

1 December 2021

Ms Kiersten Fishburn
Planning Secretary
Department of Planning, Industry and Environment
12 Darcy Street,
Parramatta NSW 2150

Dear Ms Fishburn

SECTION 4.55(1A) MODIFICATION APPLICATION **Building R4B, One Sydney Harbour, Barangaroo South Sydney**

This modification application has been prepared by Ethos Urban on behalf of Lendlease (Millers Point) Pty Ltd, pursuant to section 4.55(1A) of the *Environmental Planning and Assessment Act 1979* (EP&A Act) to modify Development Consent SSD 6965 relating to Building R4B Barangaroo South (the site).

Building R4B is subject to two development consents that are integrated together, comprising the base consent (SSD 6965) and a secondary consent resulting from an amending DA process, known as SSD 8892218 and provides the overall 68 storey development. This modification application relates to a number of built form changes and administrative amendments which are specific to the development, first approved under SSD 6965.

To ensure that SSD 6965 aligns properly with SSD 8892218, several administrative modifications to SSD 8892218 are also required to correctly reference and capture the modifications sought under this modification to SSD 6965. As such, a separate modification to SSD 8892218 has been submitted and is to be read in conjunction with this modification application.

The proposed modification to SSD 6965 seeks approval for the following amendments:

- Transfer of the approved Strada (inclusive of ground plane and associated structure) which connects Building R4A and Building R4B from the Building R4A Development Consent (SSD 6964) to the Building R4B Development Consent (SSD 6965 as amended by 8892218), including associated adjustment to the development application boundary.
- Deletion of conditions relating to the need for obstacle lighting under Part E and F of the Building R4B Development Consent SSD 6965.
- Revision of car park entrance design.
- Alteration to the secondary exit arrangement for the ground level lobby.
- Internal reconfiguration of services, storerooms and access arrangements.
- Minor layout changes to the pool and ancillary communal facilities.
- Amendment to Building Identification signage zone.

This application identifies the consent, describes the proposed modifications and provides a planning assessment of the relevant matters for consideration contained in section 4.55(1A) of the EP&A Act and is accompanied by:

- Architectural Drawings prepared by PTW (**Attachment A**).
- Design Report prepared by Renzo Piano Building Workshop (RPBW) (**Attachment B**).
- Landscape Drawings prepared by McGregor Coxall (**Attachment C**).
- Traffic Assessment Report prepared by Cardno (**Attachment D**).
- Building Code of Australia Statement prepared by Philip Chun (**Attachment E**).

- Access Statement prepared by Morris Goding Access Consultants (**Attachment F**).
- Fire Statement prepared by Warrington Fire (**Attachment G**).
- ESD Statement prepared by Lendlease Integrated Solutions (**Attachment H**).
- R4A Landscape and Public Domain Secretary Approval (**Attachment I**).
- Correspondence with the Civil Aviation Safety Authority (**Attachment J**).
- Wind Engineering Statement prepared by Windtech (**Attachment K**).

It is noted that the attached reports relate to both the modification to SSD 6965 and the modification to SSD 8892218, and therefore refer to all changes captured across both modifications.

1.0 Background

1.1 Design Process

Building R4B is the second tallest of three residential towers in Barangaroo South, sitting between Building R4A and R5. The form of these three residential towers was designed by Renzo Piano Building Workshop (RPBW), which won an architectural design competition for the buildings in 2014. RPBW conceived the three towers as 'crystals' and utilised a unique triangular shape for each tower, paired with highly transparent glass façades and associated detailing of the façade.

RPBW's design responds within the design parameters of the Barangaroo Built Form Masterplan by Robert Stirk and Partners, approved under the Barangaroo Concept Plan (as modified), whilst also capturing the natural and organic crystal formation in the architectural form. As the design has developed and been modified, the crystalline vision that informed the architecture has remained prominent in the design and continues to guide all modifications to Building R4B.

1.2 Amending DA

Building R4B was initially approved under development consent SSD 6965, granted by the Planning Assessment Commission on the 7 September 2017. Under SSD 6965, Building R4B comprised a 60-storey mixed use building, with 297 residential apartments and retail floor space at ground level. This included a total gross floor area (GFA) of 38,896m², 38,602m² of which was for residential floor space and the remaining 294m² was for retail floor space.

Consent was also provided for associated building public domain works, roof of the proposed strata, fit-out and use of basement and associated building identification signage.

Development Consent SSD 6965 has been subsequently modified on two occasions under section 4.55 of the EP&A Act.

Development Consent SSD 6965 and the development approved under that consent were also amended more recently via amending development consent SSD-8892218 which was determined on 26 March 2021. SSD-8892218 included approval for alterations and additions to the approved Building R4B, including the construction of eight additional storeys and 5,650m² of gross floor area (GFA), amongst other items to result in the overall 68 storey development. SSD 8892218 amends SSD 6965 by way of conditions of consent.

Development Consent SSD-8892218 specifically approved the following development, and incorporates the approved development of SSD 6965:

Alterations and additions to Building R4B (SSD 6965) to provide for the construction, fit out and use of a 68-storey mixed-use building, including:

- *a total GFA of 44,561 m² comprising 44,252 m² residential GFA (322 apartments) and 309 m² retail GFA;*
- *public domain works;*
- *fit-out and use of the Stage 1B basement car park for Building R4B, including 331 allocated parking spaces;*

- *demolition of interim basement elements; and*
- *a signage zone to accommodate future building identification signage.*

Due to the relationship between SSD 8892218 and SSD 6965, any changes specific to the Development Consent SSD 6965 must be in turn captured in Development Consent SSD 8892218 via a concurrent modification.

