

Section 75 Modification



Commercial Building C3 (Mod 3) - MP11_0044

Barangaroo South

Submitted to the Department of Planning and Environment
On Behalf of Lend Lease (Millers Point) Pty Ltd

March 2015 ■ 10051

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Contents

1.0	Introduction	1
1.1	Approved Commercial Building C3	1
1.1	Related Approvals	2
1.2	The Site	4
2.0	Description of Proposed Modification	5
2.1	Proposed Modifications to the Development	5
2.2	Proposed Modifications to the Approval	6
2.3	Proposed Modifications to the Statement of Commitments	9
3.0	Environmental Assessment	11
3.1	Consistency with Relevant EPIs, Policies and Guidelines	12
3.2	Built Form	17
3.3	Wind	25
3.4	Accessibility	26
3.5	Fire Engineering	26
3.6	BCA	26
4.0	Revised Statement of Commitments	27
5.0	Conclusion	1

Figures

1	Approved and Proposed Podium Footprint	18
2	City Scale Perspective	20
3	South east perspective	20
4	North east perspective	21
5	North west perspective	21
6	South west perspective	22
7	Removal of 'K' brace	23
8	Removal of PV Cells	24

Tables

1	Modification to Podium Design	5
2	Modification to Tower	6
3	Approved and Proposed GFA across Barangaroo South	12
4	Compliance with Concept Plan (Mod 7) Block 3 GFA and Height Controls	13
5	Consistency with Concept Plan (Mod 7) Urban Design Controls]	13

Contents

Appendices

- A** Director General's Environmental Assessment Requirements for
Commercial Building C3 Project Application MP11_0044
Department of Planning and Environment
- B** Terms of Approval for Project Application MP11_0044
Department of Planning and Environment
- C** Tower and Podium Architectural Drawings
Rogers Stirk Harbour + Partners

Basement Drawings
Lend Lease Design
- D** Design Report
Rogers Stirk Harbour + Partners
- E** Landscape Design Statement
Aspect Oculus
- F** Public Domain and Landscape Plans
Aspect Oculus
- G** Wind Assessment
Cermak Peterka Petersen
- H** Accessibility Report
Morris Goding Accessibility Solutions
- I** Fire Engineering Statement
DeFire
- J** Structural Engineering Statement
Lend Lease Design
- K** BCA Letter
McKenzie Group
- L** Shop Fronts and Retail Signage
PTW, Caro, Urbanite

1.0 Introduction

This Environmental Assessment Report (EAR) has been prepared to accompany an application to modify the Minister's approval of Project Application MP11_0044 for Commercial Building C3 at Barangaroo South (the Modification Application). The EAR is submitted to the Minister for Planning and Environment pursuant to clause 3(1) of Schedule 6A to the Environmental Planning and Assessment Act 1979 (EP&A Act) that provides for the continued application of the provisions of the now repealed Part 3A of the EP&A Act, and is submitted on behalf of Lend Lease (Millers Point) Pty Limited (Lend Lease).

The Secretary of the Department of Planning and Environment (the Department) has indicated that no additional assessment requirements are necessary under section 75W(3) of the EP&A Act for this Modification Application. Accordingly, this EAR has been prepared with reference to the Director-General's Environmental Assessment Requirements (DGRs) issued in respect of the Minister's approval of the Commercial Building C3 Project Application MP11_0044 (Project Application), provided in **Appendix A**.

The Project was originally approved by the Minister for Planning under section 75J of the EP&A Act on 24 April 2012. The Project approval has been modified twice under section 75W of the EP&A Act. On 18 February 2013 Mod 1 was approved and on 25 June 2014 Mod 2 was approved (the Approved Project).

The Approved Project provides for the construction and use of a 49-storey (plus plant) commercial building on land known generally as Block 3 at Barangaroo South and an allocation of gross floor area (GFA) and use of 189 car parking spaces, 10 motorbike spaces and 373 bicycle spaces within the Stage 1A basement below. The basement structure was approved by the Bulk Excavation and Basement Car Parking Project Approval, MP10_0023 (Basement Approval) (as modified).

This Modification Application (Mod 3) seeks to modify the Approved Project to make further design refinements to the building façade, commercial level floor plate, podium and lobby areas and roof plant.

JBA has prepared this EAR based on plans and drawings by Lend Lease Design and Rogers Stirk Harbour+ Partners and other supporting documents provided by technical consultants, which provide a technical assessment of the potential environmental impacts of the proposed modified development and, where appropriate, recommend measures to mitigate these potential impacts (see Table of Contents).

This EAR should be read in conjunction with the EAR prepared by JBA to accompany the original Project Application (dated November 2011), the Preferred Project Report (PPR) for the Project Application prepared by JBA (dated March 2012), the Section 75W Mod 1 application (dated November 2012), and the Section 75W Mod 2 application (dated June 2014). Where relevant, this EAR modifies those documents. This EAR should also be read in conjunction with the Terms of Approval of Project Application MP11_0044 (as modified), included at **Appendix B**.

1.1 Approved Commercial Building C3

The original Project Application MP 11_0044 for Commercial Building C3 was submitted to the Minister for Planning in November 2011 and publicly exhibited for a period of 34 days between 16 November 2011 and 19 December 2011. A Preferred Project Report (PPR) was submitted for the Project by Lend Lease in

March 2012, and approval was granted by the Minister for Planning on 24 April 2012.

A Section 75W Modification Application to modify MP 11_0044 was submitted to the Minister for Planning in November 2012 (Modification 1) and approved on 18 February 2013. This was an administrative modification that sought to vary the wording of Condition A7 to allow for the progressive validation of remediation works at Barangaroo South.

A second Section 75W Modification was submitted to the Minister for Planning in October 2013 (Modification 2). This modification sought to make design refinements to the tower and podium which would result in alternations to the building GFA and height. The Modification 2 was approved on 25 June 2014 (the Approved Project).

The Approved Project generally comprises:

- piling and associated earthworks and remediation;
- construction and use of a new Commercial Building C3 with a maximum 117,698m² GFA accommodating:
 - 5,624m² retail floor space;
 - 109,238m² commercial floor space, which includes 1,740m² of office lobby;
 - 117m² of allocated GFA within the basement; and
 - 1,250m² on podium level 3 for potential use as a child care centre.
- operation and use of part of the basement car park to accommodate 189 car spaces (182 commercial and 7 for retail) allocated specifically to the proposed uses within Commercial Building C3;
- 373 bicycle spaces including:
 - 37 spaces to be temporarily located within the landscaped forecourt along the site's Hickson Road frontage; and
 - the use of 336 spaces within the basement car park (the construction of which is the subject of the Basement Approval);
- 10 motorbike spaces;
- pedestrian and cycle access and circulation arrangements;
- signage zones on the building's facade that will accommodate building and business identification signage;
- temporary works and uses, including:
 - creation of a temporary forecourt and landscaping along Hickson Road;
 - surfacing of surrounding streets and laneways including part of Globe Street, part of City Walk and part of Shelley Lane; and
 - hoardings;
- installation of services and utilities to service the building.

1.1 Related Approvals

Project Application MP10_0023 for bulk excavation and construction of a car park at Stage 1A Barangaroo South was approved by the Minister for Planning on 2 November 2010 (the Basement Car Park Approval). A number of modifications have been made to the Basement Car Park Approval, the most recent being Modification 6 approved on 11 July 2014.

The Basement Car Park Approval, as modified, generally comprises:

- demolition of existing structures and footings, part of an underground caisson wall, hardstand areas, removal of piles, and removal of existing vegetation within Blocks 1, 2, 3 and X and within the adjacent public domain area, which had not been previously approved to be demolished or removed under MP 07_0077 Demolition Works;
- site establishment, including provision of concrete crushing infrastructure, environmental protection structures, de-watering infrastructure, and groundwater treatment;
- bulk earthworks for the purposes of excavating for the basement within Blocks 1, 2, 3 and X and the adjacent public domain area;
- on-site treatment and remediation of contaminated soils;
- temporary stockpiling of excavated material across the Barangaroo site as required;
- transportation and disposal of material off site, where required;
- structural works, comprising the construction of:
 - foundations (piling, caps and footings);
 - basement levels;
 - perimeter retention system to basement walls; and
 - all associated elements and structures;
- up to 779 car parking spaces which equates to the car parking required to support GFA as envisaged by the approved Concept Plan (as modified) for Blocks 1, 2, 3 in accordance with the car parking rates approved under the Concept Plan;
- indicative parking layout, loading, plant location, bicycle parking and associated amenities;
- road works;
- construction of temporary vehicular access from Hickson Road and permanent vehicular access from Lime Street;
- associated utilities and infrastructure works including decommissioning and/or relocation of services;
- temporary use of the basement for construction related storage and activity;
- construction and use of a Harbour Heat Rejection System to the centralised cooling system for the basement and buildings associated with the Barangaroo South site;
- above ground basement risers, car park fire stairs, access lifts, and bicycle entry and exit ramps that have been or will be integrated into the design of the future peripheral buildings C1, C2, C6, R7 and R1; and
- temporary ground floor treatments and public domain within the footprint of the future peripheral buildings C1, C2, C6, R7 and R1.

