

17 December 2021

2210748

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

Dear Ms Fishburn,

**SECTION 4.55(1A) MODIFICATION APPLICATION – SSD 6966
BUILDING R5, ONE SYDNEY HARBOUR, BARANGAROO SOUTH**

This modification 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 Development Consent SSD 6966 relating to Residential Building R5 at Barangaroo South (the site).

The proposed modifications relate to the following:

- Minor internal layout reconfiguration resulting from riser and kitchen changes, with resultant floor space redistribution and minor increase to residential GFA.
- Amendments to finished floor level heights on Levels 26 and 27, with resultant façade detailing alterations.
- Reconfiguration of the rooftop layout, including location of building maintenance unit, PV cells and the lift motor room.
- Minor façade rationalisation.
- Minor changes to the landscaped terraces.
- Signage amendments at the Ground Floor.
- Minor structural changes.

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

- Architectural Plans prepared by RPBW/PTW (**Attachment A**);
- Architectural Design Report prepared by RPBW (**Attachment B**);
- SEPP 65 Design Verification Statement prepared by RPBW/PTW (**Attachment C**);
- Landscape Drawings prepared by McGregor Coxall (**Attachment D**);
- BASIX Certificate prepared by Lendlease Integrated Solutions – Sustainability (**Attachment E**); and
- Lift System & Performance Assessment prepared by Lendlease (**Attachment F**).

1.0 Consent proposed to be modified

Development consent SSD 6966 was granted by the NSW Minister for Planning on 3 October 2019 for a 30-storey mixed use building, with 210 residential units and retail floor space at ground level. This included a total gross floor area (GFA) of 19,158m², 18,287m² of which was approved for residential floor space, and the remaining 871m² was approved for retail floorspace.

The original consent also approved public domain works, fit-out and use of the basement, as well as associated building identification signage zones.

SSD 6966 has been modified on one occasion to incorporate internal design changes and layout refinements for an additional 2,260m² of floor space, as well as amendments to the tower and podium facades, roofscapes and the addition of an awning to the Level 2 roof. It is also noted that a second modification is currently under assessment which seeks to reallocate basement car parking spaces between Building R5 and Buildings R4A and R4B.

This modification application therefore represents the third modification to the Development Consent.

2.0 Proposed modifications to the consent

The proposed modifications to the development consent are described in detail below, as well as illustrated on the Architectural Plans prepared by RPBW/PTW (**Attachment A**) and in the Architectural Design Report prepared by RPBW (**Attachment B**).

2.1 GFA Changes

Due to ongoing internal design changes throughout the building, a minor adjustment in gross floor area (GFA) is required across all levels. These changes by level are largely immaterial, generally less than 1m² per level. Overall, the residential GFA is increased by 0.9m², however the total GFA of the building is reduced by 0.3m². The GFA of the building remains within the total cap for the site as set by the Barangaroo Concept Plan (as modified).

2.2 Tower Refinements

2.2.1 Internal Layout Reconfiguration

As a result of ongoing internal design changes throughout the building (as discussed below), the internal layout of apartments across the building, including apartments from level P1 through to level 27, have been amended. Design refinements has necessitated changes to the internal structure and risers of the building, requiring subsequent amendments to the internal apartment layouts. These layout changes are largely immaterial and do not result in any significant alterations to the overall useability or amenity of the apartments. This is discussed further at **Section 4.3**.

Figure 1 and **Figure 2** below are an example of the proposed changes from the approved plan, with example structure and riser changes circled in red.



Figure 1 Approved Level 15-16

Source: PTW

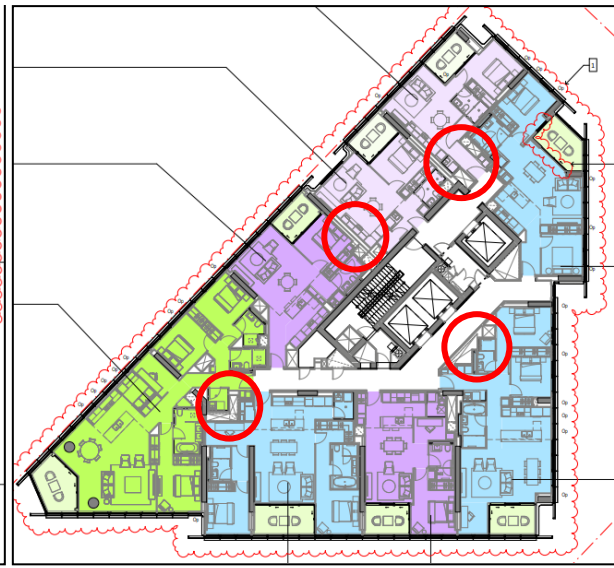


Figure 2 Proposed Level 15-16

Source: PTW

2.2.2 Amended Finished Floor Levels

As a result of structural constraints, the desired 3m floor to ceiling height at the Level 26 ‘Skyhomes’ has not been achieved. As such, a design solution is proposed to raise the floor slab of Level 27 by 315mm, which will enable 3m floor to ceiling heights on Level 26. This will result in a subsequent reduction of the floor to ceiling height of Level 27 to 2.7 metres. As a result of these amendments to the finished floor levels, the layout of the internal OCF façade has been revised. The proposed alterations are shown below in **Figure 3** and **Figure 4**.

