



Building R5 Modification 3

Design Amendments
State Significant Development Modification Assessment
(SSD 6966 MOD 3)

April 2022



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Glossary

Abbreviation	Definition
BFPUD	Barangaroo Built Form Principles and Urban Design
ADG	Apartment Design Guide
Applicant	Lend Lease (Millers Point) Pty Ltd
Application	SSD 6966 MOD 3
Commission	Independent Planning Commission
Concept Plan / Concept Approval	Approved Barangaroo Concept Plan for the redevelopment of the site (MP 06_0162), as modified
Consent	Development Consent
Council	City of Sydney
Department	Department of Planning and Environment
EIS	Environmental Impact Statement
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>
EPI	Environmental Planning Instrument
GFA	Gross Floor Area
Minister	Minister for Planning
OCF	Open cavity facade
Planning Secretary	Secretary of the Department of Planning and Environment
SEPP	State Environmental Planning Policy
SSD	State Significant Development
SSP	State Significant Precinct
TfNSW	Transport for New South Wales

Executive Summary

This report provides an assessment of an application (SSD 6966 MOD 3) seeking to modify the consent for the construction, use and fit-out of a 30-storey residential building known as Building R5, at Barangaroo South.

The application seeks approval to:

- make minor external design changes to building facades, rooftop and signage zones
- make minor internal changes to apartment layouts, service areas and finished floor levels.

The application has been lodged by Lendlease (Millers Point) Pty Limited pursuant to Section 4.55(1A) of the *Environmental Planning and Assessment Act 1979* (EP&A Act) (the Applicant).

Engagement

The Department made the modification application available on its website and referred it to City of Sydney Council (Council). Council raised no objection to the proposed modifications however raised concerns about wind impacts on outdoor furniture on the communal rooftop terrace. No public submissions were received.

The Applicant submitted a response to the issues raised by Council and additional information as requested by the Department.

Assessment

The Department has considered the merits of the proposal in accordance with the relevant matters under section 4.15(1) of the EP&A Act, the issues raised by Council and the Applicant's response to these. The Department's assessment concludes that the proposal is acceptable as:

- the development will continue to achieve design excellence as all changes have been designed by Renzo Piano and PTW Architects and accompanied by a design verification statement verifying design excellence principles have been maintained
- the minor external design changes would not alter the apparent bulk of the building, would maintain the architectural design integrity of the façade and would not result in any impacts beyond those already assessed and approved
- the modifications to the internal layouts are minor and the apartments would continue to have a high level of amenity for future occupants
- it will continue to comply with the Concept Approval and the relevant statutory provisions and remain consistent with relevant EPIs and the strategic planning context
- it is substantially the same developments as the approved development.

Conclusion

For the reasons set out above, the Department is satisfied the proposal is in the public interest and recommends the application be approved, subject to conditions.

1 Introduction

This report provides an assessment of an application seeking to modify the consent for the construction, use and fit-out of a 30-storey residential building known as Building R5, at Barangaroo South (SSD 6966 MOD 3), pursuant to section 4.55(1A) of the *Environmental Planning and Assessment Act 1979* (**EP&A Act**).

The application has been lodged by Lendlease (Millers Point) (the Applicant) and is pursuant to section 4.55(1A) of the Environmental Planning and Assessment Act 1979 (EP&A Act).

1.1 Background

Barangaroo redevelopment

The Barangaroo redevelopment is a major urban renewal project located along the north-western edge of the Sydney Central Business District (CBD) within the City of Sydney (Council) local government area. The 22 hectare site is bounded by Sydney Harbour to the north and west, Hickson Road to the east and King Street Wharf / Darling Harbour to the south.

The Barangaroo site is divided into three redevelopment precincts, comprising Barangaroo Reserve, Barangaroo Central, and Barangaroo South (**Figure 2**).

The Barangaroo site is the subject of a Concept Approval and various development approvals for a mixed-use redevelopment as summarised at **Section 1.2**.

Barangaroo South precinct

Barangaroo South is the southern-most precinct within Barangaroo and is bounded by Barangaroo Central to the north, King Street Wharf to the south, Hickson Road to the east and Sydney Harbour to the west. The precinct comprises seven blocks together with public domain and open spaces and is divided into three construction stages, comprising (**Figure 2**):

- Stage 1A (Blocks 1, 2, 3 and X), including a mixture of mid and high-rise (from RL 25 up to RL 209) building envelopes for commercial towers, residential and retail buildings
- Stage 1B (Blocks 4A and 4B), comprising three tower building envelopes (R4A, R4B and R5) for mixed / residential use (heights ranging from RL 107 up to RL 250), Hickson Park public open space and Stage 1B shared basement
- Stage 1C (Block Y) including the Crown Sydney Hotel Resort with a maximum height of RL 275.

The development of the Barangaroo South precinct is at an advanced stage, with Stage 1A and Stage 1C completed and Stage 1B under construction.