A separate SSD application for the Public Domain within Stage 1A of Barangaroo South has been lodged with the Department and is yet to be determined. That application along with the temporary public domain included within the Basement Car Park Approval (Mod 6) cover the same area as the temporary public realm included in the approved Commercial Building C3 Project Application, the subject of this modification. This provides for the delivery of public domain around built structures in the various stages of development of the Barangaroo South Site.

1.2 The Site

Barangaroo is located on the north-western edge of the Sydney Central Business District (CBD), bounded by Sydney Harbour to the west and north, the historic precinct of Millers Point (for the northern half), The Rocks and the Sydney Harbour Bridge approach to the east; and a range of new development dominated by CBD commercial tenants to the south.

The Commercial Building C3 Approved Project site is located on the land identified in the approved Concept Plan (Mod 7) as Block 3. This land is on Lot 5 in DP 876514, which is owned by the Barangaroo Delivery Authority (The Authority). This application is lodged with the owner's consent of The Authority.

The development proposed in Modification Application 3 is located entirely within the Approved Project site. The description of the "Land" to which the consent and earlier application material makes reference to is Lot 5 DP876514. However, the extent of the common basement facilities included in the Basement Drawings approved as part of the Project Application lies within Lots 3, 5 and 6 DP876514. Accordingly it is requested that the Department refer to the full site in the determination for this modification consistent with the approach taken as part of the Commercial Building C4 (Mod 4) application.

A detailed description and analysis of the Approved Project site is provided at Section 2 of the EAR accompanying the Approved Project. The assessment of proposed Modification Application is informed by the information in that EAR.

2.0 Description of Proposed Modification

Lend Lease is seeking the Minister's approval under Section 75W of the EP&A Act (as in force due to Schedule 6A of the EP&A Act) to modify the Approved Project. The scope of the Modification Application is addressed in the following subsections.

2.1 Proposed Modifications to the Development

This Modification Application seeks to modify the Approved Project to make further design refinements to the building façade, commercial level floor plate, podium and lobby areas and roof plant. The design changes are detailed below.

Modifications to the Podium

The modifications to the podium are set out in the **Table 1** below.

Table 1 – Modification to Podium Design

Level	Design Change
General	<ul style="list-style-type: none"> minor extension of the podium at the north east corner of the western podium; and increase in total area of the signage zone on the northern and southern podium elevation (note: future signage within the zone will be no larger).
Ground	<ul style="list-style-type: none"> modifications to the revolving doors in the lobby; addition of internal landscaping areas at the northern podium entry; amendment of location of southern podium entry; north through link door changed from revolving door to sliding door; amendments to awnings; modification to the flanking wall in the south lobby; modifications to the proposed shop fronts; shading structures have been added; glass elements in the lobby have been replaced with solid elements; minor changes to the podium facades to both west and east; and additional and amended awnings on Shelley Lane and on the through-site-link.
Level 1	<ul style="list-style-type: none"> internal lobby bridge to Level 1 has been deleted; a shading device has been added to the west and north elevation; alteration and refinement to the design of the Level 1 slab above the basement entry ramp; and minor changes to the podium facades to both west and east.
Level 2	<ul style="list-style-type: none"> minor changes to the podium facades to both west and east; and introduction of additional permissible uses as outlined in Section 3.2.3.
Level 3	<ul style="list-style-type: none"> introduction of additional permissible uses.
Podium Roof	<ul style="list-style-type: none"> refinements to the design of the north and south lobby entrance roof; modifications to the podium plant room and landscaping; and cornice refinements to respond to podium design development.

The area of the signage zone has been increased to allow greater flexibility in the placement of signage. The maximum area of signage within the signage zone is not proposed to be modified and will remain consistent with the concept plan urban design controls.

Modifications to the Tower

The modifications to the tower are set out in the **Table 2**. Whilst some of these modifications have arisen through the design development, other changes are in

response to tenant requirements and to strengthen the identity of the tower and its relationship to Commercial Buildings C4 and C5.

Table 2 – Modification to Tower

Level	Design Change
General	<ul style="list-style-type: none"> minor refinement of solar shading fins.
Level 17	<ul style="list-style-type: none"> removal of access to the mid-rise lift lobby.
Levels 18, 34	<ul style="list-style-type: none"> removal of K-brace, in line with design development of C4 and C5; and Installation of a lifting beam.
Levels 21 - 47	<ul style="list-style-type: none"> the potential infill of voids within the vertical villages up to the GFA limit for the building (see Section 3.2.3).
Levels 50, 51, 52	<ul style="list-style-type: none"> refinements to the access arrangements to roof plant; and removal of some solar PV cells from the roof.

The fundamental design of the tower in this Modification Application remains unchanged and is underpinned by an articulation of the main tower form into three vertical elements whilst also providing a strong design at the lower levels. As with the approved design, the building form of Commercial Building C3 in the Modification Application comprises an east-west oriented tower element.

Other Modifications

Modifications to Commercial Building C3 involve minor alterations to the building GFA, which will increase from 117,959 m² to 118,902m².

Development Site

The description of the “Land” to which the consent and earlier application material makes reference to is Lot 5 DP876514. However, the extent of the common basement facilities included in the Basement Drawings approved as part of the Project Application lies within Lots 3, 5 and 6 DP876514. Accordingly it is requested that the Department refer to the full site in the determination for this modification.

Temporary Landscaping Requirements

A modification is proposed to the temporary landscaping requirement as it relates to the future C1 development site. Commercial Building C3 may be occupied in stages, with upper levels being completed whilst the lower levels are already occupied. This will necessitate use of the C1 site for storage purposes and potentially crane overhangs.

2.2 Proposed Modifications to the Approval

The proposed modifications described above necessitate amendments to the approval conditions, which are identified below. Where relevant, the conditions have been restated and words proposed to be deleted are shown bold italics strike through and words to be inserted are shown in bold.

A1 DEVELOPMENT DESCRIPTION

Except as amended by this approval, project approval is granted for the following:

- piling and associated earthworks and remediation;*
- construction and use of a new commercial Building (C3) with a maximum GFA of ~~117,968m²~~ **118,902m²** comprised of:*
 - ~~5,624m²~~ **7,402m²** of retail floor space;*
 - ~~109,238m²~~ **111,500m²** of commercial floor space, inclusive of a ~~1,740~~ **1,655m²** of office lobby;*

- allocation of 117m² of floor space within basement car park.
- allocation of ~~1,250m²~~ **1,453m²** of retail floor space on podium level 1 for potential use as a child care centre.
- allocation of up to **3,186m²** of retail floor space on podium level 2 and 3 for potential use as a recreation facility (indoor).
- operation and use of car parking spaces (~~182~~ **186** commercial, ~~8~~ **7** Retail spaces) allocated to C3 within part of the basement car park.
- 373 bicycle spaces located in the basement car park (the construction of which is subject of the Basement Car Park Approval) and 37 bicycle parking spaces within the temporary public domain adjacent to Hickson Road;
- 10 motorbike spaces
- pedestrian and cycle access and circulation arrangements.
- signage zones on the building facade to accommodate building and business identification signage.
- temporary works and uses, including:
 - creation of a temporary forecourt and landscaping along Hickson Road;
 - surfacing of surrounding streets and laneways including part of Globe Street, part of City Walk and part of Shelley Lane;
 - hoardings.
- installation of utility services.

A2 DEVELOPMENT IN ACCORDANCE WITH PLANS AND DOCUMENTATION

Condition A2 'Development in Accordance with plans' should be modified to reflect the Modification Application, including this Section 75W Environmental Assessment Report and the modified architectural and landscape drawing numbers, issues, and dates.

B22 NUMBER OF CAR SPACES

Consistent with the approach taken for the other commercial buildings, the number of commercial car spaces has been calculated on the basis of the total commercial floor space inclusive of the commercial lobby area.

Commercial car parking provision is calculated on the basis of 1 space per 600m², this equates to 186 spaces. Non-commercial car parking is calculated using the following equation:

$$\frac{\text{Other Uses Area} - 7,402}{\text{Total GFA} - 118,902} \times \frac{\text{Site Area} - 6,110}{50} = 8$$

Therefore Condition B22 is proposed to be modified as follows:

The maximum number of car spaces to be provided for the development shall comply with the table below. Details confirming the parking numbers shall be submitted to the satisfaction of the Certifying Authority prior to the issue of the relevant Construction Certificate:

Car parking allocation	Number
Commercial	48 186
All other uses	40 8
Share loading dock/spaces	36

B23 NUMBER OF BICYCLE SPACES

Consistent with the approach taken for the other commercial buildings, the condition has been revised to provide for the potential provision of the temporary spaces under certain circumstances.