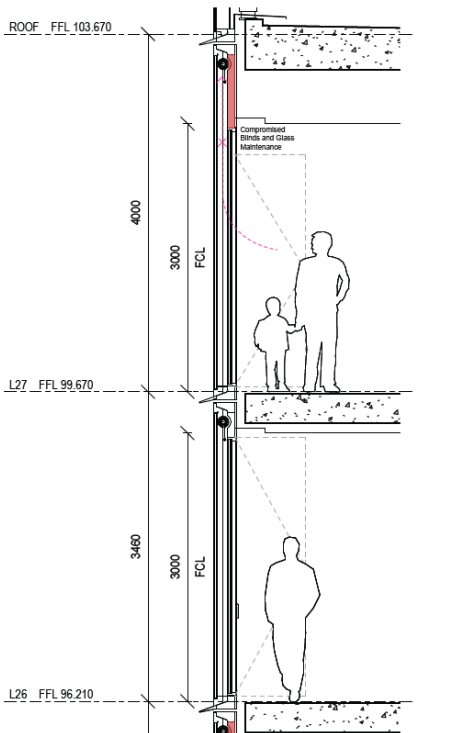


Figure 3 Approved Level 26 FFL

Source: RPBW

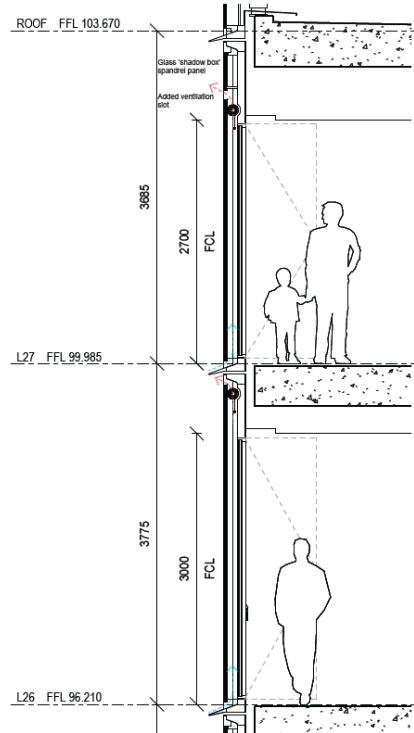


Figure 4 Proposed Level 26 FFL

Source: RPBW

2.2.3 Tower façade amendments

Through further design development, several amendments are proposed to the façade of the building, which to rationalise the panelling layout and incorporate additional ventilation slots at the locations of the revised finished floor levels on Levels 25-27.

Accommodating finished floor level (FFL) heights

As a result of the finished floor level revisions for level 26-27, there will be minor consequential amendments to the panel fringe heights on the external façade, as is shown below in **Figure 5** and **Figure 6**.

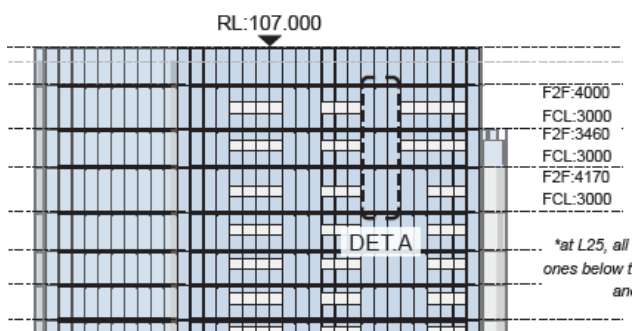


Figure 5 Excerpt of approved North West elevation

Source: RPBW

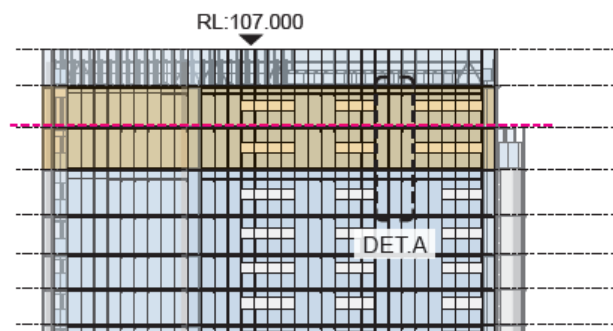
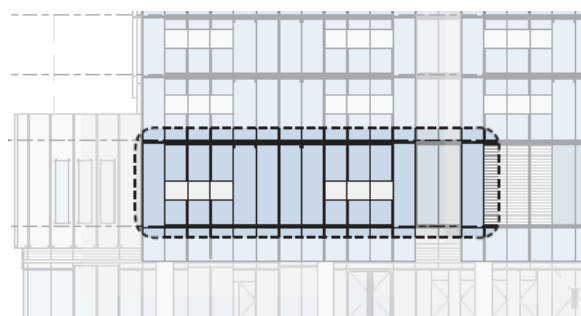


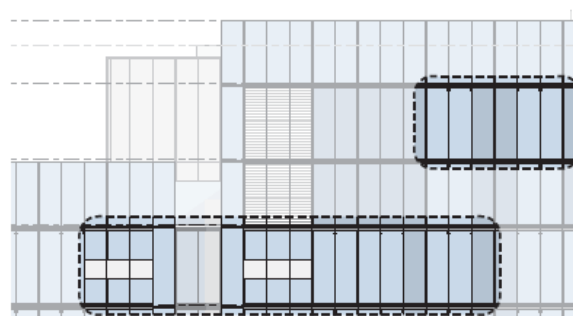
Figure 6 Excerpt of proposed North West elevation

Source: RPBW

In addition to this, it is proposed to include additional ventilation slots within certain panels external to these floors, as well as on Level 1. It is noted that these slots will be consistent in design with existing ventilation slots currently incorporated into the approved façade design. The location of these additional ventilation slots can be seen below in **Figure 7** and **Figure 8**.