2.0 Consent proposed to be modified

This application seeks to amend SSD 6965 to capture built form changes relating to the development approved under Development Consent SSD 6965. This constitutes the third modification application to SSD 6965.

A concurrent modification to SSD 8892218 reflecting the necessary amendments to the conditions of consent for Development Consent SSD 8892218 is also under assessment. This separate modification application also includes specific changes to the development approved under SSD 8892218, being the Building Identification signage zone.

3.0 Proposed modifications to the consent

3.1 Modifications to the development

This modification application seeks consent for the following amendments:

- Transfer of the approved Strada (inclusive of ground plane and associated structure) which connects Building R4A and Building R4B from the Building R4A Development Consent (SSD 6964) to the Building R4B Development Consent (SSD 6965 as amended by 8892218), including associated adjustment to the development application boundary.
- Deletion of conditions relating to the need for obstacle lighting under Part E and F of the Building R4B Development Consent SSD 6965.
- Revision of car park entrance design.
- Amendments to the Building Identification signage zone.
- Alteration to the secondary exit arrangement for the ground level lobby.
- Internal reconfiguration of services, storerooms and access arrangements.
- Minor layout changes to the pool and ancillary communal facilities.

The proposed modifications are illustrated on the Architectural Plans prepared by PTW (**Attachment A**) and described in further detail in the Design Report prepared by RPBW (refer to **Attachment B**). A summary of the modifications is outlined below.

Transfer of the approved Strada (inclusive of ground plane and associated structure)

It is proposed to transfer the approved Strada, inclusive of ground plane and associate structure from the Building R4A Development Consent (SSD 6964) to the Building R4B Development Consent (SSD 6965) so that the entirety of the Strada, including the ground plan and the roof structure above it, are approved under the same development consent. Currently, the ground plane and associated wind management elements are approved under the R4A consent, and the Strada roof within the R4B consent.

The purpose of this modification is to consolidate both the ground plane and roof together under one consent which will better align the construction and delivery of the whole Strada with Building R4B, which will be complete after Building R4A. Both R4A and R4B are currently well under construction and are forecast to complete within close timeframes. The transfer of the Strada will not substantially delay its delivery, rather it will enable the efficient construction of the buildings and associated public domain.

To accommodate this amendment, the development boundary of Building R4B has also been modified to incorporate the Strada, as shown in **Figure 1**.

The relevant conditions relating to the Strada are sought to be deleted from the Building R4A consent (SSD 6964) under a separate modification application and, as proposed by this modification application, are to be captured within Development Consent 6965 (as modified). (It is noted that architectural and landscape plans submitted with the modification application include the wind mitigation detail of the Strada detailed under earlier Secretary Approval).

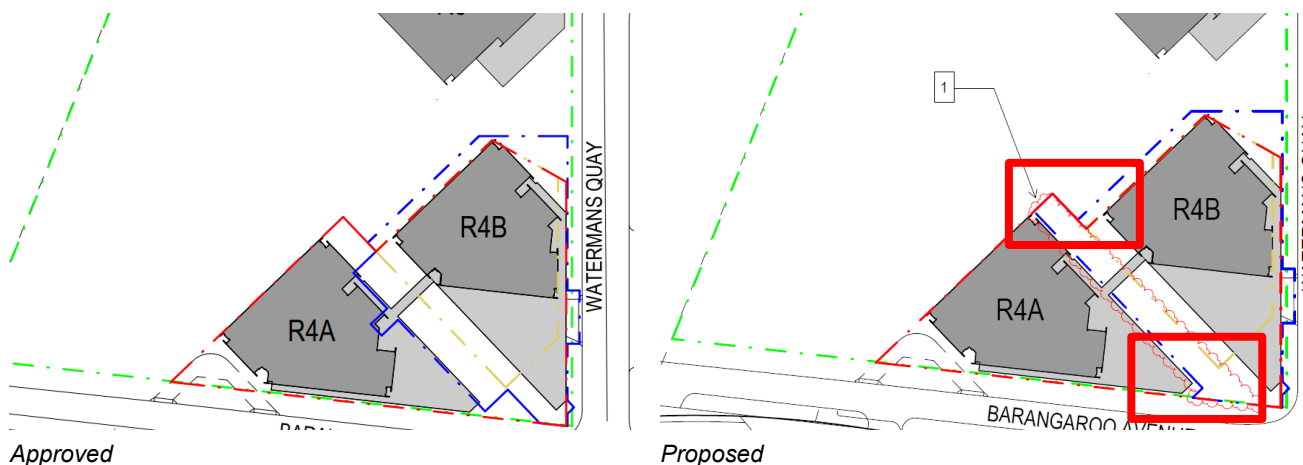


Figure 1 Changes to the development boundary (outlined in red)

Source: RPBW + PTW

Revision of basement car park entrance design

It is proposed to widen the car park entrance and associated ancillary awning above to the basement. This is to enhance safer vehicular access, including to mitigate potential damage to materials and finishes located wither side of the basement carpark entrance.

Reconfiguration of services, storerooms, and access arrangements

Several amendments are proposed to the configuration and layout of building services and access arrangements throughout the podium of the building.

