



Building C1 Design Changes, Barangaroo South

State Significant
Development Modification
Assessment
(SSD 8529 MOD 1)



May 2019

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Glossary

Abbreviation	Definition
AHD	Australian Height Datum
ATM	Automatic Teller Machine
Applicant	Lend Lease (Miller's Point) Pty Ltd
BDA	Barangaroo Delivery Authority
CBD	Central Business District
CIV	Capital Investment Value
Consent	Development Consent
Council	City of Sydney Council
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>
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i>
EPI	Environmental Planning Instrument
ESD	Ecologically Sustainable Development
LEP	Local Environmental Plan
LGA	Local Government Area
Minister	Minister for Planning
RtS	Response to Submissions
SEARs	Secretary's Environmental Assessment Requirements
Secretary	Secretary of the Department of Planning and Environment
SEPP	State Environmental Planning Policy
SRD SEPP	<i>State Environmental Planning Policy (State and Regional Development) 2011</i>
SSD	State Significant Development
SSI	State Significant Infrastructure



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1. Introduction

This report is an assessment of an application to modify the State significant development (SSD) approval (SSD 8529) for the construction and use of a 7-storey retail/commercial building, known as Building C1, at Barangaroo South.

The modification application has been lodged by Lend Lease (Millers Point) Pty Ltd (the Applicant) pursuant to section 4.55(1A) of the *Environmental Planning and Assessment Act 1979* (EP&A Act). The modification application seeks approval for minor design changes to the retail shopfronts and ground plane elements.

1.1 Background

Barangaroo is located on the north-western edge of the Sydney Central Business District (CBD) within the City of Sydney local government area (LGA). Barangaroo has a total area of 22 hectares and has been divided into three distinct redevelopment areas (from north to south), comprising of Headland Park (now known as Barangaroo Reserve), Barangaroo Central and Barangaroo South (**Figure 1**).

The modification application relates to Building C1 (the site) at Barangaroo South (**Figure 2**). The site adjoins Hickson Road to the east, commercial Building C2 to the south and commercial Building C3 (known as International Tower T1) to the west.

Building C1 includes four retail tenancies on the ground floor (total GFA of 726 m²). The ground level also incorporates the office lobby and integrates with the Stage 1A basement car park bicycle and vehicle egress points. Levels 1-6 of Building C1 are used for office premises (total GFA of 11,022 m²) and secondary access to Building C1 is available from Scotch Row.



Figure 1 | The location of Barangaroo South site within the Barangaroo (Source: The Department)