This modification application relates only to Building R5, which is located within Stage 1B, Block 4B of Barangaroo South.



Figure 1 | The location of Barangaroo and the three Barangaroo development precincts (Source: Nearmap)



Figure 2 | The location of Building R5 within Block 4B in Barangaroo South layout (Source: MP06_0162 MOD8)

1.2 Approval history

Concept Approval

On 9 February 2007, the then Minister for Planning approved the Barangaroo concept plan (MP 06_0162) (the Concept Approval) for the redevelopment of the Barangaroo site.

The Concept Approval has been modified on 11 occasions as summarised at **Appendix D**. The Concept Approval, as modified (**Figure 2**) establishes:

- a mix of uses, including residential, retail, commercial and public recreation
- a maximum gross floor area (GFA) of 602,354 m², building envelopes, building height and public open space / public domain areas
- Built Form Principles and Urban Design (BFPUD) controls to guide the design of development.

Building R5 approval

On 3 October 2019, the Independent Planning Commission (the IPC) approved an SSD application (SSD 6966) for the construction, use and fitout of a 30-storey (RL 107) mixed-use development known as Building R5 within Barangaroo South Block 4B.

The Building R5 consent (SSD 6966) has been modified twice as summarised in Table 1.

Table 1 | Summary of modifications to SSD 6966 (Building R5)

Mod No.	Summary of Modifications	Approval Authority	Type	Status
MOD 1	• Modification of internal layouts, building facades and finished floor levels • Increase GFA by extending the Building R5 floor plate • Two additional Key Worker Housing (KWH) apartments • Amended signage zones and temporary public art	Executive Director	4.55(2)	Approved on 19 August 2021
MOD 2	• Reallocation of car parking spaces and storage • Cages within the shared basement between Buildings R4A, R4B and R5	Executive Director	4.55(1A)	Approved on 14 February 2022

2 Proposed modification

The modification application seeks approval to modify the development consent to allow minor internal and external design changes to Building R5 as summarised in **Table 2** and shown in Error! Reference source not found. to **Figure 5**.

A link to the application is provided at **Appendix A**.

Table 2 | Key components of the modification

Component	Modification Description
Internal changes	Ground floor - a new retail lift lobby with entry from Watermans Quay - three new doors entry/exit doors to retail areas - minor change to an internal wall separating retail floorspaces Level P1 - Replace the balcony sliding doors with a three-style panel door in Apartment 503 Level P2 - Replace fixed panels with OCF panels for study and third bedroom in Apartment 505 - Replace the balcony sliding doors with a three-style panel door in Apartments 503 and 504 Level L02 terrace - change to a DDA compliant door to access the Key Worker Housing common open space and minor layout changes Apartment stack 05 - amendments to the balcony sliding door, bedroom access and balustrade Levels 26 - 27 - finished ceiling heights reduce from 3m to 2.7m on level L27 - amendments to floor to floor heights on levels L26 and L27 Levels P1 - 27 - increase the habitable room depth from 8.3m to 8.4m for stack 507 apartments (25 total) - increase the habitable room depth from 8m to 8.1m for stack 508 apartments (26 total) - minor internal layout refinements resulting from structure and riser changes GFA 0.9m² increase to residential GFA 1.2m² reduction of retail GFA - Overall reduction of 0.3m² of GFA
External changes	Levels 25 - 27 - façade adjustments including the addition of ventilation slots on levels L01, L25 and L27 All levels - facade panel changes, including change to panel materials Roof - removal of the lift motor room and amendment to the building maintenance unit Roof Top Terrace - amendments to the layout of the planter boxes - relocation of shade structure and seating areas Signage zones

- amendments to proposed signage zones along the south west facade, including two new signage zones above the entry and removal of the signage zone on the adjacent column
- amendments to proposed signage zones along the east facade, including a new signage zone above the KWH entry and removal of the signage zone on the adjacent column