Minor revisions to the ground floor and level 1 floor plans are also proposed, predominately responding to building compliance with the relevant standards and ongoing design development. These amendments include:

- Addition of a secondary lobby exit with double pivot doors.
- Entrance modified to adopt a sliding door system.
- Wall added for new stair pressurisation plant.
- Carpark entry ramp door location refined.
- Egress pathway added and storeroom removed.
- Second egress added to mezzanine plantroom.
- Door adjusted, enmity stairs adjusted, and storeroom removed.

The proposed internal reconfiguration is shown at **Figure 2**.

Additionally, the proposed modification includes amendments to the entry vestibule design as shown in **Figure 3**.

As a result of ongoing design development, the configuration of the entrance vestibule is proposed to be revised to provide a simplified and improved architectural response to the façade. Specifically, automated sliding doors have been integrated in lieu of swing doors, improving operation as well as creating a seamless transition from outside to the residential lobby interior.

This amendment results in a minor adjustment to the dimensions of the lobby vestibule. This amendment has been integrated into the modulation, proportion and geometry of the façade to provide a design response that meets the design standards of the precinct architecture.

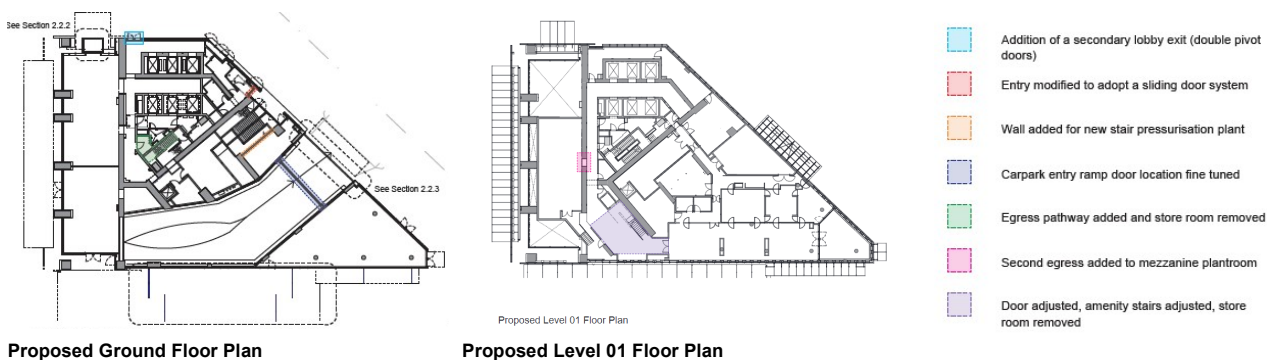


Figure 2 Proposed internal reconfiguration amendments

Source: RPBW

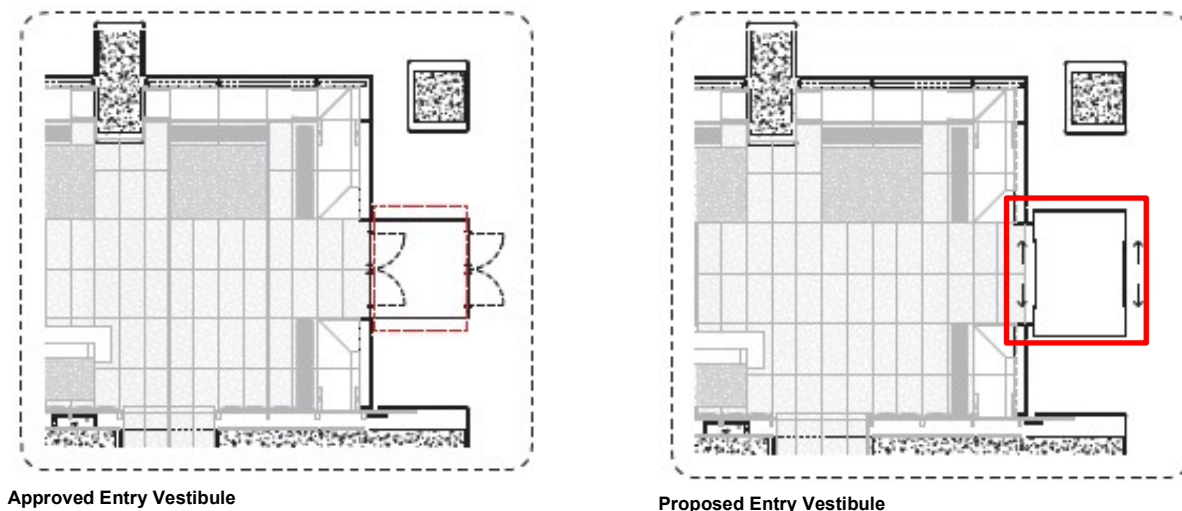


Figure 3 Proposed refinements to entry vestibule design, shown in red

Source: RPBW

Reconfiguration of Building Identification Signage Zone

Due to the changes described above relating to the entry vestibule, minor amendments are required to the building identification signage located above the entrance. The approved signage zone encapsulates an area above the swinging doors and a section adjacent to the doors. Due to the removal of the swinging doors and further design development, three signage zones are now proposed to reflect the current arrangement. These include a zone on the upper portion of the glass entry way, on top of the glass entry way and the existing approved zone above the entrance vestibule. It is noted that whilst three signage zones are proposed, only one will be utilised for detailed signage, subject to the final design of the building.

Figure 4 below reflects these changes.