Approved East Elevation L01



Approved East Elevation L25-26-27

Figure 7 Approved east elevation identifying ventilation slots – Level 25-27

Source: RPBW

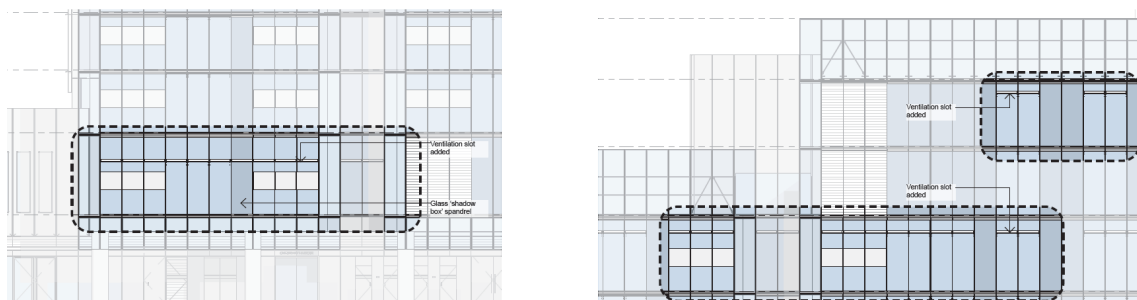


Figure 8 Proposed east elevation identifying ventilation slots – Level 1

Source: RPBW

Apartment 05 Balcony façade

In order to improve access from Apartment 05 on each level to the adjacent balcony, the existing twin panel sliding door is proposed to be replaced with an open cavity façade panel. The approved sliding door layout resulted in a constrained access door from the bedroom to the balcony, where the width of the sliding door was too narrow for accessibility. The introduction of the open cavity façade panel maintains access to ventilation from the balcony and results in an improved internal apartment layout. Subsequent façade adjustments are also proposed, including the provision of an additional façade panel joint. This is highlighted below in **Figure 9** and **Figure 10**.

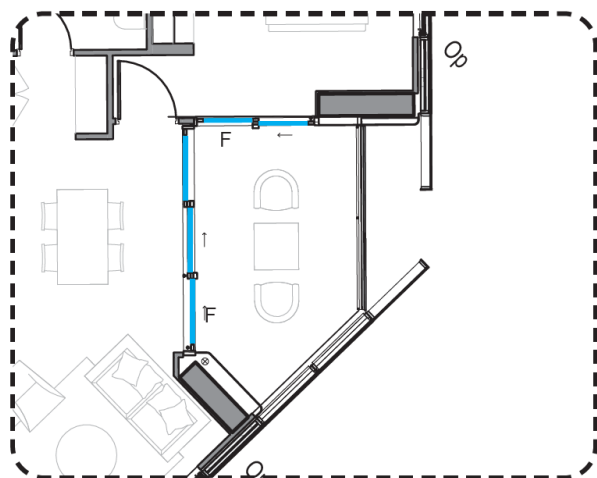


Figure 9 Approved sliding doors layout

Source: RPBW

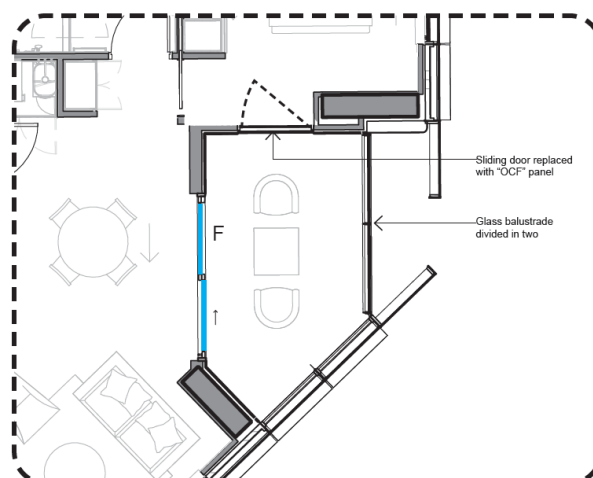


Figure 10 Proposed sliding doors layout

Source: RPBW

The internal bedroom door of LA505A, LA505 and LO505 adjacent to the balcony has changed from a swing door to a sliding door to provide for better accessibility to this bedroom.

Tower façade panels layout

As a result of further design improvements, certain components of the building façade are proposed to be revised. Principally, it is proposed to change one panel of Apartment 04 from glazed panelling (open cavity façade) to opaque spandrel panelling, which will continue for the total height of the building. This is required where the internal layout of the apartment with structural walls prevents the opening of one panel of open cavity façade in Apartment 04. The introduction of the opaque spandrel panelling provides a better design solution, eliminating any opportunity for maintenance issues. Other minor façade changes are also proposed as illustrated in the Architectural Design Report (refer **Attachment B**).

2.2.4 Reconfiguration of rooftop plant layout

Several refinements to the roof layout of the building are proposed to improve its visual impact from surrounding residential buildings. These refinements include

- Removal of the lift motor room with adoption of a new vertical transportation strategy which removes the need for a lift overrun and improves the visual appearance of the roofscape.
- The removal of the lift motor room allows for a more efficient layout of building maintenance units, improving access to the Hickson Road/Waterman Quay façade area.
- More efficient layout of photovoltaic cells, maximising the available renewable energy opportunity.

The location of the building fringe ensures that the rooftop plant cannot be seen from the ground plan or lower levels of the surrounding buildings.

These amendments are shown below in **Figure 11** and **Figure 12**.

