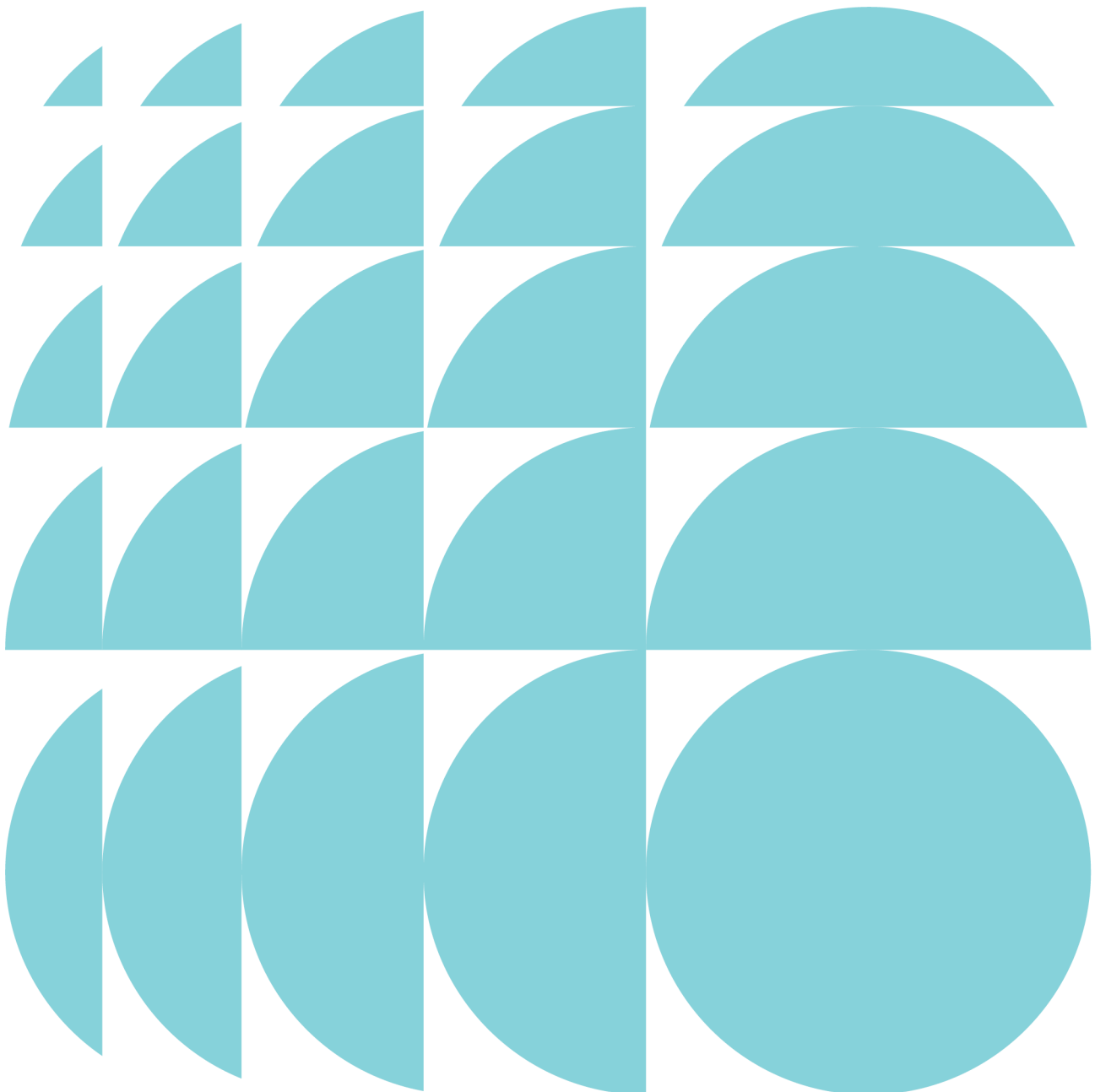


Barangaroo South  
Stage 1B Basement SSD15\_6960

Submitted to Department of Planning and  
Environment  
On behalf of Lendlease (Millers Point) Pty Ltd