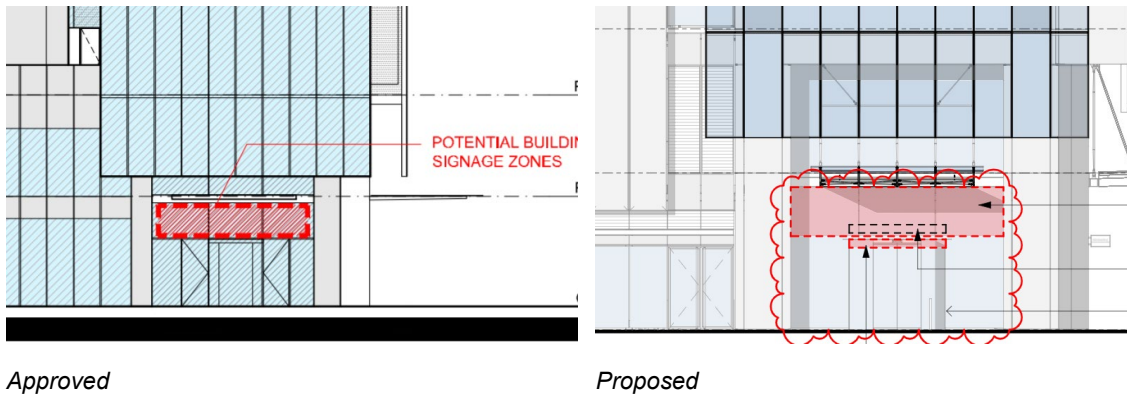


Figure 4 Proposed amendments to the building identification signage zone of R4B.

Source: RPBW

Reconfiguration of ancillary communal facilities adjacent to the swimming pool

The modification proposes minor improvements to the layout of the shower and bathing amenities, the width and alignment of the portal, and changes to the door types in the accessways to the swimming pool terrace. Refer to **Figure 5** for the proposed level 2 floor plan, which illustrates the amendments to the pool area and ancillary communal facilities.

Furthermore, it is proposed to amend the vent pipes on P02 level close to the south east lift core façade, as shown in **Figure 6**. The approved box flue solution has been reworked to better reflect the design of the façade.

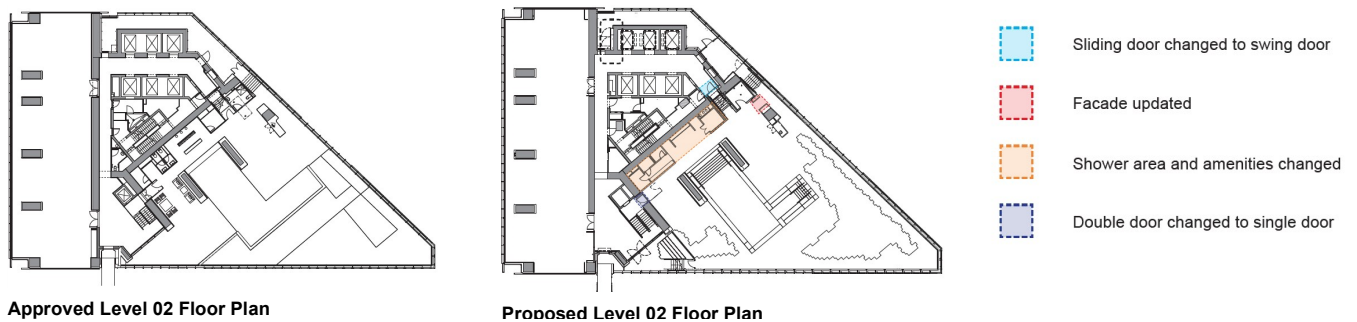


Figure 5 Proposed Level 02 Floor Plan

Source: RPBW + PTW

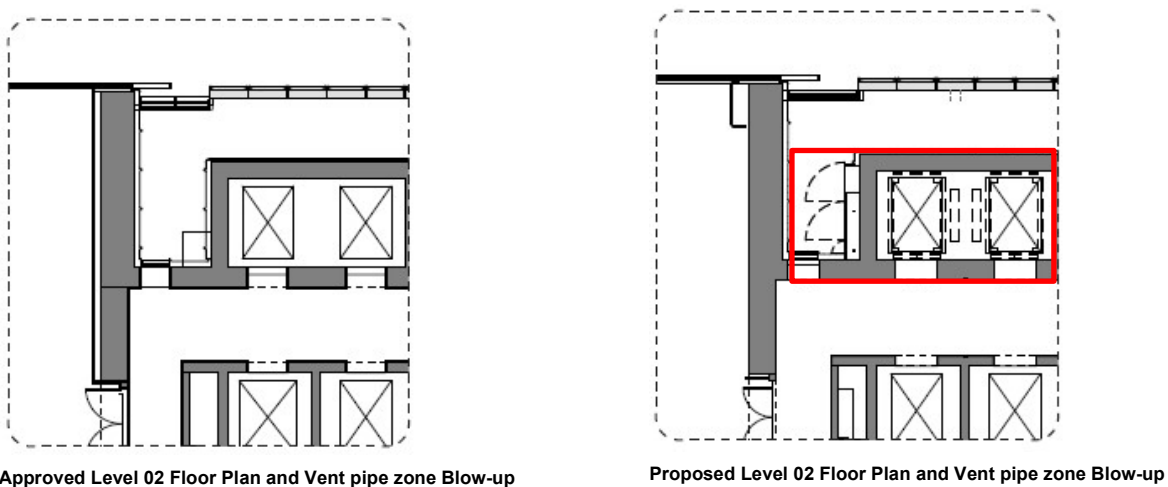


Figure 6 Proposed Vent Geometry

Source: RPBW + PTW

3.2 Modification to conditions

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

SCHEDULE 2 – TERMS OF CONSENT

A2 The Applicant, in acting on this consent, must carry out the development:

k) the following drawings

Architectural Drawings prepared by Renzo Piano Building Workshop and PTW Architects			
Drawing No.	Rev	Name of Drawing	Date
BR4B_ASD_PA2_0000	20 21	Title Sheet and Drawing List	19 June 2020 30 June 2021
BR4B_ASD_PA2_0001	20 21	Context Plan	19 June 2020 30 June 2021
BR4B_ASD_PA2_0002	19 20	Site Plan	3 May 2019 30 June 2021
BR4B_ASD_PA2_0004	19 20	Site Plan Setting Out	3 May 2019 30 June 2021
BR4B_ASD_PA2_2000	20 21	Plan Ground Floor Level 00	19 June 2020 30 June 2021
BR4B_ASD_PA2_2001	20 21	Plan Podium Level P1	19 June 2020 30 June 2021
BR4B_ASD_PA2_2002	20 21	Plan Podium Level P2	19 June 2020 30 June 2021
BR4B_ASD_PA2_3020	19 20	Plan Plant Level 20	3 May 2019 30 June 2021
BR4B_ASD_PA2_4001	20 2	Elevation North – East (Park)	19 June 2020 18 June 2021
BR4B_ASD_PA2_4003	20 2	Elevation South – East (Lift Lobby)	19 June 2020 18 June 2021
BR4B_ASD_PA2_4004	20 2	Elevation South (Watermans Quay)	19 June 2020 18 June 2021
BR4B_ASD_PA1_4005	20 21	North – East Enlarged Elevation (Park)	19 June 2020 18 June 2021
BR4B_ASD_PA1_4201	20 21	Building Signage Zone South-East Enlarged Elevation	19 June 2020 18 June 2021
BR4B_ASD_PA1_6011	20 21	R4B Bridge	19 June 2020 18 June 2021
Landscape Drawings prepared by McGregor Coxall			
Drawing No.	Revision	Name of Plan	Date
RPB43-GE-R4B001-GA	W	R4B-DA General Arrangement	30/06/2021
RPB430-GE-R4B002_GRND	R	R4B-DA Ground Floor	30/06/2021
RPB430-GE-R4B001-L02	A	R4B-DA Ground Floor and Podium	30/06/2021

Reason: To ensure the conditions of consent references the revised architectural drawings which include the proposed modifications.

LIMITS ON CONSENT

A6 *The Strada must be open 24-hours-a-day, seven-days-per-week, unless permitted under Condition E29.*

Reason: To encapsulate and transfer any relevant conditions relating to the Strada from the Building R4A consent (SSD 6964) to this Building R4B consent.

DESIGN INTEGRITY

A6 A7 Necessary arrangements must to be implemented by the Applicant to ensure Renzo Piano Building Workshop are engaged in the design documentation phase to ensure the integrity design quality of the approved development is maintained through the construction phase to completion of the building works.

PRESCRIBED CONDITIONS

A7 A8 The Applicant shall comply with all relevant prescribed conditions of development consent under Part 6, Division 8A of the EP&A Regulation.

LONG SERVICE LEVY

A8 A9 For work costing \$25,000 or more, a Long Service Levy must be paid.

Note: For further information please contact the Long Service Payments Corporation on their Helpline 13 1441.

LEGAL NOTICES

A9 A10 Any advice or notice to the consent authority shall be served on the Secretary.

Reason: To encapsulate the updated numbering due to addition of condition A6.

PART B: PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

LANDSCAPING AND PUBLIC DOMAIN

B28 Prior to the issue of the relevant Construction Certificate, the Applicant must demonstrate to the Certifying authority that the ground floor plane of the building, **Strada** and surrounding paving/public domain works suitably integrates with the alignment levels for Watermans Quay and surrounding Stage 1B Public Domain (SSD 7944).

Reason: Secretary Approval has been provided for the R4A ground plane, and therefore the condition is no longer relevant. See **Attachment I**.

PART E: PRIOR TO OCCUPATION OR COMMENCEMENT OF USE

OBSTACLE LIGHTINGS

~~**E7.** Prior to the issue of any Occupation Certificate, the building must be obstacle lit by medium intensity flashing red lighting during the hours of darkness at the highest point of the building. Obstacle lights are to be arranged to at least indicate the points or edged of the building to ensure the building can be observed at a 360 degree radius as per subsection 9.4.3 of the Manual of Standards Part 139 Aerodromes (MOS Part 139). Characteristics for medium intensity lights are stated in subsection 9.4.7 of MOS Part 139.~~

Reason: Condition E7 is no longer required as the Crown Hotel and Resort is now complete and is the tallest building in Barangaroo South. Further, a condition of this nature was identified as not being relevant by the Civil

Aviation Safety Authority (CASA) in SSD 8892218 for Building R4B, indicating it is no longer relevant for the R4B development as a whole. Correspondence from CASA (**Attachment J**) confirms that R4B does not have a need for such obstacle lighting requirements.

STRADA ACCESS MANAGEMENT PLAN

E29 A Strada Access Management Plan must be prepared in consultation with Council and the NSW Police and approved by the Secretary prior to the issue of any Occupation Certificate.