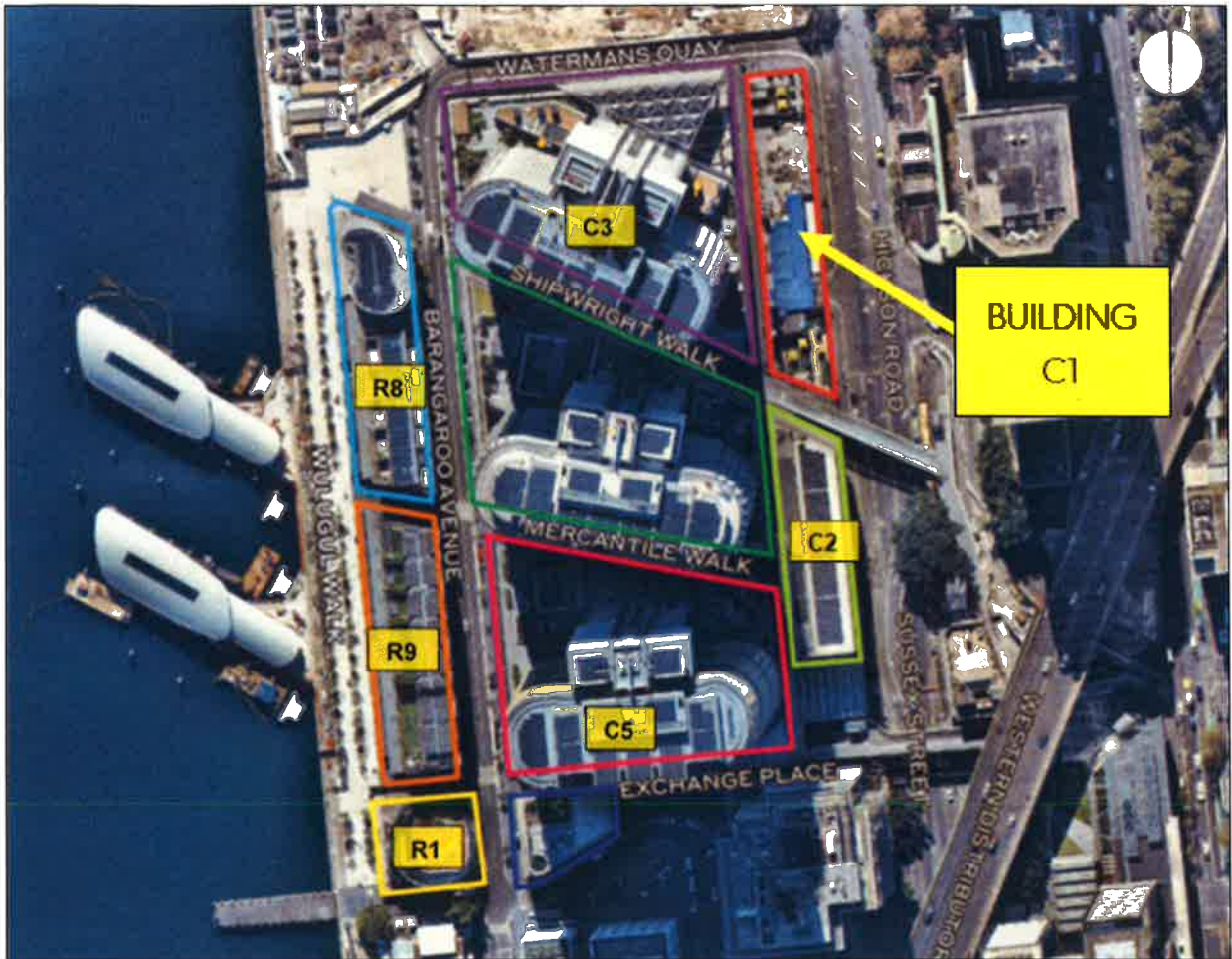


Figure 2 | The site's location within Barangaroo South (Base source: Applicant)

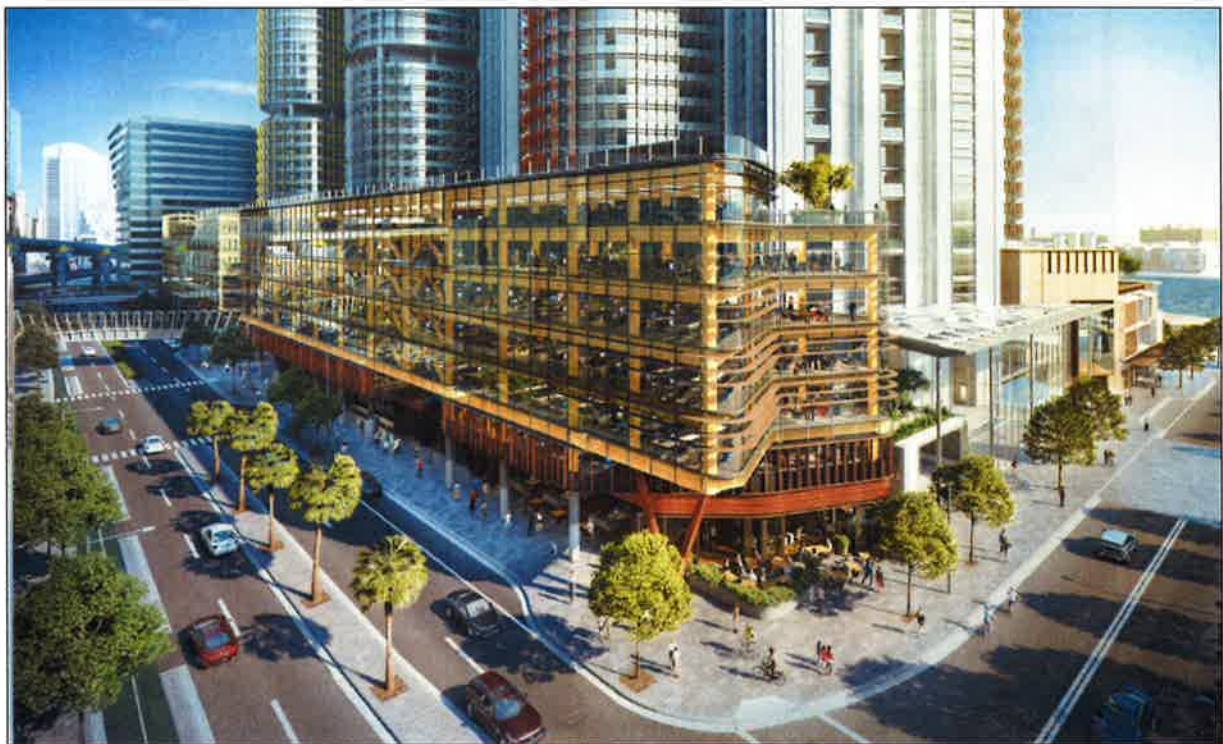


Figure 3 | Photomontage view of Building C1 from the north-east (Source: Applicant)