The calculation of bicycle parking has been completed using the following formulas which are consistent with Statement of Commitment No. 47 of the approved Concept Plan (MP06_0162)

- Retail: 6 bicycle spaces for every 100 Other Uses car parking spaces. This equates to one (1) bicycle space
- Commercial: 4% of the commercial GFA/20m². This equates to 222 bicycle spaces.

A total of 336 bicycle parking spaces will be provided, which is compliant with the minimum requirement. Visitor parking will be provided in the public domain in accordance with the Stage 1A development application (SSD6303).

~~A minimum of 373 bicycle spaces are to be provided for the development, of which 336 are to be permanently located within the basement carpark, and 37 are to be located within the landscaped forecourt fronting Hickson Road. Details shall be submitted to the satisfaction of the Certifying Authority prior to the issue of the relevant Construction Certificate'~~

~~Note: The 37 at grade visitor parking spaces located within the Hickson Road forecourt shall be replaced with permanent space at a suitable location onsite when the Stage 1A permanent public domain SSD application (SSD6303) works are completed.~~

A minimum of 336 permanent bicycle spaces are to be provided for the development within the basement car park.

An additional 37 bicycle spaces are to be temporarily provided within the temporary landscaped forecourt fronting Hickson Road indicated on drawing no. – BC3-LD2-00-00-00, Revision K, dated 14/01/2015 prior to the issue of an Occupation Certificate for the building, unless:

- the site is being utilised in association with the construction of the C3 building or another approved project in Barangaroo South;
- a Construction Certificate has been issued for the C1 building and its associated public domain; or
- a Construction Certificate has been issued for the permanent public domain on that land for Stage 1A Barangaroo South, as contemplated under SSD 6303; or
- temporary public domain works are being provided on that land pursuant to another approval, including the Bulk Excavation and Basement Car Parking project approval (as modified).

B30 GFA CERTIFICATION

A Registered Surveyor is to certify that the Gross Floor Area (GFA) of the development of Building C3 at the subject site approved by this major project does not exceed ~~117,968m²~~ **118,902m²**. Details shall be provided to the Certifying Authority demonstrating compliance with this condition prior to the issue of a Construction Certificate.

E2 GFA AND HEIGHT CERTIFICATION

A Registered Surveyor is to certify that the Gross Floor Area (GFA) and height of the development of Building C3 at the subject site approved by this major project does not exceed ~~117,968m²~~ **118,902m²** and RL 219 respectively. Details shall

be provided to the Certifying Authority demonstrating compliance with this condition prior to the issue of the relevant Occupation Certificate.

E9 CONSTRUCTION OF TEMPORARY PUBLIC DOMAIN WORKS

Consistent with the approach taken for Commercial Building C5 (Mod 2) the following replacement condition is proposed:

~~*The proponent must construct all temporary public domain works identified in drawing numbers BC3-LD2-00-00-00 Revision I, BC3-LSK-PA1-00-00 Revision F, and BC3-LD2-00-00-01 Revision B, prior to the issue of the first occupation Certificate, unless a Construction Certificate has been issued to facilitate the construction of commercial building C1 (or permanent building in the same location) and associated public domain, the permanent public domain for Stage 1A at Barangaroo South, as contemplated under SSD6303, or for temporary public domain on the land pursuant to another planning approval.*~~

The proponent must construct temporary landscape / public domain works identified in drawing numbers BC3-LD2-00-00-00, Revision K, dated 14/01/2015 prior to the issue of the first Occupation Certificate.

However, in relation to the temporary landscape / public domain works, the relevant works are only required to be provided prior to the issue of an Occupation Certificate for the building if:

- *the site is being utilised in association with the construction of the C3 building or another approved project in Barangaroo South;*
- *a Construction Certificate has not been issued for the permanent use of the C1 development site; or*
- *a Construction Certificate has not been issued for the permanent public domain on that land for Stage 1A Barangaroo South, as contemplated under SSD 6303; or*
- *temporary landscape / public domain works are not being provided on that land pursuant to another approval, including the Bulk Excavation and Basement Car Parking project approval (as modified).*

2.3 Proposed Modifications to the Statement of Commitments

The proposed modifications described above necessitate amendments to the Statements of Commitments included as part of the Approved Project, as set out in the following table. Words proposed to be deleted are shown in ~~bold strike through~~ and words to be inserted are shown in ***bold italics***. A consolidated version of the revised Statement of Commitments is located at **Section 4.0**.

Revised Commitment	Timing	Reason
<p>3. The public domain within the Commercial Building C3 site will be generally in accordance with the Landscape Design Statement prepared by Aspect Oculus included at Attachment K <i>Appendix E</i> and the indicative Public Domain Plan prepared by Aspect Oculus included at Appendix F of the PPR prepared by JBA Planning Appendix F of the Section 75W Modification (Mod 3) prepared by JBA dated March 2015 unless otherwise modified by a another subsequent planning approval.</p> <p>The final arrangement and selection of plantings within the framework of the Public Domain Plan and Landscape Design Statement will take into consideration suitability having regard to the potential impacts resulting from the construction of nearby buildings. The Public Domain Plan will be fully integrated with the Barangaroo South Public Domain Guidelines, once finalised by the Technical Working Group.</p>	To be demonstrated by the proponent at the relevant construction certificate stage(s).	To update referenced reports.

Revised Commitment	Timing	Reason
<p>5. The Architectural Drawings prepared by Rogers Stirk Harbour + Partners included at Appendix B of the PPR prepared by JBA Planning Appendix C of the Section 75W Modification (Mod 3) prepared by JBA dated March 2015 illustrate the maximum extent of signage zones for the tower facades. Within the maximum extent of signage zones:</p> <ul style="list-style-type: none"> ■ no more than two (2) building identification and/or business identification signs will be provided at high level on a maximum of two (2) facades of the building; and ■ a maximum of two (2) building identification and/or business identification signs will be provided at podium level on a maximum of two facades of the building, ■ a maximum of two (2) secondary building identification and/or business identification signs will be provided at podium level for each facade of the building. <p>The final form and content of any proposed building and business identification signage will be subject to the approval of the Director General.</p>	To be demonstrated by the proponent at the relevant construction certificate stage(s).	To update referenced reports.
<p>41. A total of up to nine voids within the vertical villages can be filled in with GFA. The infill of the void area will not result in any additional GFA above the maximum approved GFA.</p>	To be demonstrated by the proponent at the relevant occupation certificate stage.	To provide for the potential infill of voids within the vertical villages in order to meet tenant requirements (see Section 3.2.3).

3.0 Environmental Assessment

This section of the report assesses the environmental impact of the Modification Application. The assessment has been prepared to address the matters relevant to the proposed modified development included in the DGRs for the approved project (refer to the copy included at **Appendix B**). No new assessment requirements for the Modification Application were notified to Lend Lease by the Secretary under section 75W(3) of the EP&A Act.

The development contemplated by the Modification Application sits within the Approved Project site and is informed by the detailed specialist technical reports and assessments that accompanied the original Project Application.

The following specialist technical reports and assessments prepared for the Approved Project remain relevant to the development, as proposed to be modified. These are relied upon for the purposes of this assessment:

- Geotechnical Report prepared by ARUP dated October 2011.
- Non Indigenous Archaeological Assessment prepared by Casey and Lowe dated June 2010.
- Archaeology Supplementary Letter prepared by Casey and Lowe dated September 2011.
- Aboriginal Archaeological Assessment and Cultural Heritage Assessment prepared by Comber Consultants dated May 2010.
- Aboriginal Archaeological Management Plan and Research Design prepared by Comber Consultants dated May 2010.
- Building Services Report prepared by ARUP dated October 2011.
- Stormwater Management Plan prepared by Cardno dated October 2011.
- Sydney Metro Assessment prepared by ARUP dated October 2011.
- Construction Traffic Management Plan prepared by ARUP dated November 2011.
- Travel Demand Management Plan prepared by ARUP dated October 2011.
- Climate Change and Sea Level Rise prepared by ARUP dated October 2011.
- Ecologically Sustainable Development prepared by ARUP dated October 2011.
- Acoustic Study prepared by Wilkinson Murray dated September 2011.
- Building Code of Australia Assessment prepared by McKenzie Group Consulting dated August 2011.
- Environmental, Construction and Site Management Plan prepared by Cardno November 2011.
- Construction Noise and Vibration Assessment prepared by Wilkinson Murray dated November 2011.
- Utilities Services Infrastructure Plan prepared by Lend Lease dated October 2011.
- Air Quality Impact Assessment prepared by AECOM dated November 2011.
- Transport Management and Accessibility Plan prepared by ARUP dated 14 October 2011.
- Structural Engineering Report prepared by ARUP dated October 2011.
- Waste Management Plan prepared by ARUP dated 11 October 2011.
- Reflectivity Study prepared by ARUP dated 18 October 2011.