15 October 2018 | 10051



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#### CONTACT

Kate Tudehope	Associate Director	<a href="mailto:ktudehope@ethosurban.com">ktudehope@ethosurban.com</a>	99566962
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This document has been prepared by:

This document has been reviewed by:



Frances Mehrrens	September 2018	Kate Tudehope	September 2018
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Ethos Urban Pty Ltd  
ABN 13 615 087 931.  
[www.ethosurban.com](http://www.ethosurban.com)  
173 Sussex Street, Sydney  
NSW 2000 t 61 2 9956 6952

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## 1.0 Introduction

This application has been prepared by Ethos Urban on behalf of Lendlease (Millers Point) Pty Ltd (Lendlease) pursuant to section 4.55(1A) of the *Environmental Planning and Assessment Act 1979* (EP&A Act) to modify SSD 6960 relating to reconfiguration of the Stage 1B Basement. The proposed modifications are predominantly a result of modifications to align the design of the Basement with the One Sydney Harbour towers, which have undergone design refinement since SSD 6960 was approved

This section 4.55(1A) application relates to minor changes to the layout of the approved Basement, comprising:

- Minor modifications to the general structural design and layout.
- Revised structural grid to improve the car park layout.
- Revised Building R5 core location.
- Removal of back-up diesel generator.

This report identifies the consent to be modified, describes the proposed modifications and provides a planning assessment of the relevant matters for consideration contained in section 4.55(1A) and 4.15(1) of the EP&A Act. It should be read in conjunction with the Environmental Impact Statement (EIS) prepared by JBA (now Ethos Urban) dated February 2016.

### 1.1 Background

The Stage 1B Basement will provide car parking, plant room and other back-of-house facilities for the three residential towers that form part of the One Sydney Harbour development. Two buildings – known as Building R4A and Building R4B - have been approved under SSD 6964 and SSD 6965, whilst the third building – known as Building R5 - is currently under assessment by the Department of Planning and Environment as part of SSD 6966. Following design development of these buildings, minor modifications are proposed to the Basement layout. In particular, design modifications have been made to Building R5 during the Response to Submissions, which necessitate subsequent modifications to the layout of the Basement below.

## 2.0 Consent Proposed to be Modified

Development consent SSD 6960 was granted by the Planning Assessment Commission on 7 March 2017 and approval was granted for:

*Construction of the Stage 1B basement including remediation, bulk excavation, interim public domain, interim roadway, services, infrastructure and associated works.*

This is the first modification to the consent.

The proposed modification comprises changes to the layout of the approved Basement following detailed design changes to the One Sydney Harbour buildings above. The proposed modifications are described in more detail below.

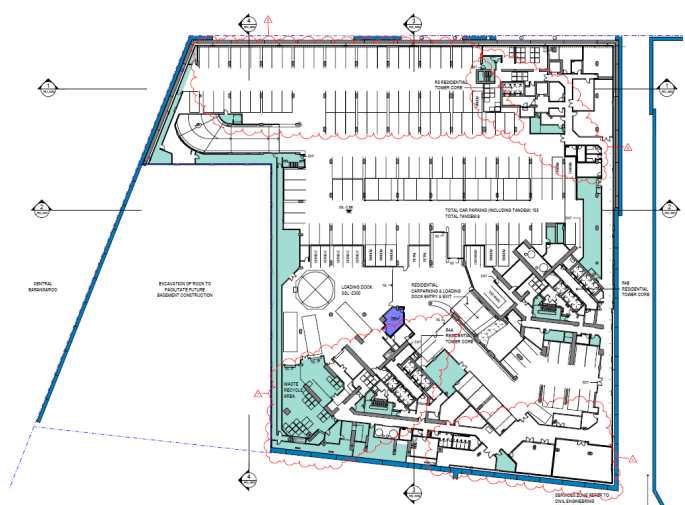
### 2.1 Modifications to the Development