1.2 Approval History

SSD 8529 – Commercial Building C1

On 6 June 2018, the Executive Director, Key Sites and Industry Assessments, approved SSD 8529 (**Figure 3**) for the construction and use of a 7-storey retail/commercial building including:

- a total GFA of 11,703 m², comprising 10,995 m² commercial and 708 m² retail GFA
- public domain works
- integration and minor alterations to the existing Stage 1A Basement (MP10_0023)
- allocation of 18 car spaces, 40 bicycle spaces and 96 lockers within the existing Stage 1A Basement
- roof top planting and solar photo-voltaic installation
- commercial signage zones to level 6 to accommodate future business identification signage
- a ground floor interpretation zone.

SSD 8529 included four ground floor retail tenancies, including awnings for future outdoor dining areas. The approval also included retail shopfront design options in three retail zones on the ground level of Building C1. The shopfront modules identify the type and location of awnings in each zone and detail various shopfront elements such as doorways, façade panels, glazing and benches. The retail zones are shown below at **Figure 4**.

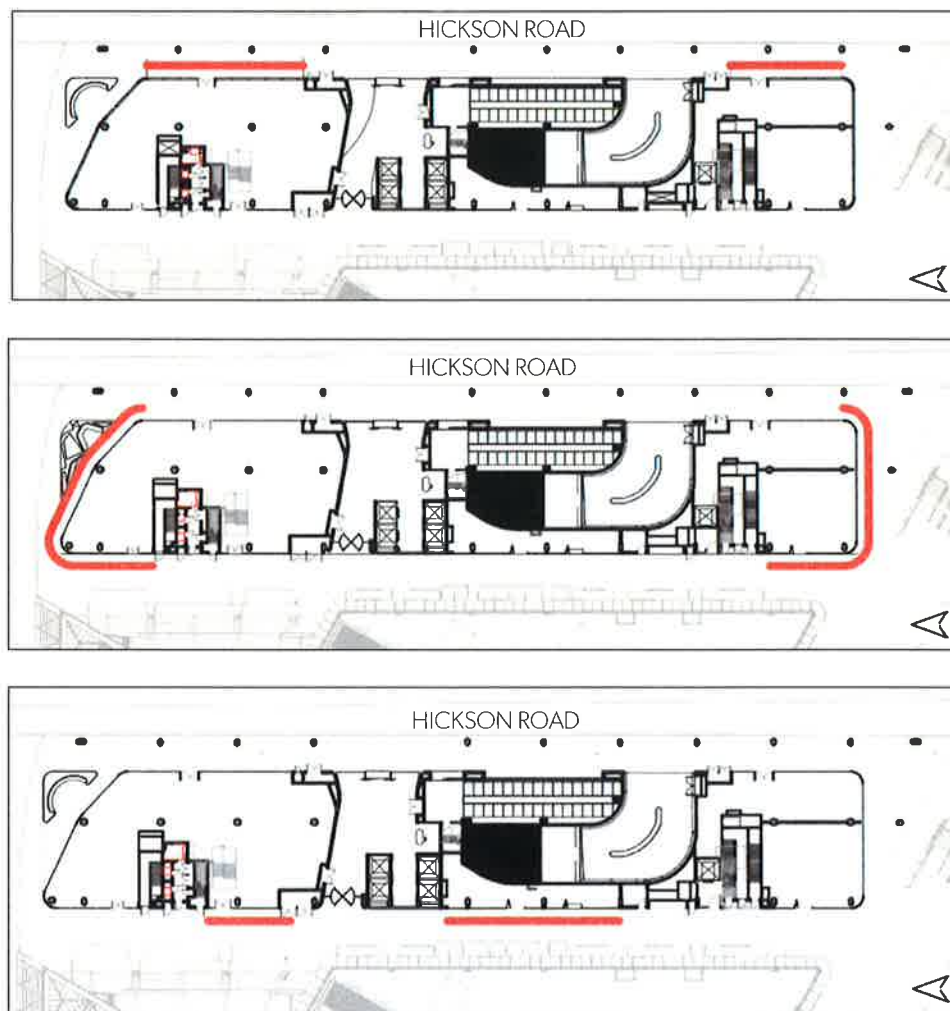


Figure 4 | Retail Zone A (top), B (middle) and C (bottom) identified by the red line (Source: Applicant)

Condition B9 was imposed under SSD 8529 to require the Applicant to provide detailed design drawings of the shopfront modules to the Planning Secretary for approval, prior to the issue of the relevant Construction Certificate.