The above reports have been provided to the Department as part of the original application for Building C3 and are available on the Department's Major Projects website. However, these reports can be provided again if required.

In addition, as part of the Mod 1 and Mod 2 Applications, letters from specialist consultants confirming that the proposed modified development remains within the scope of the original approved project, and that no further investigations were required, were submitted with the relevant EARs for those modifications. The previously supplied technical statements remain adequate for the proposal as modified, however, these letters can be provided again if required.

3.1 Consistency with Relevant EPIs, Policies and Guidelines

3.1.1 Major Development SEPP

State Environmental Planning Policy (Major Development) 2005 (Major Development SEPP) includes Barangaroo as a State Significant Site, providing a general planning framework and development parameters in addition to the approved Concept Plan.

The proposed modified project will have a GFA of 118,902m². This increase does not affect compliance with the GFA total across Block 3 under the Concept Plan (as modified) and will remain within the maximum GFA specified in the Major Development SEPP.

Table 3 illustrates the breakdown of approved and proposed GFA across Barangaroo South, illustrating that the maximum GFA approved for the site has not been exceeded.

Table 3 – Approved and Proposed GFA across Barangaroo South

Block	Building	Approved/Proposed GFA (m ²)
Block 1	Retail Building R7	1,927**
	Total	1,927
Block 2	Commercial Building C2/C6	7,920**
	Commercial Building C4	98,873*
	Commercial Building C5	90,266*
	Total	197,023
Block 3	Commercial Building C3	118,902
	Total	118,902
Block X	Building R1	804**
	Building R8/R9	18,104
	Total	18,908
Block Y	No GFA Proposed	
Total		336,760

* GFA as proposed in separate Section 75W Modifications.

** GFA as proposed in separate SSD applications yet to be determined

The approved or proposed GFA across Blocks 1, 2, 3 and 4a-c, as defined under the Major Development SEPP, is 347,147 m². This GFA amount is within the maximum GFA of 428,932m² established under the Major Development SEPP.

3.1.2 Consistency with the Barangaroo Concept Plan (Mod 7)

An updated assessment of the proposal against Concept Plan (Mod 7) is provided to demonstrate that the Modification Application complies with the Concept Plan (Mod 7).

Numerical Controls

Table 4 provides a comparison of modified Commercial Building C3's consistency with the Concept Plan (Mod 7) numerical controls.

Table 4 – Compliance with Concept Plan (Mod 7) Block 3 GFA and Height Controls

Concept Plan (Mod 7) Block 3 Control	Block 3 (as proposed under this Modification Application)	Comment
Maximum GFA – 142,669m ²	C1 – None Proposed / Approved to date	Consistent
	C3 (Mod 3) – 118,902m ²	
	Total: 118,902m ²	
Maximum Height – RL209	RL 208 (excluding BMU)	No change from approved.
	RL 219 (including BMU)	

Performance-Based Urban Design Controls

Table 5 demonstrates that Commercial Building C3 as proposed in this Modification Application is compliant with the Urban Design Controls in the Concept Plan (Mod 7).

Table 5 – Consistency with Concept Plan (Mod 7) Urban Design Controls]

Concept Plan (Mod 7) Block 3 Controls	Commercial Building C3 (Mod 3)	Comment
Control 1 Building Mass and Location		
<i>Objectives</i>		
Adoption of “fanning principle” for siting of buildings.	No change is proposed to the siting of the tower building. The Modification does not affect consistency with this objective.	Consistent
To ensure building mass is appropriate within the envelope.	The Modification does not affect consistency with this objective.	Consistent
The northern part of the block shall contain built form of a comparatively lower scale (when compared to the tower forms) as generally indicated in the indicative design.	The Modification does not affect consistency with this objective.	Consistent
<i>Standard</i>		
The length of the horizontal floor plate of the North and South elevation of the tower form is to be no more than 85.5m.	No modifications are proposed to the horizontal floorplate length.	N/A
The bulk of building mass is to be set back from the Hickson Road alignment by a minimum of 20m.	The Modification does not affect compliance with this standard.	Consistent
The primary floor plate depth, excluding structure and shading devices of each tower form sits between vertical planes (red), which establishes a 30m zone. Expressed structure and secondary floor plate is allowable outside this dimension.	The Modification does not affect compliance with this standard.	Consistent
Podium to be a minimum predominant height of 3 storeys and a maximum of RL27.	The podium is predominately three storeys and generally 18 metres in height and below a height of RL27. The Modification does not affect compliance with this standard.	Consistent
Control 2 Street Wall Establishment		
<i>Objectives</i>		
To establish spaces to articulate and define facades.	No changes are proposed to the general articulation of the facades.	Consistent
Building mass at podium to form a continuous Street Wall with a 1 storey minimum height.	A three storey street wall height is created around the podium, consistent with the Approved Project.	Consistent
Street Wall to define Globe Street and East-West laneways.	No modifications are proposed to the street wall which will continue to define Globe Street and City Walk.	Consistent

Concept Plan (Mod 7) Block 3 Controls		
Podium height shall be determined having regard to compatibility of streetscape form with the surrounding area, and appropriate engagement and framing of the public domain, together with environmental considerations on the public domain and surrounding buildings.	No change is proposed to the podium height. The podium height has been determined with the surrounding streetscape in mind, and also to benefit the future public domain.	Consistent
<i>Standard</i>		
To establish a colonnade along Hickson Road. The width and height of the colonnade along Hickson Road shall be appropriate to encourage its use, and be integrated into the proportions of the buildings of which it is a part.	This Modification Application does not propose to construct a building along Hickson Road.	N/A
Building form to create a Street Wall with a one storey minimum height for most of the public accessible ground floor facade.	A three storey street wall is created. The Modification does not affect compliance with this standard.	Compliant
Building mass to define a Street Wall on Globe Street, City Walk and Hickson Road.	Consistent with the Approved Project, Modification Application 3 will provide a street wall on Globe Street and City Walk. No building is proposed to Hickson Road as part of this application.	Compliant
Shelley Lane to be a minimum of 6m in width with a defined eastern edge parallel to Hickson Road at ground level.	Modification Application 3 does not propose to construct Shelley Lane, however a width >6m can be provided between Commercial Building C3 and Hickson Road to accommodate Shelley Lane.	N/A
Control 3 Building Articulation		
<i>Objectives</i>		
To establish an articulated, well proportioned building mass.	No changes are proposed to the approved building mass.	Consistent
To reduce the impact of the building mass.	No changes are proposed to the approved building mass.	Consistent
<i>Standard</i>		
The building envelope and floor plates are to be articulated and modulated, using a range of architectural components such as prows, corner redents, Vertical Villages, expressed lift cores, bay windows and other structural expression.	Modification Application 3 retains the articulation and modulation of approved Commercial Building C3 through measures such as the expression of the core, curved floorplates and vertical external shading. The proposed infill of Vertical Villages that forms part of this modification will not affect the building facade.	Compliant
Tower Form to express sustainability features such as access to natural light.	Modification Application 3 continues to provide a facade design that provides deep daylight penetration. Horizontal and vertical shading devices are also incorporated into the facade design.	Compliant
Control 4 Building Legibility		
<i>Objectives</i>		
Constituent elements of the building need to be articulated.	Modification Application 3 will further express the constituent elements of the building.	Consistent
The elements and structure should be legible at the base of the building.	Modification Application 3 will provide greater legibility at the base of the building.	Consistent
<i>Standard</i>		
The separate primary components of the building will be expressed.	Modification Application 3 will further express the primary components of the building.	Compliant
Visible parts of the towers primary structure are to extend to the ground plane and be expressed as a separate element from the podium.	The Modification does not affect compliance with this standard.	Compliant