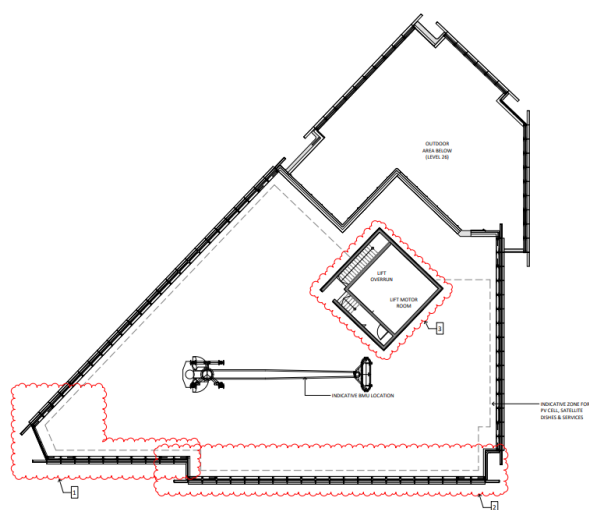


Figure 11 Approved Level 28 Plan

Source: PTW

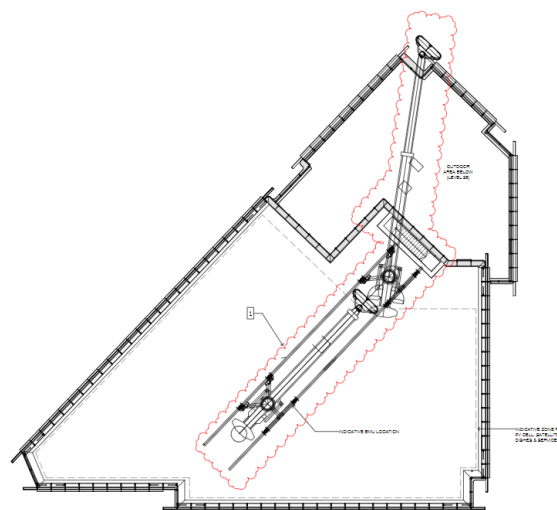


Figure 12 Proposed Level 28 Plan

Source: PTW

2.2.5 Landscape terrace layout amendments

It is proposed to amend the layout of the landscaped planter boxes on the Level 31 terrace to deliver a rationalised layout that more appropriately distinguishes between the recreational spaces and responds to improving the layout of the seating areas by locating such seating closer to the façade areas, and therefore improved outlook. In addition, the small shade structure has been relocated from the southern façade area to the eastern façade area, allowing covered seating in a location with more desirable views, which will enhance the useability of the outdoor area. The proposed layout provides more accessible paths of travel to the seating and BBQ areas. The proposed amendments to the terrace are identified below in **Figure 13** and **Figure 14**.



Figure 13 Approved Upper Deck Landscape Plan
Source: McGregor Coxall



Figure 14 Proposed Upper Deck Landscape Plan
Source: McGregor Coxall

2.3 Podium Refinements

2.3.1 Façade refinements

Ground Floor retail tenancy

It is proposed to amend the Ground Floor retail tenancy fronting Watermans Quay with a shift in the location of the retail stair and lift core. This change will also require a modification to Floor P1 due to the revised lift location.

As a result, refinements to the façade are also proposed including the addition of new egress doors and façade detailing adjacent to the new retail lift lobby.

Level 2 façade

A minor amendment to the Key Worker Housing common space façade on Level 2 of the podium is proposed to provide a DDA compliant pivot door to the external terrace. This is highlighted below in **Figure 19** and **Figure 20**.

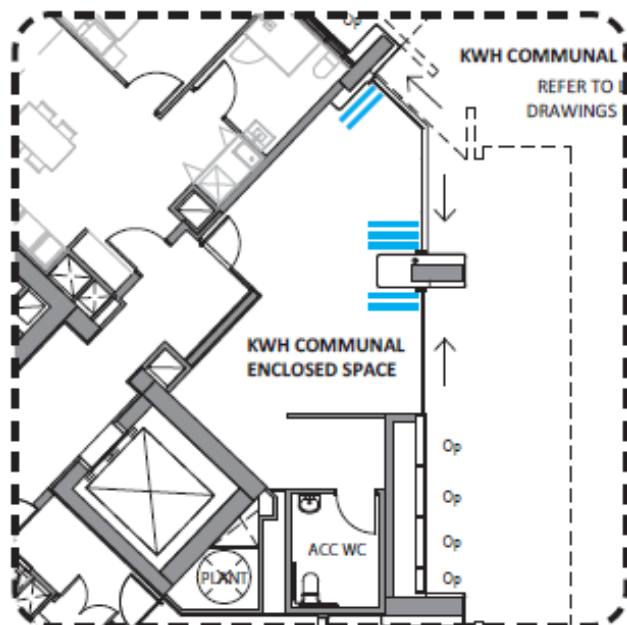


Figure 15 Approved Level 2 façade layout

Source: PTW

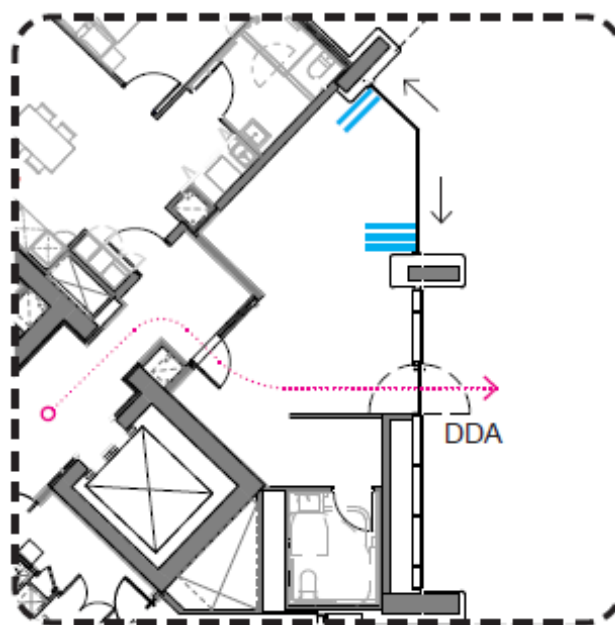


Figure 16 Proposed Level 2 façade layout

Source: PTW

2.3.2 Revised building identification signage zone location

Through further detailed design development of the podium façade, as well no signage now proposed adjacent to the Ground level entrance doorways, it is proposed to revise the location of potential building identification signage zones in the following locations:

- Southwest façade entry vestibule.
- East façade entrance.