SSD 8529 has not previously been modified.

Relevant Applications

SSD 6425 – Building C2

Commercial Building C1 (SSD 6425) was designed as part of a matching pair with the approved and constructed Building C2. The developments, both designed by Tzannes architects, are intended to have similar layouts, built form and finishes. Building C2 was approved by the Minister for Planning on 25 June 2015.

SSD 6303 – Stage 1A Public Domain

The public domain works within Stage 1A of Barangaroo South were approved by the Minister for Planning on 5 March 2015. The application established a pedestrian colonnade along Hickson Road and sought to integrate the publicly assessable areas of Stage 1B with the broader Barangaroo South public domain.

MP10_0023 - Stage 1A Basement

The Stage 1A basement was approved by the Minister for Planning on 2 November 2010 and integrates with Building C1. The basement has been constructed.



2. *Proposed Modification*

On 25 March 2019, the Applicant lodged a modification application (SSD 8529 MOD 1) seeking approval, under section 4.55(1A) of the EP&A Act, for minor design changes to the retail shopfronts and elements on the ground plane. The design changes are a result of detailed design development undertaken since the SSD 8529 approval. The Applicant has lodged the modification application to seek approval for the changes as they introduce new elements to the ground plane and propose new retail modules not approved under the original application.

The modification application seeks to amend SSD 8529 as follows:

- include new Shopfront Module B4
- introduce new Retail Zone D and Retail Zone E
- introduce new shopfront modules for Retail Zone D and Retail Zone E
- alter the awning design in Retail Zones B and C
- ground plane amendments.



3. Strategic Context

3.1 Greater Sydney Region Plan

The 'Greater Sydney Regional Plan – A Metropolis of Three Cities' sets out the NSW Government's 40-year vision and establishes a 20-year plan to manage growth and change for Greater Sydney and includes 10 directions. The Plan's key directions are to provide:

- a city supported by infrastructure – infrastructure supporting new developments
- a collaborative city – working together to grow a Greater Sydney
- a city for people – celebrating diversity and putting people at the heart of planning
- housing the city – giving people housing choices
- a city of great places – designing places for people
- a well-connected city – developing a more accessible and walkable city
- jobs and skills for the city – creating conditions for a stronger economy
- a city in its landscape – valuing green spaces and landscape
- an efficient city – using resources wisely
- a resilient city – adapting to a changing world.

The city of Sydney LGA is located within the Eastern City. The proposed development supports the directions and objectives of the Plan, in particular by facilitating the safe, efficient and orderly development of the Barangaroo South area.

3.2 Eastern City District Plan

The Greater Sydney Commission's (GSC) role is to coordinate and align planning to shape the future of Metropolitan Sydney. The GSC has prepared District Plans to inform local council and planning and influence the decisions of State agencies. The aim of the District Plans is to connect local planning with the longer-term metropolitan planning for Greater Sydney.

The Eastern City District Plan covers the City of Sydney LGA. The modification application is consistent with the Eastern City District Plan by helping to grow a stronger and more competitive harbour central business district (Planning Priority E7) through the orderly development of Building C1.



4. Statutory Context

4.1 Scope of Modifications

A consent authority may modify a consent if it is satisfied the proposed modification application meets the requirements of section 4.55(1A) of the *Environmental Planning and Assessment Act 1979* (EP&A Act). An assessment of the proposed modification application against the requirements of section 4.55(1A) of the EP&A Act is provided in **Table 1**.

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

Section 4.55(1A)	Assessment
That the proposed modification is of minimal environmental impact	The proposed modification would not alter any of the key components or characteristics of what was originally approved under SSD 8529. The Department is satisfied the application would not result in any additional environmental impacts beyond those already assessed in the original development.
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 modification application seeks to make minor changes to the commercial lobby and the retail shopfronts on ground level. No changes are proposed to the building use, height, GFA or FSR. On his basis, the Department is satisfied the modification application would result in a development that is substantially the same as the originally approved.
The application has been notified in accordance with the regulations.	Section 5 of this report demonstrates that the modification application followed the consultation requirements as outlined in the <i>Environmental Planning and Assessment Regulation 2000</i> (EP&A Regulation)
Any submission made concerning the proposed modification has been considered.	The Department did not receive any submissions relating to the modification application. No objections were received. Refer to Section 5 of this report.