Concept Plan (Mod 7) Block 3 Controls		Commercial Building C3 (Mod 3)	Comment
Control 5 Ground Floor Permeability and Accessibility of Public Realm			
Objectives			
To provide permeability and accessibility through Barangaroo South.	The Modification does not affect consistency with this objective.	Consistent	
To maximise safety in the public realm.	The Modification does not affect consistency with this objective.	Consistent	
Standard			
Public access around the Block is to be maintained on all edges.	Public access around the Block edges is not affected by this Modification Application.	Consistent	
Provide two north south primary connections, including the Hickson Road Colonnade and two east west primary connections (City Walk & Globe Street).	Modification Application 3 does not change the primary connections being provided through the block.	Consistent	
Provide one north south secondary public access route through the block.	The Modification does not affect compliance with this standard.	Consistent	
Shelley Lane must be not less than 50% open to the sky.	The Modification Application refines the proposed awnings to Shelley Lane but does not affect compliance with this standard.	Consistent	
For security purposes the secondary routes may be closed at certain times.	The secondary north south route through the building will be closed to the public outside of normal business hours.	Consistent	
Control 6 Ensuring Quality of Rooftops			
Objectives			
The mass at the rooftop shall be articulated and legible.	The Modification refines the design of the podium and tower roof but does not affect consistency with this objective.	Consistent	
Standard			
Roof forms to incorporate architectural elements.	The roof form incorporates an architectural treatment that is compatible with the overall style and massing of the building.	Consistent	
Lift shafts, overruns and control rooms are to be extruded above the roof line and used to provide architectural articulation to the roof.	The lift shafts, overruns and control rooms have been extruded above the roof line to provide articulation to the roof.	Consistent	
Exposed mechanical equipment is to be avoided.	No exposed mechanical equipment is proposed.	Consistent	
The architectural treatment of the roof and its form is to be designed, coordinated and remain sympathetic to adjacent context.	The roof form has been designed in response to its current and future adjacent context.	Consistent	
Good quality materials (i.e. durable, hardwearing, sustainable) to be used.	Good quality materials will be used for the roof materials.	Consistent	
Roof Design to integrate sustainable features.	The Roof Design integrates PV cells as a sustainable feature.	Consistent	
Control 7 Facades			
Objective			
To ensure the architectural quality of the facades.	Modification Application 3 enhances the architectural quality of the podium facades.	Consistent	
To articulate the building's functions and massing with appropriate facade design and detailing.	Modification Application 3 retains the approved articulated building functions.	Consistent	
To ensure the facades contribute to the building's articulation and mass.	Modification Application 3 will retain greater articulation through the amended design.	Consistent	
To contribute to the "carbon neutral" aims for Barangaroo South.	No change is proposed to the approved sustainability measures in the building.	Consistent	
Standard			
Depth and layering of facades is to be achieved through relief and protrusions. Mirrored facades should be avoided.	No change is proposed to the depth and layering of the facades.	Consistent	
The choice of appropriate materiality for longevity, durability and flexibility. Materials such as steel, glass, concrete, timber and aluminium.	The proposed materials, which include steel, glass, and concrete, have been chosen for their longevity, durability and flexibility.	Consistent	

Concept Plan (Mod 7) Block 3 Controls	Commercial Building C3 (Mod 3)	Comment
Environmentally sustainable design is to be incorporated on all facades.	The Modification does not affect compliance with this standard.	Consistent
Facade components such as external shading shall be used to provide light and shade to the building and reinforce Controls 2+3.	Vertical and horizontal external shading elements are retained in this Modification.	Consistent
Facades longer than 60m are to be modulated above podium level by distinctive and significant architectural elements e.g. as Vertical Villages, cores or external staircases, in the vertical plane.	The north and south elevations which exceed 60 metres are modulated with distinctive architectural elements.	Consistent
There shall be no single plane in the façade having dimensions greater than 60m in length and 60m in height (or equivalent area) without articulation, and change in plane from adjoining building elements, unless otherwise determined by the "Barangaroo Design Excellence Review Panel", to the satisfaction of the Director-General in consultation with the Barangaroo Delivery Authority.	The building does not have any planes greater than 60 metres in length without articulation. The Modification does not affect compliance with this standard.	Consistent
Control 8 Active Street Fronts		
<i>Objective</i>		
To ensure a vibrant public domain will be created at street level.	Modification Application 3 will not affect the vibrant public domain at street level approved under the original application.	Consistent
<i>Standard</i>		
At least 60% of the Ground Level is to be active on the primary Street Wall facades.	Over 60% of the ground level will be active on the primary street wall facades.	Consistent
Building entrances to internal areas such as office lobbies, exit ways and service areas or loading docks shall not count toward to 60% requirement.	Noted.	Noted
Building service areas, parking entrances & loading docks will be located on Napoleon Street.	Building service areas have been located on secondary accesses where possible such as Shelley Lane.	Consistent
The width of driveways shall be minimised.	The width of the driveway is consistent with the basement design and has been minimised where possible. The Modification does not affect compliance with this standard.	Consistent
Control 9 Signage		
<i>Objective</i>		
To ensure that the location, size, appearance and the quality of the signage on the building is appropriate.	The modifications to the signage zone to allow for greater flexibility in the placement of signs does not affect consistency with this objective.	Consistent
<i>Standard</i>		
High level signage is to be limited to a maximum of 2 separate faces per building.	No change is proposed to the high level signage proposed under the Approved Project.	Consistent
Signage is not to exceed 60sqm per sign.	All future signage within the signage zones will continue to need to be below 60sqm per sign.	Consistent
Identity signage only to be incorporated within the building facades/structure.	The proposed signage zones continue to allow for signage to be incorporated into the building facades and structure.	Consistent
Details of signage to be considered as part of the overall design of the building for the purposes of Design Excellence.	The usage of signage zones as part of the base building stage demonstrates consideration of signage as part of the overall design of the building.	Consistent
Signage shall not be greater than 1 building storey high (between floor slabs).	The proposed modification to the signage zones does not affect consistency with this control.	Consistent

Built Form Principles

Consistent with the Approved Project, the Modification Application complies with the approved Concept Plan (Mod 7) Built Form Principles, which are considered the most up-to-date principles for the site. The Modification Application will not change the proposal's consistency with these built form principles.

Statement of Commitments

The Modification remains consistent with the relevant Concept Plan Statement of Commitments as it:

- has been designed in accordance with the Design Excellence Strategy as described in Commitments 1 – 6;
- will continue to comply with commitments 47 – 51, which relate to bicycle and car parking provision;
- will comply with commitments 78 - 85, which relate to ESD; and
- will comply with the site management plans required during construction, as outlined in Commitments 121 – 124. It is noted that the approved management plans relating to site construction will not be updated as a result of this modification.

3.2 Built Form

3.2.1 Design Excellence

Design excellence continues to be an overriding goal of the design team and the modifications to the podium facades and tower refinements have been subject to a number of formal workshops and reviews with the design team, Lend Lease and the Barangaroo Delivery Authority. Rogers Stirk Harbour+ Partners (RSH+ P) directors have overseen the changes to ensure appropriate expertise and experience is brought to the proposed design.

The podium levels have been redesigned by RSH+ P in collaboration with podium architects PTW and Tony Caro Architects. Together with the modifications to the tower, the design changes strengthen the identity of Commercial Building C3 and the dialogue of the three 'sibling' towers, enhancing the legibility of the towers when read from the city, building and human scale.

Consistent with the Approved Project, the Modification Application will continue to exhibit design excellence:

- as world renowned architectural practice RSH+ P has been retained as lead architects on the project;
- a high standard of architectural design, materials and detailing is achieved, appropriate to the building type and location;
- the building form, external appearance and the ground floor plane provide for high amenity and quality of public domain;
- Lend Lease commits to ensuring continuity in the design process and realisation of the Modified Project design in the completed building by ensuring that RSH+ P has direct involvement in the design documentation phase;
- general compliance with the planning framework established for the site;
- utilising Lend Lease's skills and proven track record to deliver an exemplary commercial building; and
- exploring and implementing innovative technical and sustainable solutions, contributing to cutting edge design excellence.

3.2.2 Building Design

The Approved Project and this Modification Application deliver a built form that is generally consistent with the Concept Plan, appropriate to the site's context and to the desired urban form and scale for the western boundary of the Sydney CBD.

This Modification Application does not amend the overall height and scale of the building. The minor refinements to the podium and tower design are predominantly the result of further design development and will have no impact on the building mass. The proposed changes are minor in nature and introduces similar changes to those that have already been proposed or approved on C4 and C5. As such the proposed changes will increase the dialogue between the three sibling towers and improve the overall design of the Barangaroo South precinct. Specific design changes are considered in further detail below.

Podium Modifications

Modifications proposed to the podium level represent design refinements to better respond to the future tenant requirements.

It is proposed to extend the approved podium level to provide better integration with the north lobby. The western lobby will be extended to the north east. The extension will include additions to all three podium levels and include an extension of the approved awning on the northern elevation. The proposed modification is shown in **Figure 1**.