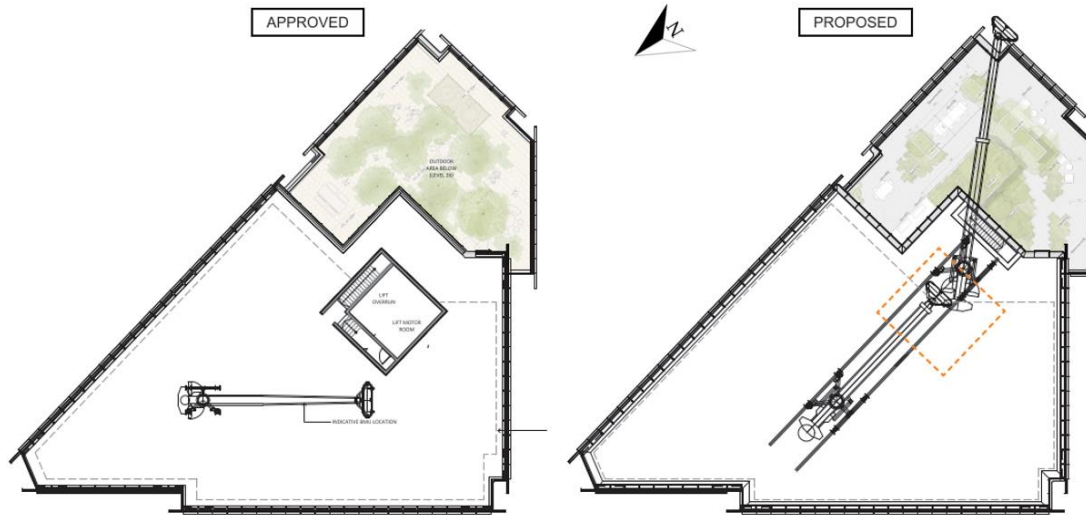


Figure 3 | Approved roofscape (left) and proposed (right) roofscape with removed lift motor room and relocation of building maintenance unit (Source: Applicant's Design Report and Architectural Plans)

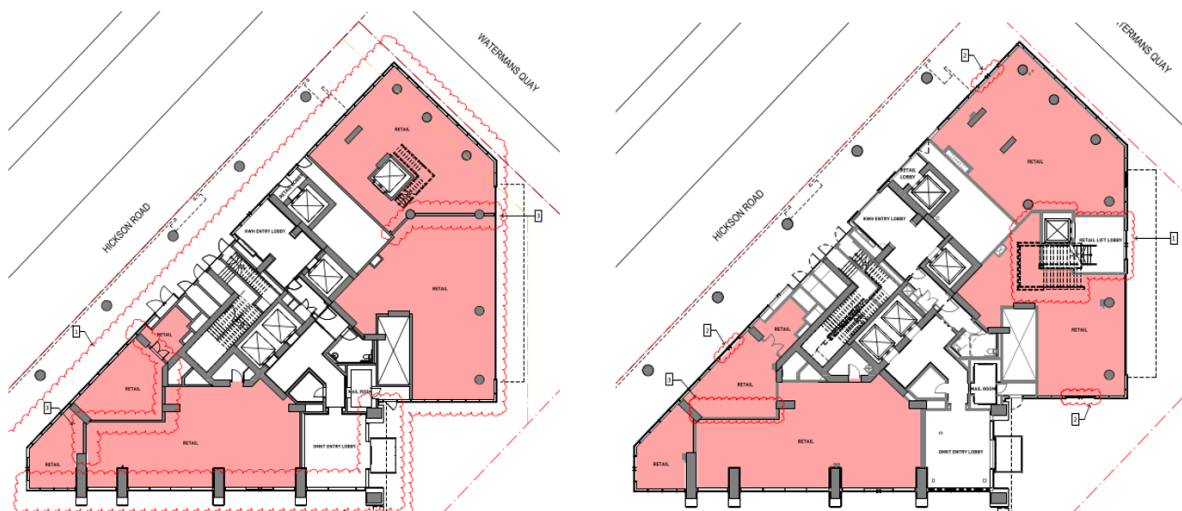


Figure 4 | Approved (left) and proposed (right) ground floor with new retail lift lobby, three new entry/exit doors to retail areas, minor changes to internal separating walls (Source: Applicant response)



Figure 5 | Hickson Road elevation approved (left) proposed (right) with revised floor to floor heights on L26 and L27 (Base source: Applicant's Architectural Package)

3 Statutory context

3.1 Scope of modification

The Department has reviewed the scope of the modification application and considers that the application can be characterised as a modification involving minimal environmental impacts as it:

- would not increase the environmental impacts of the project as approved
- are substantially the same development as originally approved
- would not disturb any areas outside the site.

Therefore, the Department is satisfied the proposed modification is within the scope of section 4.55(1A) of the EP&A Act and does not constitute a new development application. Accordingly, the Department considers that the application should be assessed and determined under section 4.55(1A) of the EP&A Act rather than requiring a new development application to be lodged.

3.2 Consent authority

The Minister for Planning is the consent authority for the application under section 4.5(a) of the EP&A Act. However, under the Minister's delegation, the Executive Director, Key Sites and Regional Assessments, may determine this application as:

- the application relates to land identified as the Barangaroo Site in the *State Environmental Planning Policy (State Significant Precincts) 2005*
- a political disclosure statement has not been made by the Applicant
- there are less than 50 public submissions in the nature of objections
- the Executive Director has formed the opinion that if approved, the applications would be generally consistent with the approved Barangaroo Concept Plan (MP 06_0162)
- the Executive Director has formed the opinion that any submission made about the applications by the Council of the City of Sydney has been considered in the assessment of the application.