#### Relocation of the Building R5 core

The proposal seeks to reconfigure the Building R5 core located on Basement Level B1. This modification is proposed so that the core aligns with the revised Building R5 design, which will be assessed separately by the Department of Planning and Environment. The revised location of the core results in changes to the R5 residential floor layout design and the location of the lift shaft and other elements on the podium, as illustrated on the Architectural Drawings at **Appendix A**. An extract from the plans showing the revised layout on Level B1 is shown at **Figure 1** below.



Approved layout



Proposed layout

Figure 1 Comparison of proposed changes

## Minor plant room and other layout amendments

Minor plant room and layout amendments are proposed. These include the relocation of structural columns and minor reconfiguration of some back of house facilities and are illustrated at **Figure 1** above and in full on the Architectural Drawings at **Appendix A**. These plant room adjustments also include the removal of the diesel back-up generator approved as part of the original application. This area of the basement will continue to be used for plant and/or storage and back-up power will be provided from alternative power sources within the development, as discussed at **Section 4.4.4**. In addition to this, an indicative area has been provided for fuel cells and microturbines on Level B1. This space is provided should an area for fuel cells and microturbines be required.

## Parking Capacity

As a result of the Building R5 core relocation and overall layout amendments, the parking capacity of the basement has also been adjusted. This is discussed in detail at **Section 4.3** below.

## 2.2 Modifications to Conditions

The proposed modifications described above necessitate amendments to the consent conditions for SSD 6960, which are identified below. Words proposed to be deleted are shown in ~~bold strike through~~ and words to be inserted are shown in **bold italics**.

### A2 DEVELOPMENT IN ACCORDANCE WITH PLANS AND DOCUMENTATION

The development will be undertaken in accordance the following documents and plans:

<b>Section 4.55(1A) Modification 1 prepared by Ethos Urban and dated August 2018</b>			
<b>Architectural drawings prepared by Lendlease – Applied Insight and Renzo Piano Building Workshop and landscape drawings prepared by Grant Associates</b>			
<b>Drawing No.</b>	<b>Revision</b>	<b>Name of Plan</b>	<b>Date</b>
BB2_PA2_A000	<b><i>B C</i></b>	<b><i>Title Sheet</i></b>	<del>19/05/2016</del> <b><i>3/08/18</i></b>
BB2_PA2_A001	B	Aerial Location Plan	30/08/2016
BB2_PA2_A002	B	Survey Plan	19/05/2016
BB2_PA2_A003	B	Demolition, Excavation and Services Zone Plan	30/08/2016
BB2_PA2_A100	<b><i>B C</i></b>	Basement Plan Level B0	<del>19/05/2016</del> <b><i>3/08/18</i></b>
BB2_PA2_A101	<b><i>B C</i></b>	Basement Plan Level B1	<del>19/05/2016</del> <b><i>3/08/18</i></b>
BB2_PA2_A102	<b><i>B C</i></b>	Basement Plan Level B2	<del>19/05/2016</del> <b><i>3/08/18</i></b>
BB2_PA2_A103	<b><i>B C</i></b>	Basement Plan Level B3	<del>19/05/2016</del> <b><i>3/08/18</i></b>
BB2_PA2_A104	<b><i>B C</i></b>	Basement Plan Level B4	<del>19/05/2016</del> <b><i>3/08/18</i></b>
BB2_PA2_A105	<b><i>B C</i></b>	Basement Plan Level B5	<del>19/05/2016</del> <b><i>3/08/18</i></b>
BB2_PA2_A300	<b><i>B C</i></b>	Section 01	<del>19/05/2016</del> <b><i>3/08/18</i></b>
BB2_PA2_A301	<b><i>B C</i></b>	Section 02	<del>19/05/2016</del> <b><i>3/08/18</i></b>
BB2_PA2_A302	<b><i>B C</i></b>	Section 03	<del>19/05/2016</del> <b><i>3/08/18</i></b>
BB2_PA2_A303	<b><i>B C</i></b>	Section 04	<del>19/05/2016</del> <b><i>3/08/18</i></b>
BB2_PA2_A400	<b><i>B C</i></b>	Building Elements – Ground Floor	<del>30/08/2016</del> <b><i>3/08/18</i></b>
BB2_PA2_A401	<b><i>B C</i></b>	Building Elements – Podium P1	<del>19/05/2016</del> <b><i>3/08/18</i></b>
BB2_PA2_A402	<b><i>B C</i></b>	Building Elements – Podium P2	<del>19/05/2016</del> <b><i>3/08/18</i></b>