4.2 Environmental Planning Instruments

The following Environmental Planning Instruments (EPIs) apply to the site:

- State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP)
- State Environmental Planning Policy (State Significant Precincts) 2005
- State Environmental Planning Policy (Infrastructure) 2007
- State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55)
- State Environmental Planning Policy No.64 – Advertising and Signage (SEPP 64)
- Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005

- Draft Environment State Environmental Planning Policy
- State Environmental Planning Policy (Coastal Management) 2018
- Draft Environment State Environmental Planning Policy – Environment.

The Department has assessed the proposed modification against the relevant provisions of these instruments and considers that the modification can be carried out in a manner that is consistent with their aims, objectives and provisions.

4.3 Consent Authority

The Minister for Planning is the consent authority for the application under section 4.5(a) of the EP&A Act.

Under the Minister's delegation dated 11 October 2017, the Director, Key Sites Assessments, may determine the application as:

- the relevant local council has not made an objection
- a political disclosure statement has not been made
- there are no submissions in the nature of an objection.

4.4 Objects under the Act

The Minister or delegate must consider the objects of the EP&A act when making decisions under the Act. The Department is satisfied the proposed modification is consistent with the objects of the EP&A Act.



5. Engagement

5.1 Department's Engagement

Section 4.55(1A) modifications are not required to be notified under the *Environmental Planning and Assessment Regulation 2000* (EP&A Regulation). However, the modification application was made publicly available on the Department's website and was referred to the City of Sydney Council (Council).

5.2 Summary of Submissions

The Department did not receive any submissions in relation to the application.



6. Assessment

6.1 Section 4.15(1) Matters for consideration

Under section 4.55(3) of the EP&A Act, the consent authority must consider the matters referred to in section 4.15(1) of relevance to the development. **Table 2** identifies the matters for consideration under section 4.15 of the EP&A Act that apply to the proposed modification. The table represents a summary for which additional information and consideration is provided for in other sections of this report, as referenced in the table.

Table 2 | Consideration of section 4.15(1) of the EP&A Act

Section 4.15(1) Matters for consideration	Department's assessment
(a)(i) any environmental planning instrument	The modified proposal complies with the relevant legislation as addressed in Section 4.2 of this report.
(a)(ii) any proposed instrument	The modified proposal complies with the relevant legislation as addressed in Section 4.2 of this report.
(a)(iii) any development control plan	Under clause 11 of the SRD SEPP, Development Control Plans (DCPs) do not apply to SSD.
(a)(iia) any planning agreement	Not applicable.
(a)(iv) the regulations	The application satisfactorily meets the relevant requirements of the <i>Environmental Planning and Assessment Regulation 2000</i> , including the procedures relating to applications (Part 6), the requirements for notification (Part 6, Division 6) and fees (Part 15, Division 1AA) (refer to Section 5 of this report).
(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 proposed changes to be minor and would not result in any adverse environmental impacts (refer to Section 6 of this report).
(c) the suitability of the site for the development	The site is suitable for the development as addressed in Sections 4 and 6 of this report.
(d) any submissions	The Department did not receive any submissions in relation to the modification application (refer to Section 5 of this report).
(e) the public interest	The Department considers the modified proposal to be in the public interest as it would facilitate the orderly and efficient development of commercial Building C1.

In its assessment, the Department has considered the Applicant's modification application and consider the shopfront amendments and ground plane changes to be the key assessment issues.

Shopfront Amendments

Include new Shopfront Module B4

The Applicant seeks to include new Shopfront Module B4 to in Retail Zone B. The new module would permit a bi-fold window and sill above a metal infill panel. The proposed element is shown below in **Figure 5**.



Figure 5 | Proposed additional retail shopfront element known as Module B4 (Source: Applicant)

Introduce new Retail Zone D and Retail Zone E

The modification application seeks to include new retail zones known as 'Zone D' and 'Zone E'. The proposed location of these retail zones is shown below in **Figure 6**.

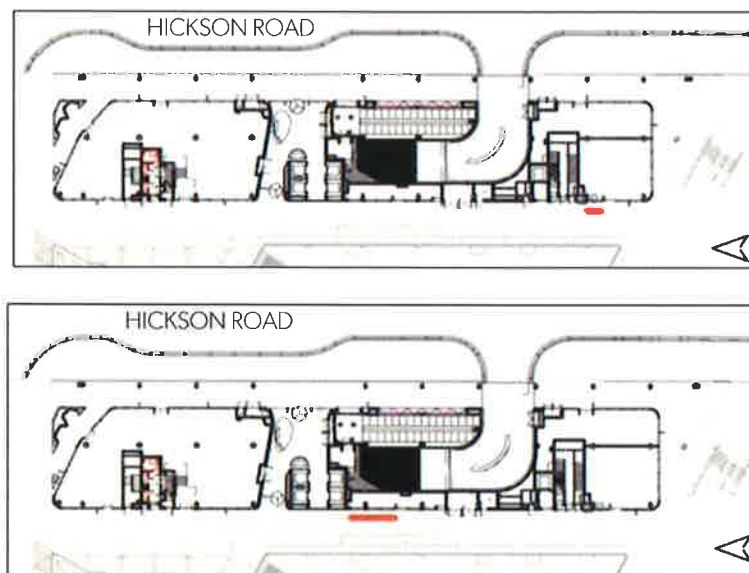


Figure 6 | Proposed Retail Zone D (above) and Retail Zone E (below) shown by the red line (Source: Applicant)