3.3 Mandatory Matters for Consideration

The following are relevant mandatory matters for consideration:

- section 4.55(1A) of the EP&A Act, including environmental planning instruments or proposed instruments
- any planning agreements
- EP&A regulation
- likely impacts of the modification application, including environmental impacts on both the natural and built environments, and social and economic impacts
- suitability of the site
- any submissions
- the public interest
- the reasons for granting approval for the original application.

The Department has considered all these matters in its assessment of the proposals. The Department has also considered the relevant matters in **Section 5** and **Appendices B** and **C** of this report.

3.4 Consistency with Concept Approval

The Department has considered the proposed modification and is of the opinion the modification remains consistent with the terms of approval and future environmental assessment requirements of the Concept Approval.

The proposal continues to comply with the specific Block 4B GFA and height requirements (Building R5) as approved under the Concept Approval. In particular:

- the total proposed GFA of 21,425m² is below the maximum permissible 21,508m²
- the proposed residential GFA of 20,636.9m² is below the maximum permissible 20,637m²
- there is no change the approved height of RL 107.

4 Engagement

4.1 Department's engagement

The Department made the modification application available on its website and referred it to Council.

4.2 Summary of submissions

Council did not raise any objection, subject to maintaining compliance with the Apartment Design Guide (ADG) objectives and design guidance identified in SEPP 65. Council suggested any movable furniture on the terrace should be secured.

Council's advice is provided in **Appendix A**.

No submissions were received from the public.

4.3 Applicant's response to submissions

On 24 February 2022, the Applicant provided its RtS, which included additional information and made the following key amendments to the proposal:

- Introduction of open cavity facade (OCF) to the study and third bedroom of Apartment 05 on Level P2 to improve amenity to these rooms
- Change from a 3 style panel sliding door to a 2 style panel sliding door for Apartments PO504 (L1 and 2) and Apartment PO503 (L1) to improve access to the balconies.

On 21 March 2022 the Applicant provided additional information clarifying the secondary signage zone dimensions.

5 Assessment

5.1 Key assessment issues

In assessing the merits of the proposal, the Department has considered:

- the modification application and associated documents
- the Environmental Impact Statement and conditions of approval for the original application (as modified)
- all submissions received and the Applicant's RtS
- relevant environmental planning instruments, policies and guidelines
- the requirements of the EP&A Act.

The Department has assessed the potential impacts associated with the proposal in **Table 3**.

Table 3 | Assessment of proposed changes

Issue	Findings	Recommendations
Design excellence	• Design excellence was a key consideration in the Department's original assessment. The Department concluded the building designed by Renzo Piano Building Workshop (RPBW) would achieve design excellence in accordance with the criteria set out within the Concept Approval. • The proposal seeks approval for a number of external and internal changes as outlined in Table 2 and shown in Error! Reference source not found. to Figure 5. • The Applicant provided a Design Verification Statement from the RPBW in collaboration with PTW Architects confirming the design integrity of the original project is maintained. • The Department has considered the proposed external façade and internal layout changes and is satisfied that the building will continue to exhibit design excellence as: • the amendments would not alter the scale or height of the building • the proposed materials and finishes are consistent with the existing approval • the amendments to façade panels have been carefully considered to retain the architectural quality of the façade and relationship with the adjacent R4A and R4B towers • the minor amendments to residential layouts will contribute to improved amenity and the revised floor to ceiling heights continue to meet ADG design criteria.	The Department recommends condition A2 is amended to reflect the revised plans.
Ground floor and retail entry	• The proposal seeks to add a new retail entry and lift lobby from Watermans Quay and add three new access points to ground floor retail tenancies. • The Department considers the ground floor and retail entry changes are acceptable as: • the additional access points will provide more permeability to and activation of the surrounding area • the lift lobby design is well integrated into the facade and of similar proportions to the approved entry	The Department recommends condition A2 is amended to reflect the revised plans.

- the changes have a negligible impact on the external appearance of the building and maintaining the quality of the approved design.

Rooftop plant layout

- The proposal seeks approval to remove the lift motor room (LMR) and to relocate the building maintenance unit (BMU) on the rooftop of Building R5.
- The Applicant provided a Vertical Transport Letter which concludes removal of the lift motor room does not impact on lift performance, which remains commensurate with international global standards.
- The Department considers the proposed roof changes are acceptable as:
 - the removal of the LMR will reduce the visual impact of rooftop plant, without compromising lift performance
 - the relocation of the BMU to the former LMR location allows more efficient maintenance of building facades.

The Department recommends condition A2 is amended to reflect the revised plans.

Communal Area Landscaping

- The proposal seeks to make minor amendments to the rooftop communal area on L26, relocating the shade structure and seating area and associated changes in planter box layout, providing seating closer to the facade to provide improved views.
- Council recommended that furniture is secured on the rooftop terrace to avoid any damage caused by winds.
- The Department considers the changes to the L26 landscape areas are acceptable as:
 - they would result in improved amenity for residents through better use of the spaces
 - it will improve outlook while retaining high quality planting areas
 - the Landscape plan includes a notation to ensure furniture selection will be appropriate for windy conditions.
- The Department notes that Condition B10 of the development consent for Building R5 requires the final landscaping detail to be submitted and approved by the Secretary prior to the issue of the relevant Construction Certificate.