BB2_PA2_A501	<b>B C</b>	Building Elements – Elevations	<b>19/05/2016 3/08/18</b>
RPB430_GE_BMT000	H	Extent of Landscape Works	15/06/2016
RPB430_GE_BMT001	M	General Arrangement	26/08/2016
RPB430_SE_BMT002	M	Section: Watermans Quay	26/08/2016
RPB430_SE_BMT003	M	Section: Barangaroo Avenue	26/08/2016
RPB430_SE_BMT004	H	Section: Hickson Road	26/08/2016
RPB430_SE_BMT005	I	Section: Watermans Quay (Northern Footpath)	26/08/2016
RPB430_SE_BMT006	J	Section: Barangaroo Avenue (Western Footpath)	26/08/2016
RPB430_SE_BMT007	M	Section: Barangaroo Avenue (Eastern Footpath)	26/08/2016

Reason: The proposed modifications substantially retain the key features of the approved development but include minor amendments to the Basement as a result of the modified basement layout, revised location of the Building R5 core and rationalised car parking layout. As such, this condition is proposed to be amended to reflect the design changes shown on the plans.

### **~~B38 DIESEL FILLING MANAGEMENT PLAN~~**

~~**Prior to the issue of the relevant Construction Certificate, the Applicant shall prepare a Diesel Filling Management Plan (DFMP) for the development outlining all procedures to be followed and implemented to address all potential hazards and risks (including road safety risks) associated with the diesel tank filling process. The DFMP must meet the requirements of TNSW and Fire and Rescue NSW.**~~

~~**The DFMP must be prepared by a suitably qualified and experienced expert and submitted to the satisfaction of the Certifying Authority, Transport for NSW and Fire and Rescue NSW. A copy of the DFMP shall be submitted to the Secretary within two weeks of its completion.**~~

Reason: As the diesel back-up generator is no longer proposed, this condition is proposed to be deleted.

### 3.0 Substantially the Same Development

The power to amend a development consent is found in Section 4.55(1A) of the EP&A Act. Section 4.55 is an independent facilitative power that is separate to the grant of a development consent. This modification application to development consent SSD 6960 is made under Section 4.55(1A) of the EP&A Act, which states that a consent authority may modify a development consent if “it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all)”.

The development, as proposed to be modified, is substantially the same development as that originally approved, in that:

- There is no change to the approved physical parameters of the Basement and the modification does not require any additional excavation or remediation.
- The Basement retains capacity for the required number of car parking spaces to be provided in accordance with the rates set out in the Barangaroo Concept Plan.
- There is no change to the approved 26m<sup>2</sup> of GFA or the range of uses within the Basement.
- There is no change to the approved interim public domain measures.
- The proposed modifications do not result in any change to the findings of the technical environmental reports prepared for SSD 6960 in relation to air quality, geotechnical conditions, acid sulphate soils, remediation, human health and archaeology.
- The proposed modifications remain compliant with the applicable provisions of the Building Code of Australia.

The proposed modifications are therefore considered to reflect minor design refinement resulting from coordination with the approved and proposed One Sydney Harbour residential apartments and is limited to ensuring that SSD 6960 is consistent with these related approvals. Accordingly, the consent authority may be satisfied that the modified proposal represents substantially the same development for which consent was originally granted and the modification of development SSD 6960 can be approved under Section 4.55 of the EP&A Act.