Introduce new shopfront modules

The modification application proposes to include new Module D1 to permit a glass highlight window above an automatic teller machine (ATM). The proposed module D1 is shown below in **Figure 7**.

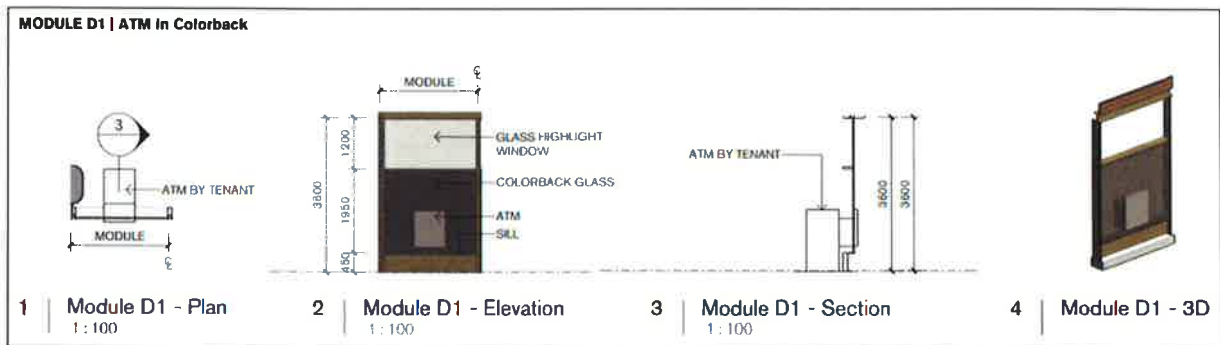


Figure 7 | Proposed new Shopfront Module D1 (Source: Applicant)

Similarly, the modification application also proposed to introduce new Shopfront Module E1 to permit a sliding façade window above brick infill. Proposed Shopfront Module E1 is shown below in **Figure 8**.

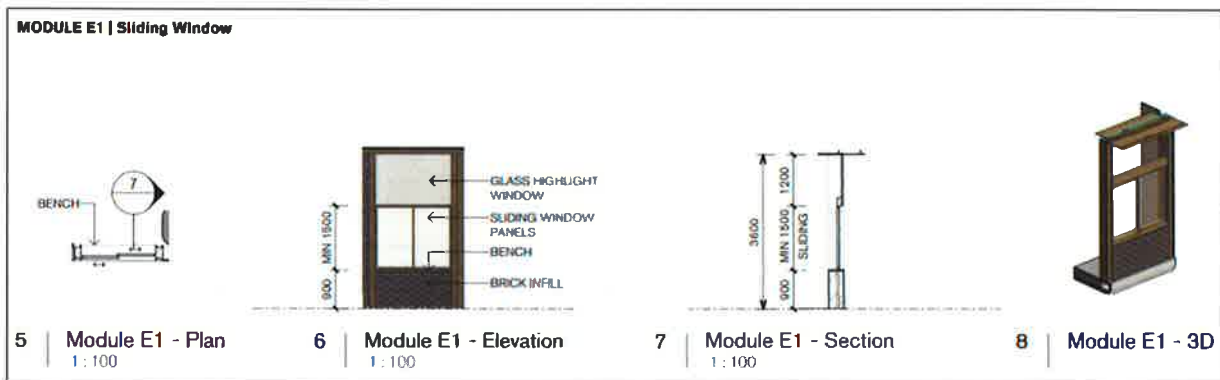


Figure 8 | Proposed new Shopfront Module E1 (Source: Applicant)

Alter the awning design in Retail Zones B and C

The modification application seeks to alter the design of the awning known as 'Module AW2 – Awnings Fixed'. The awning in this proposed module has been designed to angle back towards the building to assist with drainage. The proposed module is shown below in **Figure 9**.