The Department recommends condition A2 is amended to reflect the revised plans.

Signage zones

- The development consent for Building R5 approved two signage zones to identify the KWH entrance on Hickson Road and the residential entrance on the south-west elevation of the building.
- SSD 6966 Mod 1 approved additional, alternative, signage zone for each entry.
- The proposal seeks to revise the signage zones to provide further flexibility:
 - KWH – the primary signage zone has been extended by 0.6m (total 5.2m²) and the secondary signage zone 2.4m x 0.2m (0.48m²) has been moved above the KWH entry
 - Residential – the primary signage zone is unchanged, the secondary signage zone is moved to two potential locations, either on the entry glass or above it, measuring 0.2m x 3m (0.6m²) on the glass entry box and 0.3m x 3m (0.9m²) above the glass entry. Both locations are significantly smaller than the secondary signage zone approved in Mod 1.
- The Department notes that Control 9 in the Concept Approval Design Controls stipulates signage is to be limited to one sign per frontage at podium level and is not to exceed 15m² per sign.
- The Department considers the proposed alternative signage zones are acceptable as:
 - they meet the key criteria in SEPP (Industry and Employment) 2021 (**Appendix C**)

The Department recommends condition A2 is amended to reflect the revised plans and Condition A24 is amended to ensure a maximum of one sign per frontage is installed.

- they provide flexibility for potential signage locations in future DA(s) noting that only one signage zone per entry can be utilised (Condition A24)
- further DA(s) will be required, unless the signage can be undertaken as exempt or complying development.
- The Department recommends Condition A24 is amended to ensure that only one of the three residential signage zones is utilised.

Habitable room depths

- The ADG identifies the maximum depth for open plan apartments as 8m. Mod 1 approved an increase in depths of apartment stack 507 from 8.2m to 8.3m.
- The proposal seeks to increase habitable room depths for apartment stack 507 (25 total) from 8.3m to 8.4m and for apartment stack 508 (26 total) from 8m to 8.1m. The 0.1m increase is the result of a minor shift in the kitchen wall towards the common hallway/corridor.
- The Department has considered the proposed layout changes and supports the amendments as:
 - the 0.1 m increase in depth will be imperceptible and unlikely to have a material difference to the amenity of the apartments
 - the size of the living areas and floor to ceiling heights will provide acceptable light and amenity
 - most of the working surface area of the kitchen is within 8m of a window
 - the open plan layouts will provide unobstructed views through to the balcony windows.

No changes to conditions.

Other internal changes

- The proposal seeks approval for minor internal design changes including changing the Level P2 KWH terrace doors to a DDA compliant design, changes to balcony sliding door design and bedroom accessibility and minor layout refinements to the ground floor internal retail walls.
- The Department considers the proposed internal amendments are acceptable as they retain, or improve, the functionality and amenity of the approved development.

No changes to conditions.

6 Evaluation

The Department has assessed the merits of the application in accordance with the relevant requirements of the EP&A Act. The Department considers the proposed modification is acceptable as:

- the development will continue to achieve design excellence as all changes have been designed by Renzo Piano and PTW Architects and accompanied by a design verification statement verifying design excellence principles have been maintained
- the simplification of rooftop plant and refinement to the rooftop communal open area will improve usability
- the changes to finished floor levels and internal layouts will improve amenity and accessibility
- the other internal and external design changes are minor and would not result in any traffic, visual or amenity impacts beyond those already assessed and approved
- it will continue to comply with the Concept Approval and the relevant statutory provisions and remain consistent with relevant EPIs and the strategic planning context
- it is substantially the same development as the approved development.

Consequently, the Department considers the modification is in the public interest and should be approved, subject to the recommended modified conditions of consent.

7 Recommendation

It is recommended that the Executive Director, Key Sites and Regional Assessments, as delegate of the Minister for Planning:

- **considers** the findings and recommendations of this report
- **determines** that the application SSD 6966 MOD 3 falls within the scope of section 4.55(1A) of the EP&A Act
- **accepts and adopts** all of the findings and recommendations in this report as the reasons for making the decision to approve the modification
- **forms the opinion** that the application would be generally consistent with the approved Barangaroo Concept Approval (MP06_0162)
- **forms the opinion** that Council's submission has been considered in the assessment of the application.
- **modifies** the consent SSD 6966
- **signs** the attached approval of the modification (**Appendix E**).