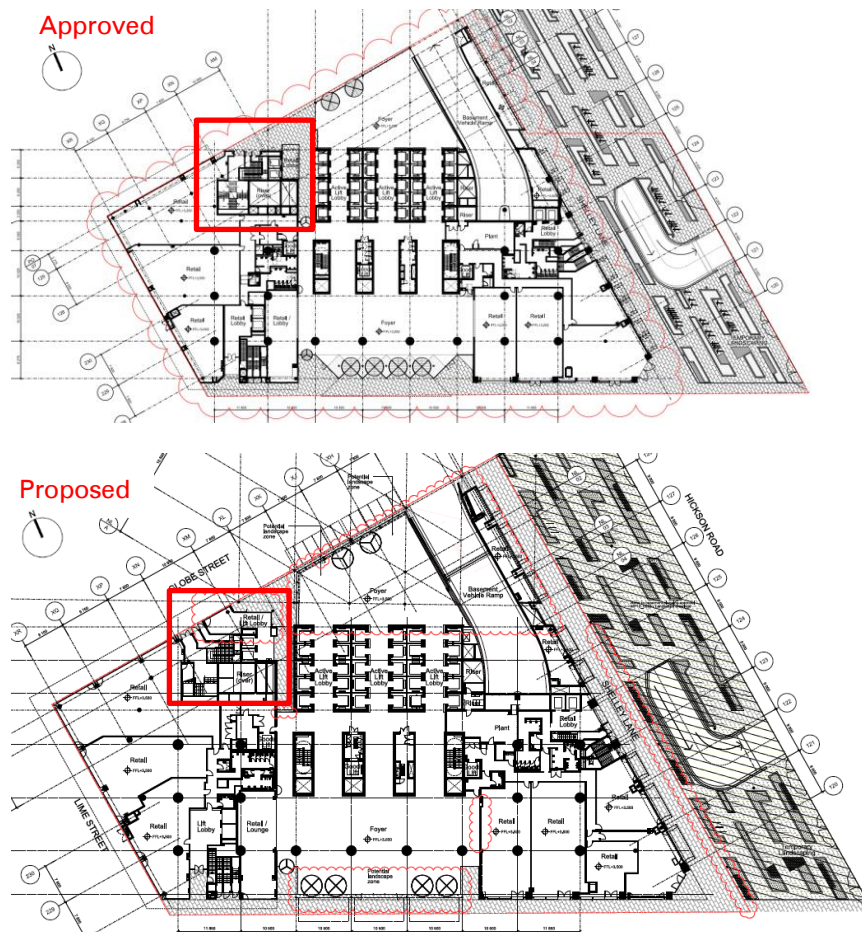


Figure 1 – Approved and Proposed Podium Footprint

Internal Modifications

The flanking wall on the western edge of the eastern podium in the south lobby has been changed from glass to a solid wall to better separate the retail uses from the commercial lobby area. The application proposes the potential for lobby planters. This means that they may be constructed, but may not be. Flexibility is sought in relation to the delivery of the planters to allow for future tenant preferences.

This is consistent with the approach taken in relation to the lobby planters Commercial Building C4.

The access bridge on level one has been removed as part of the design refinement as it was deemed unnecessary. An accessibility report has been prepared and is supplied as **Appendix H**.

External Modifications

Modifications are proposed to the design of the awnings on both the north and south lobbies and to the north lobby roof structure to better integrate the design of the east and west podiums. Awnings will remain non-continuous and will remain compliant with the Concept Plan (as modified) Design Controls. In addition, a new awning is proposed above the through site link to provide weather protection between the lobby and the elevators to the basement. Refinements are also proposed to awnings eastern retail lift lobby.

The following changes are proposed in order to improve thermal performance:

- modifications are proposed to the roof of the north and south lobbies and the to the podium facades at the eastern and western elevations;
- it is proposed to remove the glass elements so that the roof of the north and south lobbies is entirely solid; and
- it is proposed to modify the shading device on the north and west elevations of the north lobby.

Modifications are proposed to the podium cornices and to the range of shop front typologies that may be selected for the design development to improve the functionality of the retail units and provide better integration to the podium façade.

Amendments are proposed to the plant room on the roof of the podium, this includes amendments to the plant risers and flues and is in response to developing retail tenant requirements. Changes to roof plant have also resulted in minor changes to the proposed landscaping on the podium roof. These proposed changes will not result in any significant impacts.

Figures 2 – 6 show montages of the visual impact of the proposed changes from a number of viewpoints around the precinct.



Figure 2 – City Scale Perspective



Figure 3 – South east perspective



Figure 4 – North east perspective



Figure 5 – North west perspective



Figure 6 – South west perspective

Tower Modifications

Consistent with the approach taken for Commercial Buildings C4 and C5, it is proposed to remove the K brace located on the Level 18 and 34 plant rooms (see **Figure 7**). RSH+P explains in its Design Statement (see **Appendix D**) that:

‘The structural brace was introduced to contribute to the structure of the commercial tower; through technical development its contribution has proved to be negligible and it has ended up as a purely decorative element, In pursuit of structural logic, and an honest expression, it is required that the redundant brace be removed and efforts be expended to further augment the established environmental story which should manifest and express itself in a clear, legible and honest manner..’

A Structural Letter prepared by Lend Lease Design is included at **Appendix J**. It confirms the structural contribution of the brace is negligible and the removal of this element will not impact on the structural integrity of the building.



V Brace (Mod 2 Approved)



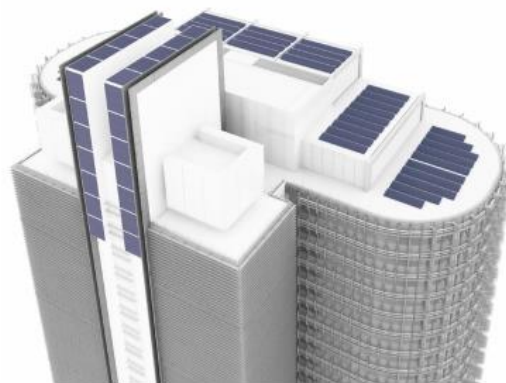
Removed brace (Mod 3 Proposed)

Figure 7 – Removal of 'K' brace

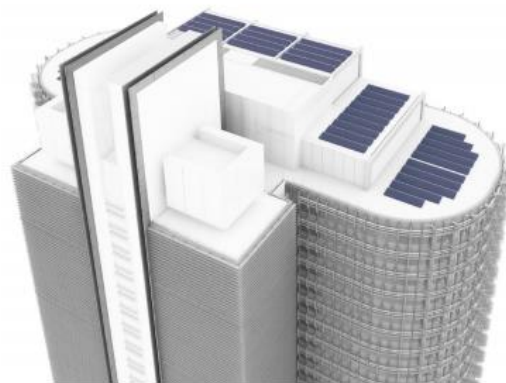
Minor refinements are also proposed to the solar fins that are currently approved throughout the tower section of the Approved Project, the detailing of the fins has been refined to reinforce the vertical reading of the tower and continue the theme of legibility of component parts.

Roof

The Approved Project features PV cells on the tower core as well as the tower roof. In order to simplify the complex integration of the north core PVs coupled with yield, quantum and value discussions, these core PV are intended to be removed as shown in **Figure 8**. This proposed modification will not diminish the ability of the building to meet the stated ESD requirements.



S75W (Mod 2 Approved)



S75W (Mod 3 Proposed)

Figure 8 – Removal of PV Cells

Within the Approved Project, access to the plant rooms is achieved via stairs on level 51 and level 52. The approved stair sets are proposed to be removed and replaced with two bridges on level 50 and one bridge on level 51. This modification is required to ensure safe and efficient access to the plant rooms.

3.2.3 Land Use and GFA

Additional Uses

This modification application seeks to permit additional uses on level 2 and level 3 of the podium level of Commercial Building C3. Specifically, it is proposed to allow up to 3,186m² of the retail GFA to be potentially used as a gymnasium.

A gymnasium is defined within the Standard Instrument as a Recreation Facility (indoor):

***recreation facility (indoor)** means a building or place used predominantly for indoor recreation, whether or not operated for the purposes of gain, including a squash court, indoor swimming pool, **gymnasium**, table tennis centre, health studio, bowling alley, ice rink or any other building or place of a like character used for indoor recreation, but does not include an entertainment facility, a recreation facility (major) or a registered club.*

It is proposed to include a potential gymnasium as an additional permitted use in this area. The overall retail GFA will not therefore be reduced through this modification, rather up to 3,186m² of the total retail GFA will be permitted to be used as *Recreation Facility (indoor)*. The maximum GFA applicable to the building would apply also.

Introducing flexibility into the land use as described would have no impact on the traffic generation impact of the building.

Car Parking

The additional uses that are proposed as part of this modification would apply to retail floor space. This means that if any *Child Care* or *Recreation Facility (Indoor)* floor space is taken up, an equivalent amount of retail floor space will be surrendered. Car parking rates for uses other than commercial are subject to a consistent requirement rate for parking provision, as described in Section 2.2. Therefore the proposed flexibility in building uses that is proposed will not introduce any variance of required car parking provision.

Vertical Villages

The Approved Project features 'vertical villages', which are double height spaces adjacent to the lift cores in the mid-rise and high rise sections of the tower.