Only one zone will be used for signage, and the revisions will expand the possible final location of such.

Figure 17 to **Figure 20** highlight these alterations below.



Figure 17 Approved signage zone – Southwest façade

Source: RPBW



Figure 18 Proposed signage zone – Southwest façade

Source: RPBW

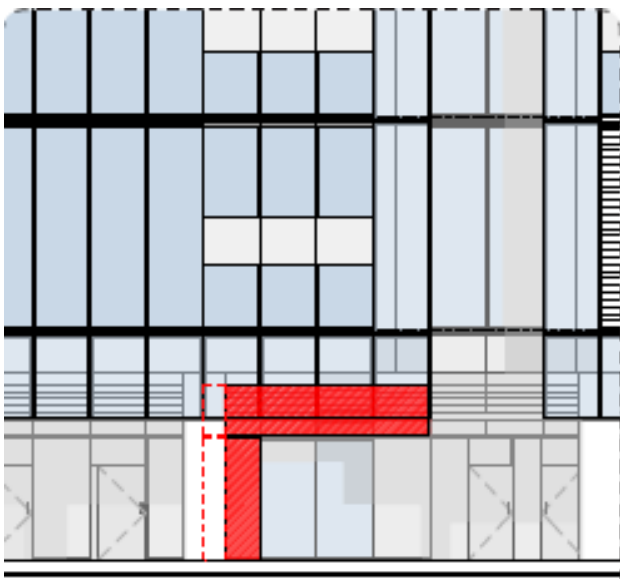


Figure 19 Approved signage zone – East façade

Source: RPBW



Figure 20 Proposed signage zone – East façade

Source: RPBW

2.4 Modifications 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 1

Development: Construction, use and fitout of a 30-storey (RL 107) mixed use building, including:

- a total GFA of ~~21,425.3~~ **21,425** m² comprising ~~20,636~~ **20,636.9** m² residential GFA (212 apartments) and ~~789.3~~ **788.1** m² retail GFA
- public domain works
- fit-out and use of the Stage 1B basement car park including allocation of a maximum of 143 car parking spaces, of which 9 are for Key Worker Housing
- demolition of interim basement elements
- two signage zones to accommodate future building identification signage.

TERMS OF CONSENT

A2. The development may only be carried out:

- (a) in compliance with the conditions of this consent;
- (b) in accordance with all written directions of the Planning Secretary;
- (c) in accordance with the EIS and Response to Submissions;
- (d) in accordance with the management and mitigation measures; and
- (e) in accordance with the approved plans in the table below;
- (f) generally in accordance with the following modification applications:

(i) Section 4.55(2) modification application (SSD 6966 mod 1) dated 11 January 2021 (prepared by Ethos Urban), Response to Submissions dated 26 April 2021 (prepared by Ethos Urban) and Additional Information dated 5 May 2021 (prepared by Ethos Urban), 26 May 2021 (prepared by Ethos Urban), 15 June 2021 (prepared by Lendlease) and 23 July 2021 (prepared by Lendlease).

(ii) Section 4.55(1A) modification application dated 17 December 2021 (prepared by Ethos Urban)

Architectural Plans prepared by Renzo Piano Building Workshop			
Drawing No.	Revision	Name of Plan	Date
BR5_ASD_PA1_0001	20 21	Context Plan	3 Nov 2020 5 Nov 2021
BR5_ASD_PA1_0002	24 23	Site Plan	12 Mar 2021 15 Dec 2021
BR5_ASD_PA1_0004	20 21	Setting Out	3 Nov 2020 5 Nov 2021
BR5_ASD_PA1_0005	20 21	Thermal Performance Assessment	12 Mar 2021 5 Nov 2021
BR5_ASD_PA1_1001	20	Plan Basement Level B4	03 Nov 2020
BR5_ASD_PA1_1002	20	Plan Basement Level B3	03 Nov 2020
BR5_ASD_PA1_1003	20	Plan Basement Level B2	03 Nov 2020
BR5_ASD_PA1_1004	20	Plan Basement Level B1	03 Nov 2020
BR5_ASD_PA1_1005	20	Plan Basement Level B0	03 Nov 2020
BR5_ASD_PA1_2000	22 24	Plan Ground Floor Level 00	12 Mar 2021 15 Dec 2021
BR5_ASD_PA1_2001	20 22	Plan Podium Level P1	12 Mar 2021 15 Dec 2021
BR5_ASD_PA1_2002	24 22	Plan Podium Level P2	12 Mar 2021 5 Nov 2021
BR5_ASD_PA1_3001	24 22	Plan Lower Plate Level 01-14	12 Mar 2021 5 Nov 2021
BR5_ASD_PA1_3002	21	Plan Lower Plate Level 02	05 Nov 2021
BR5_ASD_PA1_3003	01	Plan Lower Plate Level 03-07	05 Nov 2021
BR5_ASD_PA1_3008	01	Plan Lower Plate Level 08-14	05 Nov 2021