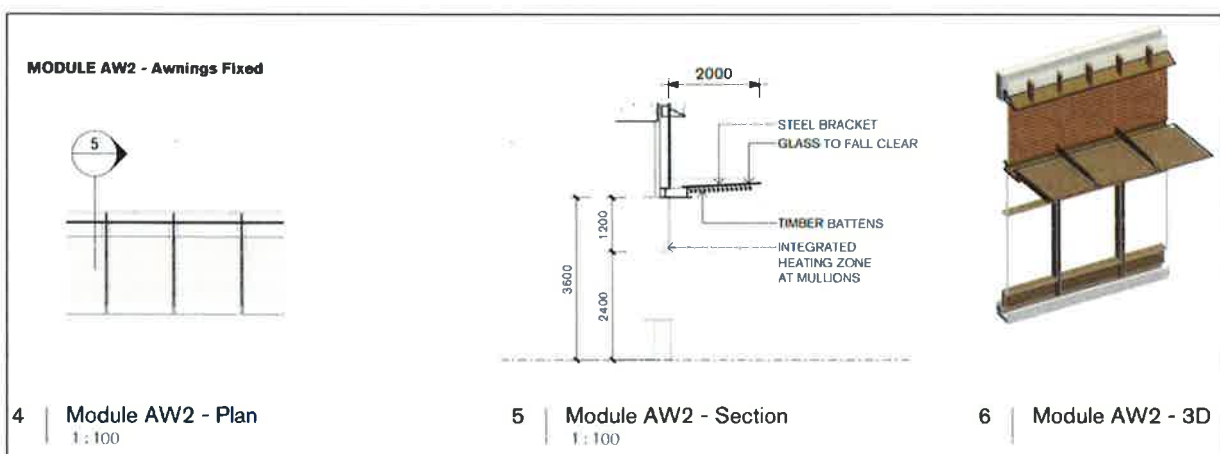


Figure 9 | Proposed new Shopfront Module AW2 (Source: Applicant)

It is also proposed to amend the awning design, known as 'Module AW1 – Awning's Retractable' in Retail Zone B and C. The revised design of the awning module includes an integrated heating and lighting zone beneath the awning. The approved and proposed Module AW1 design is shown below at **Figure 10**.

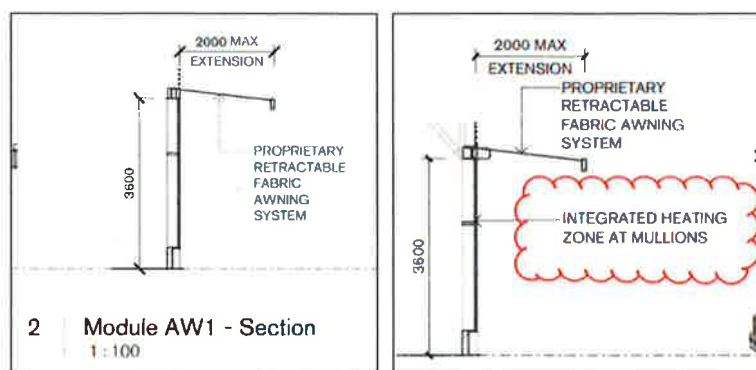


Figure 10 | The approved (left) and proposed (right) Shopfront Module AW2 (Source: Applicant)

The proposed changes would broaden the available combinations of fixed and operable shopfront elements available to tenants while ensuring a consistent design style across the overall retail offering of Building C1.

The Department notes the proposed shopfront elements are of a similar scale, style, quality and material to the retail typologies approved under SSD 8529. The Department also notes the proposed changes would marginally improve the functionality of the streetscape by providing ATM facilities and would improve the drainage performance of the streetscape through updating the awning design in Zones B and C. Furthermore, the Department notes the application would not have any impact upon pedestrian access and would maintain the streetscape activation around Building C1.

The Department does not consider the proposed amendments would result in any adverse impacts to the character of the streetscape or the architectural integrity of Building C1 and conclude the changes are acceptable.

Ground Plane Amendments

The modification application also seeks to make minor refinements to the commercial lobby entry and to remove the mullions to the glazed corner shop fronts on the southern façade. The proposed changes are compared to the approved plans in **Figure 11** and **12**.