Each vertical village is created by including a void of approximately 56m² on every second floor. It is proposed to allow the infill of up to nine of these voids as required in order to respond better to the requirements of the future commercial tenant. The vertical village voids that would potentially be in-filled are located on the following levels:

- | | |
|------------|-------------------------|
| ■ 21 West; | ■ 36 West; |
| ■ 23 West; | ■ 38 East and West; |
| ■ 25 West; | ■ 40 East and West; |
| ■ 27 West; | ■ 42 East and West; |
| ■ 29 West; | ■ 44 East and West; |
| ■ 31 West; | ■ 46 East and West; and |
| ■ 32 West; | ■ 47 East and West. |

The maximum GFA sought for the building has been determined on the basis that nine of the voids could be filled in. As a result the infill of voids will not result in the building exceeding the maximum GFA as proposed in this Modification Application. A new Statement of Commitment has been provided to reflect this.

3.3 Wind

A Wind Tunnel Study was prepared by Cermak Peterka Petersen (CPP) as part of the Approved Project (see Appendix P of that EAR). The Wind Tunnel Study modelled the then proposed Commercial Building C3 to assess pedestrian wind comfort in isolation to other developments within Barangaroo.

The study found that, when tested in isolation, without appropriate ameliorative measures wind conditions at certain locations around Commercial Building C3 would only be acceptable for able-bodied pedestrian access.

The Approved Project was modified (Mod 2) to increase the size of the podium to ameliorate these impacts.

CPP has assessed the design changes proposed in the Modification Application, including the minor increase in the size of the Commercial Building C3 podium (refer to **Appendix G**).

The Study concludes that the modified project will have no detrimental effect on the wind conditions surrounding Commercial Building C3. Overall, the proposed modifications are expected to have a beneficial impact and ground level locations will meet the relevant pedestrian walking comfort criterion.

3.4 Accessibility

An Accessibility Report was prepared by Morris Goding Accessibility Consulting as part of the Approved Project (see Appendix AA of that EAR).

Morris Goding has assessed the design changes proposed for the Modification Application (refer to **Appendix H**) and concluded that their original assessment and recommendations remain relevant and that the design amendments are consistent with the DDA objectives and the relevant Australian Standards. As such no further commentary or additional supporting information is deemed necessary.

3.5 Fire Engineering

A Fire Engineering Statement was prepared by ARUP (see Appendix N of the original EAR for the Approved Project). The report identified performance based fire engineering solutions for the building. ARUP have reviewed the proposed modifications and confirmed they will not result in any additional impact on the fire engineering solutions for the building (refer to **Appendix I**).

3.6 BCA

A BCA Statement was prepared by McKenzie Group (see Appendix Z of the original EAR for the Project). The report concluded that the proposed building would meet the requirements of the Building Code of Australia. McKenzie Group have reviewed the proposed modifications and confirmed they will not result in any additional impact on the BCA compliance for the building (refer to **Appendix K**).

4.0 Revised Statement of Commitments

As part of the Approved Project Lend Lease made a number of commitments to manage and minimise the potential impacts arising from the proposal. These commitments were included at Schedule 3 of the Project Approval and form part of the Approved Project. As detailed in **Section 2.3**, the proposed modifications necessitated some amendments to the Statement of Commitments. The following table provides a consolidated final version of the revised commitments.

Commitments and Requirement	Responsibility / Timing
Design	
1. Lend Lease commits to ensuring continuity in the design process and realisation of the submitted Commercial Building C3 design in the completed building by ensuring that Rogers Stirk Harbour + Partners has direct involvement in the design documentation phase.	Proponent, ongoing.
2. External building materials and finishes will be generally in accordance with the materials schedule included at Appendix D of the Section 75W Modification (Mod 2) prepared by JBA dated September 2013.	To be demonstrated by the proponent at the relevant construction certificate stage(s).
3. The public domain within the Commercial Building C3 site will be generally in accordance with the Landscape Design Statement prepared by Aspect Oculus included at Appendix E and the Public Domain Plan prepared by Aspect Oculus included at Appendix F of the Section 75W Modification (Mod 3) prepared by JBA dated March 2015 unless otherwise modified by a subsequent planning approval. The final arrangement and selection of plantings within the framework of the Public Domain Plan and Landscape Design Statement will take into consideration suitability having regard to the potential impacts resulting from the construction of nearby buildings. The Public Domain Plan will be fully integrated with the Barangaroo South Public Domain Guidelines, once finalised by the Technical Working Group.	To be demonstrated by the proponent at the relevant construction certificate stage(s).
4. Temporary landscaping and lighting will be provided within the Commercial Building C3 site generally in accordance with the Temporary Public Realm plan prepared by Aspect Oculus included at Appendix F of the Section 75W Modification (Mod 2) prepared by JBA dated September 2013, unless a construction certificate has been issued for the permanent buildings or public domain on the land, or for temporary public domain on the land pursuant to another planning approval. The final selection of plantings within the framework of the Temporary Public Realm Plan will take into consideration suitability having regard to the potential impacts resulting from the construction of nearby buildings.	To be demonstrated by the proponent at the relevant construction certificate stage(s).
5. The Architectural Drawings prepared by Rogers Stirk Harbour + Partners included at Appendix C of the Section 75W Modification (Mod 3) prepared by JBA dated March 2015 illustrate the maximum extent of signage zones for the tower facades. Within the maximum extent of signage zones: <ul style="list-style-type: none"> no more than two (2) building identification and/or business identification signs will be provided at high level on a maximum of two (2) facades of the building; and a maximum of two (2) building identification and/or business identification signs will be provided at podium level on a maximum of two facades of the building, a maximum of two (2) secondary building identification and/or business identification signs will be provided at podium level for each facade of the building. The final form and content of any proposed building and business identification signage will be subject to the approval of the Director General.	To be demonstrated by the proponent at the relevant construction certificate stage(s).
6. External and internal lighting will be provided around and throughout the building in accordance with AS 1680 and the BCA.	To be demonstrated by the proponent at the relevant construction certificate stage(s).
7. Internal light fittings within the commercial and retail areas will comply with NABERS and Green Star targets.	To be demonstrated by the proponent at the relevant construction certificate stage(s).
8. Specialist lighting will be provided within the building's entrance lobby to enhance the visual environment at ground level.	To be demonstrated by the proponent at the relevant construction certificate stage(s).

Commitments and Requirement	Responsibility / Timing
9. External building lighting will be installed to provide interest, highlighting architectural features. No light beam will be directed beyond the site's boundaries or upwards without falling directly on a surface to minimise light pollution. Lighting will be controlled by photoelectric cells or time switches.	To be demonstrated by the proponent at the relevant construction certificate stage(s).
10. Photovoltaic arrays will be provided at the roof level of the building	To be demonstrated by the proponent at the relevant construction certificate stage(s).
11. A complete electronic security system will be provided for the base building including a central supervisory system, access control system, CCTV system, intruder alarm system and intercommunication system.	To be demonstrated by the proponent at the relevant construction certificate stage(s).
12. The detailed design of Commercial Building C3 will address the recommendations of the Wind Report prepared by CPP included at Appendix P of the Environmental Assessment Report prepared by JBA Planning dated November 2011.	To be demonstrated by the proponent at the relevant construction certificate stage(s).
13. The design of any temporary structures that may be required (depending on the construction staging of the adjoining future buildings within Block 2 of Barangaroo South) to mitigate wind impacts will be submitted prior to the issue of a Construction Certificate relating to works at the ground plane.	To be demonstrated by the proponent at the relevant construction certificate stage(s).
Future separate applications	
14. Future planning approvals will be sought for the following where required: <ul style="list-style-type: none"> Fit out of the commercial office space; Fit out and operation of the retail units; Fitout and use of the child care centre; and Installation of any site wide infrastructure. 	Proponent, ongoing.
Public art	
15. Opportunities to implement art work within the Commercial Building C3 development will be further explored in accordance with the Public Art Strategy for Barangaroo South.	Proponent, ongoing.
Ecologically sustainable development	
16. Commercial Building C3 will be designed to achieve a 6 Star Green Star Office Design rating. In order to achieve a 6 Star Green Star Office Design rating, Lend Lease will target the initiatives set out in the ESD Report prepared by ARUP included at Appendix W of the Environmental Assessment Report prepared by JBA Planning dated November 2011.	To be demonstrated by the proponent at the relevant construction certificate stage(s).
17. Commercial Building C3 will achieve the ESD Performance Indicators for potable water consumption, reduction in flow to sewer, reductions in Greenhouse Gas emissions, use of renewable energy, micro climate, landscaping, transport, and waste as detailed in the approved Concept Plan (Mod 4) Statement of Commitments.	To be demonstrated by the proponent at the relevant construction certificate stage(s).
Operational waste management	
18. Commercial Building C3 operational waste will be managed generally in accordance with the methodology outlined in the Waste Management Plan prepared by ARUP included at Appendix L of the Environmental Assessment Report prepared by JBA Planning dated November 2011.	Proponent, ongoing.
Building Services and Fire Safety	
19. Electrical services will be completed in accordance with the relevant standards and applicable statutory requirements.	To be demonstrated by the proponent at the relevant construction certificate stage(s).
20. The detailed design of mechanical services will satisfy the relevant requirements of AS 1668.1-1998 and AS1688.2 – 1991 as applicable.	To be demonstrated by the proponent at the relevant construction certificate stage(s).
21. Fire detection, emergency warning and fire protection systems will be installed to comply with BCA requirements and other relevant legislation, generally in accordance with the measures outlined in Section 6 of the Building Services Report included at Appendix M of the Environmental Assessment Report prepared by JBA Planning dated November	To be demonstrated by the proponent at the relevant construction certificate stage(s).

