing rights of any of the surrounding advertisers.	Y
Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?	The scale, form and proportion of the proposed signage zones are appropriate for the setting and will contribute to the visual interest of the building. The proposal is in keeping with the existing commercial signage theme in the Sydney CBD and future intended character of Barangaroo.	Y

Assessment Criteria	Comments	Compliance
Does the proposal contribute to the visual interest of the streetscape, setting or landscape?	The proposed signage zones are compatible with the scale and proportion of the building, and the character of similar signage within the Sydney CBD and Barangaroo. The future signage within these zones will contribute to the visual interest of the locality.	Y
Does the proposal reduce clutter by rationalising and simplifying existing advertising?	N/A	N/A
Does the proposal screen unsightliness?	N/A	N/A
Does the proposal protrude above buildings, structures or tree canopies in the area or locality?	The proposed signage zones do not protrude above the building structure.	Y
Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?	The proposed signage zones have been located at the top of the building at a scale commensurate with each separate façade.	Y
Does the proposal respect important features of the site or building, or both?	The proposed signage zones are respectful in their siting and extent, and allow for an appropriate integration of the future sign with the building design.	Y
Does the proposal show innovation and imagination in its relationship to the site or building, or both?	The signage zones have been located and sized to be consistent with the building envelope. The extent of the signage zones will ensure that the proposal is sympathetic to the surrounding locality.	Y
Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?	No detailed signage is proposed in the signage zones as part of this application. Any detailed signage will be assessed at a later date.	Y
Would illumination result in unacceptable glare?	No illumination is proposed as part of this application. Any illumination will be assessed at a later date once a detailed sign is provided within the signage zones.	N/A
Would illumination affect safety for pedestrians, vehicles or aircraft?	No illumination is proposed as part of this application. Any illumination will be assessed at a later date once a detailed sign is provided within the signage zones.	N/A
Would illumination detract from the amenity of any residence or other form of accommodation?	No illumination is proposed as part of this application. Any illumination will be assessed at a later date once a detailed sign is provided within the signage zones.	N/A
Can the intensity of the illumination be adjusted, if necessary?	No illumination is proposed as part of this application. Any illumination will be assessed at a later date once a detailed sign is provided within the signage zones.	N/A
Is the illumination subject to a curfew?	No illumination is proposed as part of this application. Any illumination will be assessed at a later date once a detailed sign is provided within the signage zones.	N/A

Assessment Criteria	Comments	Compliance
Would the proposal reduce the safety for any public road?	The signage zones are provided at the top of the building, six stories above the ground plane and at a scale commensurate with the respective elevations to ensure no adverse impacts on pedestrians/cyclists.	Y
Would the proposal reduce safety for pedestrians/cyclists?	The signage zones are provided at the top of the building, six stories above the ground plane and at a scale commensurate with the respective elevations to ensure no adverse impacts on pedestrians/cyclists.	Y
Would the proposal reduce safety for pedestrians, particularly children, by obscuring sightlines from public areas?	As above.	Y

As outlined at **Attachment A**, a total of four signage zones are proposed, comprising a single signage zone on Level 6 of each façade. The following maximum approximate areas are proposed for each signage zone:

- North elevation – 20m²
- East elevation – 40m²
- South elevation – 20m²
- West elevation – 40m²

These signage zones are proportionately sized to the respective elevation, with the two larger signage zones provided on the longer eastern and western elevations. A maximum of two signs will be provided on Building C2, with a single sign to be provided within two of the nominated signage zones. As such, although four signage zones are sought to be approved, only two of these zones will ever be utilised. The signage to be provided within these zones will be completely contained in the zone, and will be assessed against the principles of SEPP 64. This approach is consistent with that taken for the three Commercial Buildings C3, C4, and C5.

The four signage zones are considered appropriate and at a scale commensurate with the extent of each elevation. The signage zones provide an opportunity for the visual enhancement of the building, whilst also reaffirming the mixed use character of Barangaroo and commercial nature of Building C2.

The proposed strategy of allowing for future shopfront and projecting horizontal signs to be identified in a Signage Strategy is consistent with other approvals across the Barangaroo site and will ensure that the more fine grain details of Building C2 are able to be efficiently designed and constructed without undue resources being placed on the Department through the lodgement of further formal applications. To allow for this strategy, a condition of consent similar to that proposed below is sought.

A Signage Strategy is to be prepared to identify the types of signage proposed outside the approved primary signage zones (being the zones at the top of the building). The Strategy is to show all potential zones for building identification and business identification signage to be located on the lower levels and retail shop fronts.

The detailed design of signage is to be consistent with the approved Signage Strategy. Documentation demonstrating that this has been achieved and confirmation of compliance with State Environmental Planning Policy No. 64 -Advertising and Signage is to be submitted to the Certifying Authority prior to the issue of the relevant Construction Certificate.

Green Roof Removal

A green roof is no longer proposed on Building C2 as the rooftop space can more efficiently be used for PV Cells to enhance the sustainability attributes of the proposal and Barangaroo as a world leading example in sustainable practices. The removal of the green roof has necessitated the development of an alternative option for achieving the established water quality and pollutant reduction targets. This strategy will involve capturing water on the roof and transferring it to Level 1 where it will be treated in filtration tanks. Testing of this strategy has confirmed that the established water quality and pollution reduction targets can be achieved.

The articulation of the rooftop is still high quality, with additional PV cells provided to contribute both a functional and quality aesthetic to the rooftop. There is not considered to be any change to the proposals consistency with Control 6 of the Urban Design Controls - Ensuring Quality of Rooftops. The amended photomontages provided at **Attachment B** illustrate that an attractive, highly articulated and superior quality building is achieved.

We trust the above information is sufficient to allow a prompt assessment of the application. Should you have any queries about this matter, please do not hesitate to contact me on 9956 6962 or bhoskins@jbaurban.com.au.

Yours faithfully



Brendan Hoskins
Urban Planner

- Attachment A – Detailed Response to Submissions
- Attachment B – Amended Architectural Drawings and Photomontages