Prepared by: Marcus Jennejohn
Senior Planning Officer

Recommended by:



Amy Watson
A/Director
Key Sites Assessments

8 Determination

The recommendation is **Adopted by:**



20/4/2022

Anthea Sargeant

Executive Director

Key Sites and Regional Assessments

as delegate of the Minister for Planning

Appendices

Appendix A – List of referenced documents

Information supporting this assessment can be found on the Major Project's website as follows:

1. Modification report
2. Submissions
3. Response to submissions

<https://pp.planningportal.nsw.gov.au/major-projects/projects/barangaroo-building-r5-mod-3-building-design-refinements>

Appendix B – Statutory Considerations

To satisfy the requirements of the EP&A Act, the Department's assessment of the proposals has given a detailed assessment to a number of statutory requirements. These include:

- the requirements of section 4.55(1A) of the EP&A Act
- the matters listed under Section 4.15(1) of the EP&A Act, including applicable EPIs and regulations.

The Department has considered these matters in its assessment of the proposals in **Table 4**.

Table 4 | Consideration of section 4.55(1A) of the EP&A Act

Section 4.55(1A) Evaluation	Consideration
a) that the proposed modification is of minimal environmental impact, and	Section 5 of this report provides an assessment of the impacts associated with the modification application. The Department is satisfied that the proposal would have minimal environmental impact as the modification results in only minor internal changes to the buildings and would not result in significant adverse visual, heritage, traffic or amenity impacts.
b) 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), and	The Department is satisfied the proposed modification is substantially the same developments as the key components of the developments, including use and overall design, remain unchanged.
c) the application has been notified in accordance with the regulations, and	Details of the Department's engagement are provided in Section 4 of this report.
d) any submission made concerning the proposed modification has been considered.	The Department received advice from Council. The advice has been considered in Section 5 of this report.

Table 5 | Consideration of the matters listed under Section 4.15(1) of the EP&A Act

Section 4.15(1) Matters for consideration	The Department's assessment
(a)(i) any environmental planning instrument	The proposed modification is consistent with the relevant Environmental Planning Instruments (EPIs) as addressed below in this report.
(a)(ii) any proposed instrument	The proposed modification is consistent with the relevant draft Environmental Planning Instruments (EPIs) as addressed below in this report.
(a)(iii) any development control plan	Under SEPP (Planning Systems) 2021, Development Control Plans (DCPs) do not apply to SSD.
(a)(iia) any planning agreement	Not applicable.
(a)(iv) the regulations	The applications satisfactorily meet the relevant requirements of the EP&A Regulation, including the procedures relating to applications, the requirements for notification and fees.
(b) the likely impacts of that development including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,	The Department considers the likely impacts of the proposed modification acceptable and appropriately addressed (refer to Section 5 of this report).
(c) the suitability of the site for the development	The suitability of the site was considered in the Department's original assessment and the modification does not alter its suitability.
(d) any submissions	The Department has considered the submissions received (refer to Section 4 and 5 of this report).
(e) the public interest	The Department considers the proposed modification to be in the public interest.
Reasons given by the consent authority for the grant of the consent that is sought to be modified	The Department has considered the reasons given by the consent authority for the grant of the consent and the modification does not affect these reasons.

Environmental Planning Instruments

To satisfy the requirements of section 4.15(1)(a)(i) of the EP&A Act, the Department has considered the relevant SEPPs as part of its assessment of the proposals and is satisfied that the modifications do not result in any inconsistency with them. Note that many old SEPPs have been consolidated into the new SEPPs since 1 March 2022. Most existing provisions in each old SEPP have been transferred as chapters with no policy changes.

- State Environmental Planning Policy (Planning Systems) 2021
- State Environmental Planning Policy (Precincts – Eastern Harbour City) 2021
- State Environmental Planning Policy (Transport and Infrastructure) 2021
- State Environmental Planning Policy (Resilience and Hazards) 2021
- State Environmental Planning Policy (Biodiversity and Conservation) 2021

- State Environmental Planning Policy (Resilience and Hazards) 2021
- State Environmental Planning Policy (Industry and Employment) 2021
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004
- State Environmental Planning Policy No.65 – Design Quality of Residential Apartment Development
- Draft Design and Place SEPP 2021

As the applications propose changes to the signage zone(s) and apartment design changes, the Department has undertaken an assessment against Chapter 3 of SEPP (Industry and Employment) 2021 and SEPP No.65 – Design Quality of Residential Apartment Development below in **Appendices C and D**.

Appendix C – Consistency with the State Environmental Planning Policy (Industry and Employment) 2021

Chapter 3 of SEPP (Industry and Employment) 2021 applies to all signage that can be displayed with or without development consent under another EPI and is visible from any public place or public reserve.

Under Clause 3.6 of the SEPP, consent must not be granted for any signage application unless the proposal is consistent with the objectives of Chapter 3 and with the assessment criteria which are specified in Schedule 5. **Table 6** below demonstrates the Department's assessment of the consistency of the proposed signage zone with this assessment criteria.