Architectural Plans prepared by Renzo Piano Building Workshop			
BR5_ASD_PA1_3015	24 22	Plan Mid Plate Level 15-16	12 Mar 2021 5 Nov 2021
BR5_ASD_PA1_3017	24 22	Plan Lift Overrun Level 17	12 Mar 2021 5 Nov 2021
BR5_ASD_PA1_3018	24 22	Plan Upper Plate Level 18-21	12 Mar 2021 5 Nov 2021
BR5_ASD_PA1_3019	01	Plan Lower Plate Level 19-21	05 Nov 2021
BR5_ASD_PA1_3020	24 22	Plan Upper Plate Level 22-25	12 Mar 2021 5 Nov 2021
BR5_ASD_PA1_3026	20 21	Plan Skyhomes Level 26	12 Mar 2021 5 Nov 2021
BR5_ASD_PA1_3027	20 21	Plan Skyhomes Level 27	12 Mar 2021 5 Nov 2021
BR5_ASD_PA1_3028	20 21	Plan Roof Level 28	12 Mar 2021 5 Nov 2021
BR5 ASD_PA1_4001	20 21	Elevation North – West (Park)	12 Mar 2021 05 Nov 2021
BR5 ASD_PA1_4002	20 22	Elevation East (Hickson Road)	12 Mar 2021 15 Dec 2021
BR5 ASD_PA1_4003	20 21	Elevation South (Watermans Quay)	12 Mar 2021 05 Nov 2021
BR5 ASD_PA1_4004	20 21	Elevation South – West (Watermans Quay)	12 Mar 2021 05 Nov 2021
BR5 ASD_PA1_4005	20 21	North – West Enlarged Elevation (Park) – Low Rise	12 Mar 2021 05 Nov 2021
BR5 ASD_PA1_4006	20 21	North – West Enlarged Elevation (Park) – Mid Rise	12 Mar 2021 05 Nov 2021
BR5 ASD_PA1_4007	20 22	East Enlarged Elevation (Hickson Park) – Low Rise	12 Mar 2021 15 Dec 2021
BR5 ASD_PA1_4008	20 21	East Enlarged Elevation (Hickson Park) – Mid Rise	12 Mar 2021 05 Nov 2021
BR5 ASD_PA1_4201	20 21	Signage Zone – South West Elevation	12 Mar 2021 05 Nov 2021
BR5 ASD_PA1_4202	20 22	Signage Zone East Elevation (Hickson Road)	12 Mar 2021 15 Dec 2021
BR5_ASD_PA1_5001	20 21	Overall Section AA	12 Mar 2021 05 Nov 2021
BR5_ASD_PA1_5002	20 21	Overall Section BB	12 Mar 2021 05 Nov 2021
BR5 ASD_PA1_6001	20 21	Balcony Primary Facade Detail	12 Mar 2021 05 Nov 2021
BR5 ASD_PA1_6002	19	Open Cavity Primary Facade Detail	12 Mar 2021
BR5 ASD_PA1_6003	20 21	Open Cavity Primary Facade Detail – Sky Homes	12 Mar 2021 05 Nov 2021
BR5 ASD_PA1_6005	19	Closed Cavity Secondary Facade Detail	03 Nov 2020
BR5 ASD_PA1_6007	19	Louvred Metal Cladding	03 Nov 2020
BR5 ASD_PA1_6008	20	Opaque Cladding	12 Mar 2021
BR5 ASD_PA1_6009	20 21	Podium Facade Detail	12 Mar 2021 05 Nov 2021
BR5 ASD_PA1_6010	20 21	Lobby Facade Detail	12 Mar 2021 05 Nov 2021
BR5_ASD_PA1_9000	20 21	GFA Calculation	12 Mar 2021 5 Nov 2021
BR5_ASD_PA1_9002	24 23	GFA Calculation Plan – Sheet 2	12 Mar 2021 15 Dec 2021
BR5_ASD_PA1_9003	24 22	GFA Calculation Plan – Sheet 3	12 Mar 2021 5 Nov 2021
BR5_ASD_PA1_9004	24 22	GFA Calculation Plan – Sheet 4	12 Mar 2021 5 Nov 2021
BR5_ASD_PA1_9005	01	GFA Calculation Plan – Sheet 5	5 Nov 2021

Landscape Drawings prepared by Grant Associates and McGregor Coxall			
Drawing No.	Revision	Name of Plan	Date

Landscape Drawings prepared by Grant Associates and McGregor Coxall			
RPB430-GE-R5000-GA	R	General Arrangement	23/04/2019
BR3DU1GRD01	C	Ground Floor Landscape Plan	25/11/2020
BR3DU1GRD02	C	Ground Floor Landscape Section	25/11/2020
BR3DU1L0201	C D	P02 Landscape Plan	25/11/2020 8/11/2021
BR3DU1L0202	C D	P02 Landscape Sections	25/11/2020 8/11/2021
BR3DU1L02601	C D	Upper Deck Landscape Plan	25/11/2020 8/11/2021
BR3DU1L02602	C D	Upper Deck Landscape Sections	25/11/2020 8/11/2021

Reason:
To reflect the most recent revision of Architectural and Landscape Plans.

GROSS FLOOR AREA (GFA) CERTIFICATION

B6. The GFA of the building must not exceed ~~21,425.3~~ **21,425**m². Details confirming compliance must be submitted to the Certifying Authority prior to the issue of any Construction Certificate.