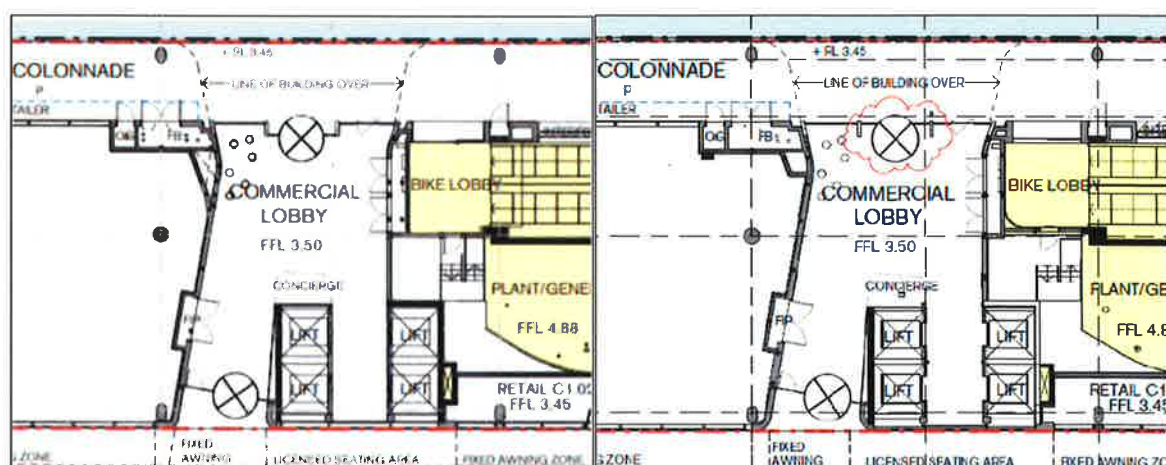


Figure 11 | The approved (left) and proposed (right) commercial lobby entry (Source: Applicant)

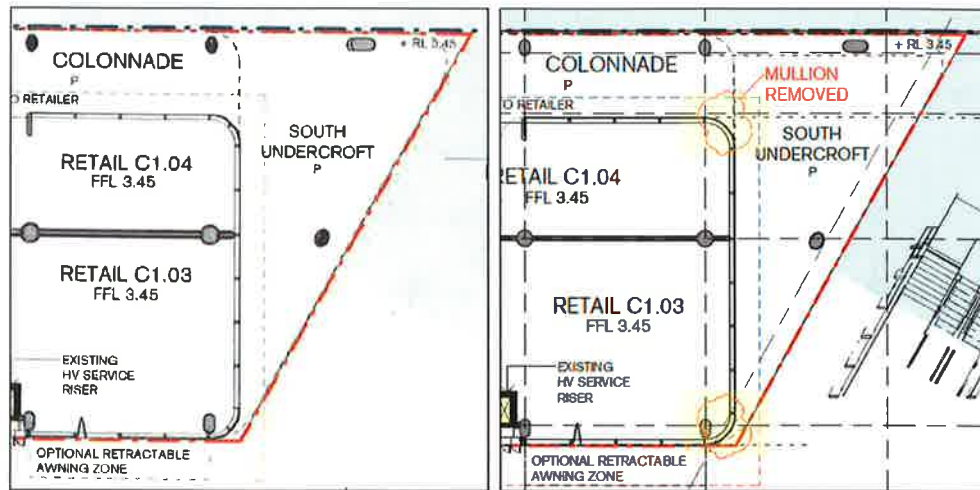


Figure 12 | The approved (left) and proposed (right) retail ground floor tenancies with the proposed removed mullions identified by the yellow shading (Source: Applicant)

The changes have resulted from architectural design refinement and would not result in any adverse environmental impacts at the site. The ground plane amendments are minor and would not impact upon the statutory compliance or the design excellence of Building C1. The Department therefore supports the proposed amendments.



7. Evaluation

The Department has reviewed the proposed modification and assessed the merits of the application.

The Department is satisfied the proposed design changes would facilitate the orderly and efficient development of Building C1 and would improve pedestrian circulation in and around the retail tenancies. The Department does not consider the proposed modification would result in any adverse environmental impacts.

Consequently, the Department considers the modification application is in the public interest and should be approved.



8. Recommendation

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

- **considers** the findings and recommendations of this report;
- **determines** that the application SSD 8529 MOD 1 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 grant approval to the application;
- **modify** the consent SSD 8529; and
- **signs** the attached approval of the modification (Appendix B).

Recommended by:

Tim Green

Planning Officer

Key Sites Assessments



9. Determination

The recommendation is **not adopted/adopted** by:

David McNamara

Director

Key Sites Assessments



Appendices

Appendix A – Documentation

The following supporting documents and supporting information to this assessment report can be found on the Department of Planning and Environment's website as follows:

1. Environmental Impact Statement
<https://www.planningportal.nsw.gov.au/major-projects/project/10821>
2. Modification Instrument
<https://www.planningportal.nsw.gov.au/major-projects/project/10821>

Appendix B – Modification Instrument

Appendix C – Consolidated Consent

The Consolidated Consent can be found on the Department of Planning and Environment's website as follows.

http://www.majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=9703