Table 6 | SEPP (Industry and Employment) 2021 compliance assessment

Assessment Criteria	Comments	Compliance
1 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 signage zones are appropriately located and integrated into the design and appearance of the building. The inclusion of building identification signage is common for tower buildings/developments.	Yes
Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?	The proposed signage zones are consistent with the building and business identification signage throughout Barangaroo.	Yes
2 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	The proposed signage zones are located on the ground floor near building entries. Therefore, future signage within these zones is not expected to be located within, nor will it detract from, any other environmentally sensitive,	Yes

areas, waterways, rural landscapes or residential areas?	heritage, natural, conservation, open space, waterways or residential area.
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3 Views and vistas

Does the proposal: • obscure or compromise important views? • dominate the skyline and reduce the quality of vistas? • respect the viewing rights of other advertisers?	The proposed signage zones are located on the ground floor and are integrated into the proposed buildings. The proposed signage zones would not compromise any important views, the skyline or interfere with other advertisers.	Yes
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4 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 proposed signage zones are appropriate for the streetscape and setting of the proposed development.	Yes
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Does the proposal contribute to the visual interest of the streetscape, setting or landscape?	The signage zones would contribute to the visual interest of the buildings by contributing to the identification and recognition of the site.	Yes
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Does the proposal reduce clutter by rationalising and simplifying existing advertising?	The proposed signage zones are sympathetic to the architectural treatment of the building and do not propose advertising.	Yes
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Does the proposal screen unsightliness?	The proposed signage zones form part of the building façade.	Yes
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Does the proposal protrude above buildings, structures or tree canopies in the area or locality?	The proposed signage zones do not protrude beyond the building envelope.	Yes
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Does the proposal require ongoing vegetation management?	The proposed signage zones do not contain or require any ongoing vegetation management.	Yes
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5 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 proposed signage zones have been designed to be integrated within the building façade, compatible with the design and architecture of the building.	Yes
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Does the proposal respect important features of the site or building, or both?	The proposed signage zones would not detract from the important features of the site and building.	Yes
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Does the proposal show innovation and imagination in its relationship to the site or building, or both?	The proposed signage zones have been fully integrated with the building architecture.	Yes
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6 Associated devices and logos with advertisements and advertising structures

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?	Specific signage details will be subject to future assessment.	Yes
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7 Illumination

Would illumination • result in unacceptable glare? • affect safety for pedestrians, vehicles or aircraft? • detract from the amenity of any residence or other form of accommodation? • Can the intensity of the illumination be adjusted, if necessary? • Is the illumination subject to a curfew?	Details of illumination will be subject to future assessment. Any future illumination, however, can be ensured to not result in unacceptable glare, safety impacts, or adverse impacts on residences or accommodation. If required conditions can be imposed on future signage to ensure illumination can be adjusted.	Yes
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8 Safety

Would the proposal reduce safety for: • any public road? • bicyclists? • pedestrians, particularly children, by obscuring sightlines from public areas?	The location of the signage zones would not obscure sightlines to or from public areas or reduce safety from public roads.	Yes
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Appendix D – Consistency with the Apartment Design Guide

Table 7 | Consideration of the relevant provisions of the Apartment Design Guide under SEPP 65

ADG – Relevant Criteria	Comments
4C Ceiling Heights Measured from finished floor level to finished ceiling level, minimum ceiling heights are: • Habitable rooms 2.7 m	• The modification seeks to reduce finished ceiling heights on L27 from 3m to 2.7m to provide a 3m ceiling height on L26 which is the primary living space for these split level apartments.

- Non-habitable rooms 2.4 m. For two-storey apartments: 2.7 m for main living area floor 2.4 m for second floor, where its area does not exceed 50% of the apartment area.	- Habitable room ceiling heights meet or exceed the recommended minimums. - Ceiling heights are considered acceptable and discussed further in Section 5 of this report.
4D Apartment Size and Layout - Minimum apartment sizes - Studio 35 m² 1 bedroom 50 m² 2 bedroom 70 m² 3 bedroom 90 m². - Every habitable room must have a window in an external wall with a total glass area of not less than 10% of the floor area. Daylight and air may not be borrowed from other rooms. - Habitable room depths are limited to 2.5 x the ceiling height. - In open plan layouts the maximum habitable room depth is 8m from a window. - Master bedroom have a minimum area of 10 m² and other bedrooms have 9 m². - Bedrooms have a minimum dimension of 3m (excluding wardrobes). - Living rooms have a minimum width of: 3.6 m for studio and one bed 4 m for 2 and 3 bed. - The width of cross-over or cross-through apartments are at least 4m internally.	- The proposal makes very minor changes to the internal dimensions of apartments. - The changes do not introduce any new inconsistencies to those already assessed and supported as part of SSD 6966 Mod 1. - All apartments, including bedrooms and living rooms, meet the minimum size requirement. - The proposal is consistent with the remainder of these recommendations except for those discussed below. - The proposal seeks to increase the depth of 25 apartments (type 507) from 8.3m to 8.4m representing a variation of 0.1m/1.2% and 26 apartments (type 508) from 8m to 8.1m representing a variation of 0.1m/1.2%. - The Department considers these inconsistencies with the ADG recommendations would not adversely impact on the amenity of the proposed apartments, as discussed in Section Error! Reference source not found..
4M Facades - Building facades provide visual interest along the street while respecting the character of the local area. - Building functions are expressed by the façade.	- The proposal will continue to achieve a high standard of architectural design and will positively contribute to the Barangaroo precinct and City skyline. - The Department considers the proposed changes are acceptable as discussed in in Section 5 of this report.
4O Roof design - Roof treatments are integrated into the building design and positively respond to the street. - Opportunities to use roof space for accommodation and open space is maximized.	- The proposal is seeking to remove the lift overrun and modify the location of the building maintenance unit. - The Department considers the proposed changes are acceptable as discussed in in Section 5 of this report.