A copy of the approved Plan must be provided to the PCA prior to the issue of any Occupation Certificate.

Reason: To encapsulate and transfer any relevant conditions relating to the Strada from the Building R4A consent (SSD 6964) to this Building R4B consent.

PART F: POST OCCUPATION – DURING OPERATION

OBSTACLE LIGHTING

~~F3. Obstacle lighting must be maintained in a serviceable condition at all times. Any outage must be immediately reported to SACL.~~

~~F4. Obstacle lighting arrangements must have remote monitoring capability, in lieu of observation every 24 hours, to alert SACL reporting staff of any outage. For detailed requirements for obstacle monitoring within the Obstacle Limitation Surface of an aerodrome, refer to subsection 9.4.10 of MOS Part 139.~~

Reason: Condition F3 and F4 is no longer required as the Crown Hotel and Resort is now complete and is the tallest building in Barangaroo South. Further, a condition of this nature was identified as not being relevant by the Civil Aviation Safety Authority (CASA) in SSD 8892218 for Building R4B, indicating it is no longer relevant for the R4B development as a whole. Correspondence from CASA (**Attachment J**) confirms that R4B does not have a need for such obstacle lighting requirements.

STRADA OPENING HOURS

F19 Unless closed in accordance with the approved Strada Access Management Plan under Condition E29, the full length of the Strada must be open and available for public access, 24-hours-per-day, seven days-per-week.

Reason: To encapsulate and transfer any relevant conditions relating to the Strada from the Building R4A consent (SSD 6964) to this Building R4B consent.

STRADA MANAGEMENT PLAN

F20 The approved Strada Access Management Plan (Condition E29), including wind mitigation measures, must be complied with at all times.

Reason: To encapsulate and transfer any relevant conditions relating to the Strada from the Building R4A consent (SSD 6964) to this Building R4B consent.

4.0 Substantially the same development

Section 4.55(1)(A) of the EP&A Act 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 consent was originally granted and before that consent as originally granted was modified (if at all)”*.

The amending DA (SSD 8892218) is the most recent amendment to Building R4B and results in the overall 68 storey development. However, this modification application relates to the specific development first approved under SSD 6965. Therefore, the substantially the same test is applied only to the development originally approved under SSD 6965.

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

- The proposed modifications are minor and relate to refinements in response to design development, to enhance amenity and increase diversity in apartment types offered.
- The majority of changes are internal and seek to enhance apartment amenity while directly responding to market feedback without significantly altering apartment types and layouts.
- The refined façade design maintains the approved Renzo Piano Building Workshop design intent of a glass façade that appear as ‘crystals’ with a highly transparent glass façade.
- The proposed modifications do not alter the key components of the approved development, being a mixed-use building comprised of residential and retail uses.
- The proposed modifications continue to achieve a high standard of design excellence.
- The changes to the façade and the internal layout are minor and will not result in additional environmental impacts.

5.0 Planning 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 development to which the consent as modified relates is substantially the same development as the development for which consent was originally granted and before that consent as originally granted was modified (if at all)”*.

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 and the reasons given by the consent authority for the grant of the original consent.

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.

5.1 State Environmental Planning Policies

The proposed modification is assessed against the relevant State Environmental Planning Policies at **Table 2**.

Table 1 Assessment against relevant SEPPs

Instrument	Assessment
SEPP 65 – Design Quality of Residential Apartment Development	<p>The proposed amendments do not alter the approved developments compliance with the Apartment Design Guide (ADG) under SEPP 65.</p> <p>No changes to the actual residential apartments are proposed. Associated ground plane and podium changes are considered to not affect compliance with the ADG/SEPP 65.</p>
State Significant Precinct SEPP	<p>The Barangaroo site is listed as a State Significant Site under Part 12 of Schedule 3 of the State Significant SEPP. The following is an assessment of the proposal's compliance with the State Significant Precinct SEPP.</p>

Instrument	Assessment	
	Clause 8 – Zone B4 Mixed Use	The proposed development is a form of shop top housing, comprising ground level retail with residential uses above, and is permissible and consistent with the objectives of the B4 Mixed Use zone. No change to the approved use is proposed.
	Clause 17 – Height of Buildings (maximum RL 250)	The maximum RL to the top of Building R4B, including the glazed roof feature is RL 233.485. This application does not seek to make any changes to the approved maximum height.
	Clause 18 – Gross Floor Area Restrictions – maximum 86,979m ² (across Building R4A and R4B)	No GFA changes are proposed as part of this application. Therefore, the total GFA of R4A and R4B remains consistent with the maximum GFA restriction for Block 4A.
	Clause 19 – Design Excellence	The proposed development will continue to achieve a high standard of design excellence. The modifications are led by the architects Renzo Piano Building Workshop and are well considered, as outlined within the Design Report prepared by them at Attachment B .
SEPP BASIX	A ESD statement has been provided at Attachment H , demonstrating that the proposed development meets all relevant BASIX requirements.	
SEPP 64 – Advertising and Signage	The proposed changes to the approved signage zones are minor and do not significantly alter the design excellence or quality of the building or approved zones. An assessment against Schedule 1 of SEPP 64 is provided in Table 2 below.	