Commitments and Requirement	Responsibility / Timing
2011.	
22. A detailed Fire Safety Strategy will be prepared and submitted as part of the relevant Construction Certificate documentation. The Fire Safety Strategy will be prepared in consultation with the NSW Fire Brigade, building certifiers, and relevant stakeholders.	To be prepared and submitted as part of the documentation for the relevant Construction Certificate (s).
Infrastructure and Services	
23. Appropriately sized new sewer and water connections will be provided to the building in consultation and agreement with Sydney Water.	To be demonstrated by the proponent prior to release of any occupation certificate.
24. Stormwater discharge will be generally in accordance with the Stormwater Management Plan prepared by ARUP included at Appendix O of the Environmental Assessment Report prepared by JBA Planning dated November 2011.	To be demonstrated by the proponent at the relevant construction certificate stage(s).
25. A suitably sized rainwater tank is to be provided for the collection and re-use of rainwater flows from the building's roof areas.	To be demonstrated by the proponent at the relevant construction certificate stage(s).
Accessibility	
26. The detailed design of Commercial Building C3, including access, emergency egress, paths of travel, lifts, ramps, stairs, accessible toilets, accessible parking, lighting and signage, will generally comply with the recommendations set out in the Accessibility Report prepared by Morris-Goding Accessibility Consulting included at Appendix AA of the Environmental Assessment Report prepared by JBA Planning dated November 2011.	To be demonstrated by the proponent at the relevant construction certificate stage(s).
Building Code of Australia	
27. The detailed design of Commercial Building C3 will comply with all relevant BCA requirements and Australia Standards generally in accordance with the recommendations of the BCA Assessment prepared by McKenzie Group Consulting included at Appendix Z of the Environmental Assessment Report prepared by JBA Urban Planning Consultants dated November 2011.	To be demonstrated by the proponent at the relevant construction certificate stage(s).
Operational Noise and Vibration	
28. Operational noise emissions from the site will comply with the noise limits and amenity and intrusiveness criteria detailed in Wilkinson Murray's Operational Acoustic Study included at Appendix Y of the Environmental Assessment Report prepared by JBA Planning dated November 2011.	To be demonstrated by the proponent at the relevant construction certificate stage(s).
29. Commercial Building C3 will be designed in accordance with Australian Standard 2107 Internal Design Sound Levels to ensure appropriate internal amenity is achieved.	To be demonstrated by the proponent at the relevant construction certificate stage(s).
30. The detailed design of Commercial Building C3 will meet the vibration levels specified in the DECCW Assessing Vibration technical guideline.	To be demonstrated by the proponent at the relevant construction certificate stage(s).
Travel Demand	
31. Lend Lease will prepare a Work Place Travel Plan for Commercial Building C3 to be completed prior to the first occupation certificate for the commercial tenant occupation.	To be prepared by the proponent prior to the first occupation certificate for the commercial tenant

Commitments and Requirement	Responsibility / Timing
	occupation.
Geotechnical and Structure	
32. Further detailed geotechnical site testing will be undertaken in accordance with the requirements of Australian Standard 2159 Piling – Design and Installation and Australian Standard 3600 – Concrete Structures, to determine the exposure classification and durability design requirements. The further detailed geotechnical testing will be used to inform the detailed structural design and documentation of Commercial Building C3.	To be demonstrated by the proponent at the relevant construction certificate stage(s).
33. The structural design and documentation of Commercial Building C3 will comply with all relevant Australian Standards and the BCA as outlined in the Structural Engineering Report prepared by ARUP included at Appendix BB of the Environmental Assessment Report prepared by JBA Planning dated November 2011.	To be demonstrated by the proponent at the relevant construction certificate stage(s).
Environmental, Construction and Site Management	
<p>34. Construction and site management relating to the construction of Commercial Building C3 will be in generally accordance with the Environmental, Construction and Site Management Plan prepared by Cardno & Lend Lease included at Appendix CC of the Environmental Assessment Report prepared by JBA Planning dated November 2011 including the following:</p> <ul style="list-style-type: none"> ■ Construction Noise and Vibration Assessment prepared by Wilkinson Murray, which addresses the noise and vibration impacts on and off site (refer to Appendix EE of the EAR); ■ Construction Traffic Management Plan prepared by ARUP, which addresses construction traffic impacts (refer to Appendix T of the EAR); ■ Air Quality Impact Assessment prepared by AECOM, which addresses air quality and odour impacts (refer to Appendix FF of the EAR); and ■ Waste Management Plan prepared by ARUP which addresses construction waste management (refer to Appendix L of the EAR). ■ A requirement for preparation of a site wide strategy relating to the preparation of post construction dilapidation reports that includes a requirement for the Proponent to engage a suitably qualified person to prepare a post-construction dilapidation report: <ul style="list-style-type: none"> - At the completion of all excavation and piling works associated with the construction of the basement, Commercial Building C3, Commercial Building C4 and Commercial Building C5 works; and - At the completion of all construction works associated with the construction of the basement, Commercial Building C3, Commercial Building C4 and Commercial Building C5 works. ■ In the event that barging of soil is undertaken, requirements for: <ul style="list-style-type: none"> - Management of Spillage of spoil during loading / movement of barges; - Procedures in the event of an incident (such as a fuel spill or collision with structures / vessels on the water); and - Reporting of any incidents, (such as a fuel spill) on the water. ■ A requirement that Lend Lease notify and consult with the Harbour Master prior to material being loaded for transport via the water from the site, particularly in relation to vessel movements. 	Proponent, ongoing
35. Lend Lease commits to providing high quality hoardings around the site, including along the foreshore walk. Hoardings will be treated with graphics and other designs consistent with an overall coordinated high quality Barangaroo communications strategy to be endorsed by the Barangaroo Delivery Authority and submitted to the Director-General.	Proponent, ongoing

Commitments and Requirement	Responsibility / Timing
Consultation	
36. Consultation will be undertaken with the City of Sydney Council prior to the lodgement of a future application for the final public domain works.	Prior to the lodgement of a future application for the final public domain works.
37. Lend Lease will continue to undertake consultation in relation to the proposed Commercial Building C3 in accordance with the methodologies identified at Table 2 of the Environmental Assessment Report prepared by JBA Planning dated October 2011.	Proponent, ongoing
Piling and associated works	
38. The Commercial Building C3 Project Application works will be carried out in accordance with the Remedial Action Plan – Other Remediation Works (South) Area prepared by AECOM (including any RAP addendums that are proposed to be prepared and remedial work plan(s) as proposed to be prepared in conformance with these RAPs).	To be demonstrated by the proponent at the relevant construction certificate stage(s).
39. Lend Lease will obtain a Section A Site Audit Statement from the Site Auditor prior to the issue of an Occupation Certificate for Commercial Building C3.	To be demonstrated by the proponent at the relevant construction certificate stage(s).
Rail Corp 33kV Power Line	
40. Detailed plans demonstrating that the proposed development will have no impact on RailCorp 33KV power cable will be provided to RailCorp.	To be demonstrated by the proponent at the relevant construction certificate stage(s).
Vertical Villages	
41. A total of up to nine voids within the vertical villages can be filled in with GFA. The infill of the void area will not result in any additional GFA above the maximum approved GFA.	To be demonstrated by the proponent at the relevant occupation certificate stage.

5.0 Conclusion

This Modification Application (Mod 3) seeks to modify the Approved Project to make further design refinements to the building facade, podium, lobby areas and roof form. These refinements include the option to introduce *Child Care* or *Recreation Facility (Indoor)* (Gymnasium) uses with the existing retail floorspace areas of the podium and the introduction of flexibility to permit the infill of the approved vertical villages within the tower.

Where relevant revised technical assessments have been undertaken for the modified development and demonstrate that the modifications will have no adverse environmental impacts. Design development of the shop fronts will increase the flexibility and operability of future retail users, while the potential to introduce a gymnasium will add to the overall amenity of the precinct and assist future users of the precinct to maintain a healthy lifestyle. The proposed modifications are generally consistent with the Concept Plan (as modified) and will enhance the Approved Project and will ensure the proposal remains within the public interest.

We therefore request that the Minister or his delegate approve this Modification Application.