Roof design includes sustainability features	
4O Landscape design - Landscape design is viable and sustainable. - Landscape design contributes to the streetscape and amenity. - Appropriate soil profiles are provided, and plant growth is maximised (selection/maintenance). - Plant growth is optimised with appropriate selection and maintenance. - Building design includes opportunity for planting on structure.	- The proposal seeks minor modifications to the Level 26 rooftop landscaping. - The Department considers the proposed changes are acceptable as discussed in in Section 5 of this report. - Submission of final landscaping details is secured under existing Condition B10.
4S Mixed Use - Mixed use developments are provided in appropriate locations and provide active street frontages that encourage pedestrian movement. - Residential levels of the building are integrated within the development, and safety and amenity is maximized for residents.	The proposal will continue to address the surrounding streets and public domain through active retail frontages and residential entries, including 3 retail entry points proposed as part of this modification. The residential circulation areas will continue to be clearly defined and access to communal open space is provided. Adequate security is proposed.
4U Energy Efficiency - Development incorporates passive environmental and solar design. - Development incorporates passive solar design to optimise heat storage in winter and reduce heat transfer in summer. Adequate natural ventilation minimises the need for mechanical ventilation.	- The modification is supported by an amended BASIX Certificate assessment demonstrating the requirements of the SEPP are satisfied. - The building and individual apartments have been orientated to achieve sufficient solar access, as discussed in Section 4A of this table.

Appendix E – Concept Approval Modifications

Since its original approval, the Concept Approval has been modified on 11 occasions as summarised in **Table 8**.

Table 8 | Modifications to Concept Approval MP06_0162

MOD	Summary of Modification	Approved
MOD 1	Administrative changes to the approval and re-wording design excellence terms.	25 Sep 2007
MOD 2	Increase of 120,000 m ² commercial GFA to Block 2, 3, 4 and 5 (Barangaroo total 509,800 m ²).	16 Feb 2009
MOD 3	Reduction of 18,800 m ² GFA (Barangaroo total 489,500 m ²). Reinstatement of a headland at the northern end of the site and enlargement of the northern cove. Removal of development Block 8 and part of Block 7 and redistribution and re-alignment of Globe Street.	11 Nov 2009
MOD 4	Expansion of Concept Approval into Sydney Harbour, redistribution of land use mix and increase of maximum GFA by 74,465 m ² (Barangaroo total 563,965 m ²), including revision of BFPUD controls, increase of building heights and establish Blocks X and Y building heights, removal of passenger terminal and increase in community uses and provision of a cultural centre.	16 Dec 2010
MOD 5	Administrative changes.	Withdrawn
MOD 6	Realignment of Blocks 3, 4A and 4B development boundaries, amendment of BFPUD controls, bicycle parking rates and design excellence provisions.	25 Mar 2014
MOD 7	Inclusion of concrete batching plants as a temporary permitted use.	11 Apr 2014
MOD 8	Increase of 41,946 m ² GFA, amended Barangaroo South site boundary, urban structure, layout, land-uses, maximum height, public domain, car parking and amend BFPUD controls.	28 Jun 2016
MOD 9	Modifications to Barangaroo Central, including increases in height and GFA, redistribution of GFA, land uses and public domain areas and modifications to block and building envelopes	Undetermined - SEARs issued 15 Apr 2014
MOD 10	Increase of 8,000 m ² GFA (Barangaroo total 602,354 m ²), increase the height of building envelope R4B by 25 m to RL 235 m, amend building R4B setbacks and amend the Built Form Principles and Urban Design controls.	2 Sep 2020
MOD 11	Allow all vehicle to use the approved temporary construction road, amend the staging of the construction of Hickson Park and include construction exclusion zones.	22 Oct 2020

Appendix F – Notice of modification

<https://pp.planningportal.nsw.gov.au/major-projects/projects/barangaroo-building-r5-mod-3-building-design-refinements>