Table 2 State Environmental Planning Policy No 64 – Advertising and Signage

Schedule 1 Assessment Criteria	Comments	Compliance
Character of the area		
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 proposed development remains compatible with the desired character of the local precinct.	Y
Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?	The proposed development remains consistent with the nature and siting of the building as a residential apartment building. Accordingly, the signage zone clear and legible in communicating the use of the building for the public.	Y
Special areas		
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 amended signage zones do not detract from any surrounding areas, including heritage conservation areas. The location is not part of any other environmentally sensitive location.	Y
Views and vistas		
Does the proposal obscure or compromise important views?	The amended signage zones are integrated with the proposed building and therefore will not result in any obstruction of views, and the location and content of signage will not otherwise compromise important views within the precinct.	Y
Does the proposal dominate the skyline and reduce the quality of vistas?	The amended signage zones are appropriate to the scale of the building and intended use as a building identification sign.	Y
Does the proposal respect the viewing rights of other advertisers?	The amended signage zone does not impact upon the viewing rights of other advertisers.	Y

Schedule 1 Assessment Criteria	Comments	Compliance
Streetscape, setting or landscape		
Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?	The scale, proportion and form of the amended signage zone is consistent with the setting of the residential apartment building within Barangaroo South.	Y
Does the proposal reduce clutter by rationalising and simplifying existing advertising?	The amended signage zone contributes to the visual interest of the streetscape by contributing to the identification and recognition of Building R4B.	Y
Does the proposal screen unsightliness?	The amended signage zones are integrated with the architecture of the building and will enhance the entrance of the building	Y
Does the proposal protrude above buildings, structures or tree canopies in the area or locality?	The amended signage zones do not protrude above the building.	Y
Does the proposal require ongoing vegetation management?	The amended signage zones will not require ongoing vegetation management.	Y
Site and building		
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 amended signage zones have been designed to be fully compatible with the building and is compatible with the architecture of the building.	Y
Does the proposal respect important features of the site or building, or both?	The amended signage zones have been located in the most architecturally appropriate locations to assist in place identification and wayfinding.	Y
Does the proposal show innovation and imagination in its relationship to the site or building, or both?	The amended signage zones have been fully integrated with the building architecture.	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 safety devices, platforms, lighting devices or logos are incorporated as an integral part of the signage.	Y
Illumination		
Would illumination result in unacceptable glare?	No changes proposed to the approved illumination of the signage zone.	Y
Would illumination affect safety for pedestrians, vehicles or aircraft?		Y
Would illumination detract from the amenity of any residence or other form of accommodation?	The location and orientation of signage is such that it will not impact on nearby residential receivers.	Y
Can the intensity of the illumination be adjusted, if necessary?	The signage will not have adjustable lighting. A curfew will be implemented for the digital signage board and school sign if required.	Y
Is the illumination subject to a curfew?		Y
Safety		
Would the proposal reduce the safety for any public road?	The amended signage zone has been located in order to avoid any adverse impacts on public roads, and views to building signage will generally be presented to the primary public entrance.	Y
Would the proposal reduce the safety for pedestrians or bicyclists?	The amended signage will be located above ground level and will not distract from essential sight lines for pedestrian and cyclists.	Y
Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?	The amended signage zones will be integrated with the buildings and will not obscure sight lines from public area.	Y

5.2 Barangaroo Concept Plan

An assessment of the proposed modifications against the Concept Plan (as modified) is provided **Table 3** below. It is noted that the proposed modification does not seek any amendment of the total height of building, setbacks or gross floor area outlined within the Concept Plan. The assessment demonstrates that the proposed development is generally consistent with the approved Concept Plan (as modified) and Built Form and Urban Design Controls.

Table 3 Concept Plan (Mod 10) – Built Form and Urban Design Controls (select)

Concept Plan (Mod 10) Block 4A Controls	Building R4B	Assessment
Control 3 Building Articulation – Objectives		
To ensure the podium and towers in Block 4A and 4B are considered as a holistic composition.	The proposed modifications are minor and will maintain a consistent design language between Building R4A and Building R4B. Further detail is provided in the Design Report at Attachment B .	Consistent
Control 3 Building Articulation – Standard		
Tower Form is to express sustainability features e.g. Access to natural light, ventilation and solar shading.	The minor modifications to the façade will improve the ongoing maintenance efficiency of the building and the overall architectural language.	Consistent
To establish a complementary relationship between the towers in Blocks 4A and 4B such as a common chassis.	The towers have been designed with common design language, and the structural design carried across all towers. The proposed changes to the façade are minor and will not have a discernible impact on the complementary nature of the design of Building R4B with Building R4A or Building R5.	Consistent
Vertical articulation and breaks are encouraged to minimise the perceived building mass.	The towers design and vertical articulation is not proposed to be amended from the approved design, with strong verticality adopted in the building form, materiality and composition of the façade.	Consistent
Horizontal articulation and breaks are encouraged to reduce the impact of the building mass.	The façade has been carefully designed to include horizontal articulation and breaks to reduce the visual impact of the building mass. The proposed modifications do not seek to change this.	Consistent
Ensure a highly transparent and visually permeable frontage to the park edge. The tower form on the park side is to come to ground and be dominant through any lower levels of the building.	The proposed modifications do not result in any change to the approved design that would affect compliance with this criterion.	Consistent
Control 4 Building Legibility – Objectives and Standard		
To ensure that towers in Block 4A and 4B are complimentary and read as a cohesive composition.	As described above, the building has been designed in the composition of the three crystal forms together with Building R4A and Building R5. The modifications do not change this.	Consistent
Express façade elements including shading and wind amelioration.	The proposed modifications to the façade will continue to achieve a high level of expression and articulation.	Consistent
Control 7 Facades – Objectives		
To ensure the architectural quality of the facades	The proposed changes to the various elements of the building's façade will not reduce the previously approved architectural quality of the façade.	Consistent