Reason:
To reflect the revised GFA calculations as a result of the proposed modifications.

BASIX CERTIFICATION

B20. The development must be implemented and all BASIX commitments thereafter maintained in accordance with BASIX Certificate No. ~~649695M_06~~ **649695M_08**, and an updated certificate issued if amendments are made. The BASIX certificate must be submitted to the Certifying Authority with all commitments clearly shown on the Construction Certificate plans.

Reason:
To reflect the revised BASIX certificate.

GFA AND HEIGHT CERTIFICATION

E2. A Registered Surveyor is to certify that the GFA of the building does not exceed ~~21,425.3~~ **21,425**m² and the height of the building does not exceed RL 107 m AHD. Details shall be provided to the PCA demonstrating compliance with this condition prior to the issue of any Occupation Certificate.

Reason:
To reflect the revised GFA calculations as a result of the proposed modifications.

3.0 Substantially the same development

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 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:

- The proposed modifications are minor and relate to refinements in response to further detailed design development, with the principal function of enhancing amenity and design excellence.
- The internal changes seek to increase the amenity of apartments and retail tenancies without significantly altering the size, type or layout of the respective spaces.
- The refined façade design maintains RPBW’s design intent of delivering a crystalline façade that reflects the harbour waterways.
- The proposed modifications do not alter the key components of the approved development, being a mixed-use development comprising of residential and retail uses.
- The proposed reduction to GFA is negligible and therefore does not alter the development’s compliance with key development standards.
- The proposed modifications continue to achieve a high degree of design excellence.
- The changes to the façade and internal layout are minor in nature and will not result in any additional adverse environmental impacts, including visual.

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 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.

4.1 State Environmental Planning Policies

The proposed modifications compliance with the relevant State Environmental Planning Policies is detailed below in **Table 1**.

Table 1 Compliance Table – State Environmental Planning Policies

Instrument	Assessment	
<i>State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development (SEPP 65)</i>	The proposed internal modifications continue to achieve a high level of residential amenity, consistent with the approved development. An assessment of the proposed modifications against the NSW Apartment Design Guide (ADG) is provided in Section 4.3 and within the SEPP 65 Design Verification Statement (refer to Attachment C).	
<i>State Environmental Planning Policy (State Significant Precincts) 2005 (State Significant Precincts SEPP)</i>	The Barangaroo site is listed as a State Significant Site under Appendix 9 of the State Significant Precincts SEPP. The following is an assessment of the proposal’s compliance with the State Significant Precincts SEPP.	
	Clause 8 – Zone B4 Mixed Use	The proposed modifications do not comprise any additional land uses, with the proposed modified development continuing to be both permissible and consistent with the objectives of the B4 – Mixed Use Zone.
	Clause 17 – Height of buildings (Maximum RL 250)	The proposed modifications do not alter the building height.
	Clause 18 – Gross Floor Area restrictions – maximum 23,320m ²	The proposed modifications result in a reduction in GFA to 21,425 m ² , which remains compliant with the maximum GFA.
	Clause 19 – Design Excellence	The proposed modifications are minor in nature and are contained within the building envelope. The proposed alterations to the façade panelling will only result in a minor alteration to the overall appearance and does not compromise the broader architectural integrity or design excellence of Building R5. The amendments to the roofscape and landscape areas support design excellence and provide a further integrated design solution.
<i>State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 (SEPP BASIX)</i>	A BASIX Certificate has been provided at Attachment E , which confirms that the development as modified will continue to meet all 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 3 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
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 R5.	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

Schedule 1 Assessment Criteria	Comments	Compliance
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?	It is unlikely that the proposed zones would result in signage outcomes that create unacceptable glare or affect safety outcomes.	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 the zones is such that signage outcomes it will not impact on nearby residential receivers.	Y
Can the intensity of the illumination be adjusted, if necessary?	The resulting signage is unlikely to require illumination intensity adjustment or curfew, noting it's location and type. However, such could be considered if and where required during operation.	Y
Is the illumination subject to a curfew?		Y
Safety		
Would the proposal reduce the safety for any public road?	The amended signage zones have 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 zones 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

4.2 Barangaroo Concept Plan

An assessment of the proposed modifications against the Concept Plan (as modified) is provided in **Table 2** and **Table 3** below. This 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 Barangaroo Concept Plan (as modified) – Numerical Overview

Block 4B Concept Plan (Mod 11) Control	Building R5	Block 4B Cumulative Total	Compliance
Maximum Residential GFA – 20,637m ²	20,636.9m ² * (+0.9 m ²)	20,636.9m ² (+0.9 m ²)	✓
Maximum total GFA – 21,508m ²	21,425m ² (-0.3 m ²)	21,425m ² (-0.3 m ²)	✓
Maximum Height – RL 107	RL 107 (no change)	-	✓
Minimum setbacks <ul style="list-style-type: none"> Northern block boundary Eastern block boundary Southern block boundary Western block boundary 	<ul style="list-style-type: none"> 6m (no change) 0m (no change) 0m (no change) 3m (no change) 	-	✓

*including Key Worker Housing GFA equating to 2.3% of residential GFA within Barangaroo South

Table 4 Concept Plan (as modified)

Concept Plan (Mod 11) Block 4B Controls	Building R5	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 do not compromise the design language between Blocks 4A and 4B.	Consistent
Control 3 Building Articulation – Standard		
Tower Form is to express sustainability features e.g. Access to natural light, ventilation and solar shading.	As discussed in Attachment C and Section 4.3 , the proposed modifications will not have any adverse impacts on key sustainability features including solar access and ventilation.	Consistent
To establish a complementary relationship between the towers in Blocks 4A and 4B such as common chassis.	The towers have been designed with common design language, and the structural design carried across all towers. The proposed changes are minor and will not have a discernible impact on the complementary nature of the design of Building R5 with R4A or R4B.	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 to the external façade do not seek to change this as they result in alterations to the glazing/texture and not the structural form.	Consistent