## 4.0 Environmental Assessment

Section 4.55(1A) of the EP&A Act states that a consent authority may modify a development consent if “it is satisfied that the proposed modification is of minimal environmental impact”. Under Section 4.55(3) the consent authority must also take into consideration the relevant matters to the application referred to in Section 4.15(1) of the EP&A Act.

The original application considered a range of potential environmental impacts, the following of which are unchanged as a result of the proposed modifications:

- Land use and GFA.
- Open space and public access.
- Air quality and odour.
- Soil and water.
- Earthworks.
- Sediment, erosion and dust.
- Waste management.
- Noise and vibration.
- Contamination.
- Hazard and risk.
- Health impacts.
- Heritage.
- Visual impacts.
- Environmental, construction and site management.
- Staging.
- Sea level rise.
- Infrastructure provision.
- Ecologically sustainable development.
- Geotechnical.
- Tree removal.
- Consultation.

The following assessment considers the relevant matters under Section 4.15(1) and demonstrates that the development, as proposed to be modified, will be of minimal environmental impact.

### 4.1 Relevant EPIs, Policies and Guidelines

The EIS submitted with SSD 6960 assessed compliance against the relevant environmental planning instruments. As outlined above, the proposed modification seeks approval for minor layout revisions to align with the One Sydney Harbour development. The proposed modification will therefore not change the assessment of compliance with the relevant planning instruments.

### 4.2 Barangaroo Concept Plan

The development, as proposed to be modified, remains consistent with the relevant provisions of the Barangaroo Concept Plan. Specifically:

- There is no change to the approved GFA within the Basement, and therefore no change to the approved GFA within Block 4A.

- There is no change to consistency with the Barangaroo South Built Form and Urban Design Guidelines.
- Car parking, bicycle parking and loading facilities will continue to be provided in accordance with the relevant rates and requirements set out in the Concept Plan and Statement of Commitments.
- There is no change to the ability to meet ESD commitments set out in the Statement of Commitments.

### 4.3 Traffic and Car Parking

The Basement approval ensures that there is sufficient capacity to provide the number of car parking spaces required by development within Stage 1B, with specific car parking numbers allocated and approved subject to separate approvals.

As a result of the proposed layout changes and to ensure that the Basement layout is consistent with the car parking approved as part of SSD 6964 and 6965, and as proposed under SSD 6966, the provision of car parking across the Basement has been rationalised. This results in capacity for a total of 822 car parking spaces, to be allocated to residential and retail uses subject to separate approvals for each building.

The allocation of car parking spaces has been shown on the plans to demonstrate that the number of car parking spaces required can be provided. The approved and proposed number of car parking spaces required to service Building R4A, Building R4B and Building R5 is set out in **Table 1** below and demonstrates that the Basement, as proposed to be modified, will have the capacity to provide the required number of car parking spaces for the development.

**Table 1 Car parking requirements**

Use	R4A (approved)	R4B (approved)	R5 (proposed)	Total
Residential	377	300	143	820
Retail	1	1	0	2
<i>Total</i>	378	301	143	822
<b>Total provided</b>	822			

A Transport Assessment has been prepared by Arup and is provided at **Appendix C**. The statement includes an assessment of the adopted peak hour traffic generation rates based on the previous assessment prepared in February 2016. Due to the additional apartments sought under the amended Building R5, a revised traffic assessment has been prepared by Arup which considers traffic generation as a result of the additional dwellings. It is noted that the number of car parking spaces provided has decreased overall.