Concept Plan (Mod 10) Block 4A Controls	Building R4B	Assessment
To ensure the façade contributes to the building's articulation and mass.	The minor changes to the façade will continue to achieve a high level of articulation to reduce any perceptions of building mass.	Consistent
Depth and layering of the façade is to be achieved through relief and protrusions.	The minor changes to the façade incorporate relief and protrusions to create depth and layering.	Consistent
Control 9: Signage – Objectives and Standards		
To ensure that the location, size, appearance and the quality of the signage on the building is appropriate	The amended signage zones remain appropriate in relation to the location, size and appearance of the building.	Consistent
Building identification signage is to be limited to one sign per frontage at podium level.	Whilst three signage zones are proposed, only one sign will be utilised once complete. Therefore, only one building identification sign will be provided at the ground level.	Consistent
Signage is not to exceed 15m ² per sign.	The amended signage zone will not exceed 15m ² .	Consistent
Details of signage to be considered as part of the overall design of the building for the purposes of Design Excellence.	The amended signage zone will not alter the signage's ability to achieve design excellence.	Consistent
Each new development application submitted for the erection of a new building/s is to include as a minimum a description and illustration of intended signage location/s and form. Where detailed signage proposals are not included in the works proposed in a Development Application for the erection of new buildings, actual sign approvals will be subject to separate Development Applications.	The amended signage zones have been previously approved, and this application only seeks to amend the arrangement of the signs.	Consistent

5.3 Traffic

A statement has been prepared by Cardno (**Attachment D**) which confirms that the proposed widening of the carpark entrance is compliant with the relevant standards and has no impact on the existing traffic arrangements previously approved.

5.4 Building Code of Australia

A Building Code of Australia (BCA) Assessment has been prepared by Philip Chun and is provided at **Attachment E**. The assessment identifies that the proposed changes to Building R4B comply with the Building Code of Australia 2016.

5.5 Accessibility

An assessment against the Disability Discrimination Act (DDA) has been prepared by Morris Goding Access Consultants and provided at **Attachment F**. The assessment concludes that the proposed changes to Building R4B will not impact the ability to meet DDA requirements.

5.6 Fire Safety

An assessment of the fire safety of Building R4B following the proposed modifications has been prepared by Warrington Fire, provided at **Attachment G**. This assessment determines that proposed modifications will not impact the building's ability to meet fire safety requirements, and it would be possible to develop performance solutions for identified departures from the National Construction Code.

5.7 Sustainability

A ESD Statement has been prepared by Lendlease Integrated Solutions and is included at **Attachment H**. This statement concludes that the proposed modifications to Building R4B will not have any adverse impacts and will continue to support the site wide sustainability requirements of the Building Sustainability Index (BASIX), as approved.

5.8 Reasons for granting consent

The key reasons for granting consent to the SSD development application are as follows:

- the project would provide a range of benefits for the region and the State as a whole, as it is consistent with the Barangaroo Concept Plan which provides for the regeneration of the former dilapidated waterfront site, extensive new areas of public open space, key worker housing, public art, community uses, employment opportunities and flooding draining infrastructure.
- the project will provide additional residential density with excellent access to public transport, including a planned high frequency Metro and is conveniently located to shops, services and the CBD.
- the project is permissible with development consent and is consistent with NSW Government policies including the Region Plan and Eastern City District Plan, as it will aid in the delivery of the housing target of 157,500 homes in the Eastern City between 2016 and 2036 and provides for construction and operational jobs.
- the impacts on the community and the environment, including traffic and car parking, construction and heritage can be appropriately minimised, managed or offset to an acceptable level, in accordance with applicable NSW Government policies and standards.
- the issues raised by the community during consultation and in submissions have been considered and adequately addressed. The project would not result in view loss, overshadowing, wind or privacy impacts beyond what has already been determined to be acceptable as part of the approval of the original Building R4B development (SSD 6965).
- weighing all relevant considerations, the project is in the public interest.

The proposed development as modified does not alter the approved development's consistency with the above reasons for granting consent.

6.0 Conclusion

This proposed modification application seeks consent for design and administrative changes relating to transfer of the approved Strada ground plane and associated structure which connects building R4A and Building R4B from the Building R4A development consent (SSD 6964) to the Building R4B development consent, deletion of conditions relating to obstacle lighting, refinements to approved façade design and signage zone, revision of car park entrance, internal reconfiguration of services and access arrangements, and minor layout changes to the swimming pool and ancillary communal facilities.

Due to the relationship of SSD 6965 in SSD 8892218 to the delivery of Building R4B, a concurrent modification to SSD 8892218 has been submitted and this modification application should be read in conjunction with that application.

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

- The consent, as proposed to be modified, is substantially the same development as that originally approved.
- The proposed modifications are minor and will not have any substantial environmental impacts.
- The modifications comply with the Barangaroo Concept Plan and relevant State Environmental Planning Policies.
- The modifications result in greater residential amenity and more balanced, refined design in the building.

In light of the above, we recommend that the proposed modification is supported. We trust that this information is sufficient to enable a prompt assessment of the proposed modifications.

Yours sincerely,



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