Concept Plan (Mod 11) Block 4B Controls	Building R5	Assessment
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 criteria.	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.	The building has been designed in the composition of the three crystal forms together with Buildings R4A and R4B. The proposed modifications to the façade do not seek any major changes to the structural form or articulation of the façade and will therefore ensure that there is continued cohesiveness between blocks 4A and 4B.	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 6 Ensuring Quality of Rooftops – Objectives		
To ensure that the mass of the rooftop is articulated and legible	The amendments to the rooftop are proposed in order to improve the visual impact of the rooftop from surrounding buildings and settings. The removal of the lift motor room will enhance the roovescape, and the building maintenance unit will be a more integrated solution whilst also improving performance in cleaning the façade. The works proposed are intended to improve the articulation and legibility of the rooftop.	Consistent
Control 6 Ensuring Quality of Rooftops – Standard		
Roof forms to be designed, coordinated, remain sympathetic to its adjacent context, use good quality materials and incorporate architectural treatment of exposed elements such as lift shafts, overruns control rooms and any sustainability features, however, exposed mechanical equipment is to be avoided	The proposed amendments include the removal of the lift motor room from the roof, as well as improvements to the layout of building maintenance units and photovoltaic cells. Therefore, the amended roof form is sympathetic to its adjacent context and incorporates appropriate architectural treatments and materials. AS noted above, the removal of the lift motor room will improve visual appearance. The proposed building maintenance unit will not be highly exposed when parked.	Consistent
Roof design may integrate sustainable features, such as photovoltaics.	This modification does not alter the delivery of photovoltaic cells, but instead readjusts and improves the efficiency of the layout of the PV cells.	Consistent
Consistency in the roof form between towers in Block 4A is encouraged.	The alterations to the rooftop of Building R5 does not impact the overall approved roof form, which has been designed to correlate with the Building R4A and R4B rooftops.	Consistent

Concept Plan (Mod 11) Block 4B Controls	Building R5	Assessment
Control 7 Facades – Objectives		
To ensure the architectural quality of the facades	As aforementioned, the proposed façade modifications are minor in nature and do not seek to depart from the original design intent to create a rhythmic crystalline synergy with the adjacent Buildings R4A and R4B. As such, the architectural quality of the façade of building R5 will not be compromised.	Consistent
To ensure the façade contributes to the building’s articulation and mass.	The proposed modifications do not seek to alter the articulation or massing of the façade.	Consistent
Depth and layering of the façade is to be achieved through relief and protrusions.		Consistent
Control 9 Signage – Objectives		
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
Control 9 Signage - Standard		
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 15m2 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

4.3 Residential Amenity

Building R5 will continue to provide a high level of residential amenity in accordance with the key design criteria detailed within the ADG, as demonstrated in the SEPP 65 Design Verification Statement (refer **Attachment C**). The detailed compliance table included in the Architectural Design Report (refer **Attachment B**) includes an overall assessment against each design criteria for every apartment, which confirms that each apartment will continue to demonstrate consistency with the objectives of the ADG.

Due to the ongoing design development and internal layout reconfiguration proposed throughout Building R5, apartments in stack 507 and 508 vary the recommended habitable room as per the ADG, increasing the habitable room depth by 0.4 metres and 0.1 metres respectively. However, these apartments will continue to achieve high environmental amenity, with large, full height windows providing large amounts of natural light to the open plan living design, and no obstruction between the windows and the various areas of the room. Further, the majority of the living areas, including the main work surfaces of the kitchen are within 8m of the window or door opening providing access to light and natural ventilation. As such, RPBW confirms that the intent of the design criteria can still be achieved.

The proposed amendments to the landscape terrace will improve the usability of the terrace, through the location of seating and a shade structure, therefore enhancing open space amenity.

4.4 Sustainability

A BASIX Certificate has been provided by Lendlease Integrated Solutions (LLIS) and is provided at **Attachment E**. This certificate confirms that the development as modified will continue to provide a high level of sustainability.

4.5 Visual impact

The proposed amendments further enhance the appearance of the building, and do not result in visual impacts of a negative nature. As noted earlier, the appearance of the roofscape will be improved by removal of the lift motor room. The proposed façade amendments further enhance the building appearance to its surrounds. The landscape amendments support the visual quality of the building. The adjustments to the signage zones maintain outcomes that are responsive to the site and the visual setting.

4.6 Reasons given for granting consent

The NSW IPC determination report sets out the following reasons for approval of SSD 6966:

- The associated environmental impacts resulting from the development are manageable with appropriate conditions.
- The development meets the objects of the EP&A Act.
- The development is in the public interest.

The proposed modifications remain consistent with these reasons given for granting consent, reinforcing these reasons through the proposed amendments. The proposed refinements seek to enhance amenity and design outcomes to maintain a high standard of design excellence and remain consistent with the Barangaroo Concept Plan (as modified).

5.0 Conclusion

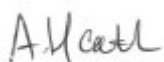
The proposed modifications relate to the ongoing design development of Building R5, including minor internal layout reconfiguration, rooftop changes, façade rationalisation and landscape changes.

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

- the proposed modification is of minimal environmental impact; and
- 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. If you have any further questions on this matter, please do not hesitate to contact us.

Yours sincerely,



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