Based on the peak hour traffic generation rates, the additional apartments in Building R5 would generate the following traffic volumes:

**Table 2 Forecast traffic generation**

Peak Hour	Forecast peak hour traffic generation (overall Stage 1B development)		
	Submitted DA	Proposed	Change
AM Peak Hour	108	116	+8
PM Peak Hour	69	74	+5

The assessment confirms that the additional volume of traffic, being eight and five vehicles in the AM and PM peak hours, is considered to have a negligible impact in the context of future traffic volumes at Barangaroo. Therefore, the findings and recommendations noted in the February 2016 Traffic and Transport Assessment remain unchanged as a result of the proposed modifications.

### 4.4 Building Code of Australia

The following reports confirm the proposed development is capable of achieving compliance with the requirements of the Building Code of Australia and other relevant codes and standards:

- Access Report prepared by Morris Goding and Associates (see **Appendix D**);
- Preliminary Fire Safety Review prepared by Exova Defire (see **Appendix E**); and
- Structural Engineering Report prepared by Robert Bird Group (see **Appendix G**).

#### 4.4.1 Accessibility

An Access Statement has been prepared by Morris Goding and Associates and is provided at **Appendix D**. The statement has assessed the proposed modifications and concludes that the accessibility for the Basement will be able to achieve the accessibility design requirements.

#### 4.4.2 Fire Safety

A Preliminary Fire Safety Review has been prepared by Exova Defire and is provided at **Appendix E**. Exova Defire undertook a preliminary fire safety engineering review to determine whether the design can be demonstrated to achieve compliance with the performance requirements of the National Construction Code 2016 Amendment 1 Volume One – Building Code of Australia. The review confirms that it is possible to develop performance solutions for the issues identified to demonstrate compliance with the relevant performance requirements of the BCA without major changes to the proposed design.

In addition to this, a Fire Services Report has been prepared by Warren Smith & Partners and is provided at **Appendix F**. The report includes details on the fire safety measures that will be provided in the Basement of Stage 1B. These measures will be designed in accordance with the relevant Australian Standards, National Construction Code and the City of Sydney.

#### 4.4.3 Structural Engineering

A Structural Engineering Report has been prepared by Robert Bird Group and is included at **Appendix G**. The statement confirms that the proposed modifications can be designed and constructed utilising proven design and construction techniques in accordance with the relevant codes and standards.

#### 4.4.4 Services

Aurecon has provided a statement which confirms that the removal of the diesel back-up generator will not result in any adverse impacts (refer to **Appendix H**). The diesel back-up generator was not required to achieve compliance with any code, standard, regulation or legal obligation and, as a result, the proposed removal of the generator is considered acceptable. Where back-up power supply is required to be provided to critical equipment for fire and life safety, the following alternative power supply will be provided:

- Battery back-up to emergency lighting and fire indicator panels.
- Diesel-powered pumps for wet fire systems.

The fire system has diesel powered supply pumps in the Stage 1A Basement, which connects to the Stage 1B Basement. In addition to this, diesel powered booster pumps are employed to boost pressures to the higher levels of the One Sydney Harbour towers. A similar arrangement has been implemented in the Stage 1A commercial towers. All diesel powered pumps are supplied from local tanks sized for design fire events and filled manually as part of regular pump testing procedures.

### 4.5 Suitability of the Site for the Proposed Development

The proposed modification will not alter the suitability of the site for the development. The proposed modifications represent minor design refinements as a result of design refinement to the One Sydney Harbour towers, in particular the revised location of the Building R5 core, and will ensure consistency with the proposed development under SSD 6960.

### 4.6 Public Interest

The proposed modifications relate to minor design changes and will not adversely impact on the public interest.

## 5.0 Conclusion

The proposed modifications seek approval for minor design changes to ensure consistency with the One Sydney Harbour development and primarily relate to layout modifications. The proposed modifications are minor, do not result in any physical change to the approved parameters of the Basement and do not result in any environmental impacts that were not considered as part of the original application.

In accordance with Section 4.55(1A) of the EP&A Act, the Minister may modify the consent as:

- The proposed modification is of minimal environmental impact.
- Substantially the same development as development for which the consent was granted.

We trust that this information is sufficient to enable a prompt assessment of the proposed modification request.