

10051 14 August 2015

Carolyn McNally Secretary Department of Planning and Environment 23-33 Bridge Street SYDNEY NSW 2000

Attention: Ben Eveleigh

Dear Ms McNally

AMENDED APPLICATION AND RESPONSE TO SUBMISSIONS BUILDING R1 BARANGAROO SOUTH (SSD 6513)

The Building R1 State Significant Development Application (SSD 6513) was submitted to the Minister for Planning by Lend Lease (Millers Point) Pty Ltd (Lend Lease) in October 2014. The Building R1 SSDA was publicly exhibited between 6 November 2014 and 8 December 2014. Public exhibition occurred in accordance with the requirements of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

This letter, prepared by JBA on behalf of the proponent, describes proposed amendments to the Building R1 project pursuant to Clause 55 of the *Environmental Planning and Assessment Regulation 2000* (EP&A Reg), including changes to address matters raised in the submissions. Details of the final project for which approval is now sought are provided below, and detailed further in **Attachment C**. Responses to the key issues raised in accordance with Clause 85A of the EP&A Reg, while responses to all issues raised are provided in **Attachment A**.

1.0 PROPOSED AMENDED DEVELOPMENT

Since public exhibition of the proposal, a number of amendments have been made (refer to revised Architectural Drawings at **Attachment B**). These amendments include those made in response to the issues and comments raised by the Department, along with adjustments to strengthen and enhance the design as well as provide greater clarity on the use and fit out of Building R1 given a tenant has been secured for the future operation.

The proposal (as amended) seeks approval for:

- the construction and fit out of a three storey building (to a height of RL21) known as Building R1, comprising 804m² of floor space, within Block X of Barangaroo South;
- the use of the building and identified outdoor areas as a restaurant and bar, most appropriately defined as a 'pub' under the Standard Instrument Local Environmental Plan;
- the operation and use of the basement car park to accommodate 15 car spaces;
- construction of the structural slab and piling (including associated earthworks and remediation) for Building R1 outside of the Basement Car Park diaphragm wall; and
- associated landscaping.

The main changes proposed to the exhibited development proposal include:

- provision of fit out details and identification of proposed use as a Pub (see further detail below);
- ground level amendments including modified planters, seating and steps to south and east, modified store room location, amended riser locations, provision of new meter enclosure and handrail and amendment of the north-eastern corner glazing to operable (see Figures 1 and 2);
- increased terrace area on Levels 1 and 2;
- additional void space on Level 1;
- revised void spaces on Levels 1 and 2;
- amendment to the curved operable glazing on Level 2;
- additional door added to the outdoor terrace on Levels 1 and 2;
- relocation of the wind break and revised planter and cladding on Levels 1 and 2; and
- roof structure revised as concrete.



Figure 1 – Amended Ground Floor Plan



Figure 2 – Amended Eastern Elevation

Use and Fitout

As part of its comments on the exhibited EIS, the Department requested confirmation of the use of the building.

In the intervening period a tenant has now been secured for Building R1, and accordingly to respond to the Departments query, the proposal has been amended to specifically include the use of the building and associated fit out. The building is proposed to be used as a restaurant and bar pursuant to a general bar hotel license under the *Liquor Act 2007*. This type of food and drink premises falls under the land use definition of a 'pub' in the Standard Instrument.

A suite of documents (refer to Attachment C) has been prepared by the future tenant's consultant team describing the proposed use and fit out of Building R1, as well as providing an assessment of the potential environmental impacts associated with the operation of the restaurant and bar in accordance with the relevant items in the Secretary's Environmental Assessment Requirements. These documents form part of the proposed development for which approval is sought and include additional drawings illustrating the proposed fit out of the restaurant and bar. Extracts of the fit out plans are provided at Figures 3-5 below.



Figure 2 - Extract of the Ground Floor Fit Out Plan



Figure 3 - Extract of the Level 1 Fit Out Plan



Figure 4 – Extract of the Level 2 Fit Out Plan

2.0 PUBLIC EXHIBITION, SUBMISSIONS AND RESPONSES

Building R1 was referred to relevant government agencies and the City of Sydney Council for comment. It is understood that the Department of Planning and Environment (the Department) received seven (7) submissions from the following stakeholders:

- Roads and Maritime Services (RMS);
- Office of Environment and Heritage (OEH);
- Environment Protection Authority (EPA).
- Ausgrid;
- Sydney Water
- Transport for New South Wales (TfNSW); and
- City of Sydney Council (Council);

A summary of feedback is as follows:

- RMS, OEH and EPA confirmed that they have no objection to the proposal.
- Ausgrid and Sydney Water confirmed that no objection is raised, subject to negotiating easements, leases, right-of-ways and access agreements.
- TfNSW raised two matters which have been addressed in detail at Attachment A.
- Council also raised several matters, as well as a list of recommended conditions.

The Department has also prepared a letter setting out additional information or clarification required prior to the final assessment of the project. A detailed response to each of the matters raised in the Department's letter and other submissions is provided at **Attachment A** and where relevant addressed in further detail below.

Consistency of the built form with the Concept Plan

The Department has requested that the proposed variation to the indicative building envelope controls in the approved Barangaroo Concept Plan be addressed. The parts of the building that are proposed outside of the indicative building envelope in the Concept Plan are the proposed open terraces or overhang balconies that extend beyond the glazing line. The glazing line is contained within the indicative building envelope.

The proposed development is wholly within the Development Block of the Concept Plan and complies with the built form and urban design controls in the Concept Plan for the site, including the maximum building height and maximum GFA standards for Development Block X as specified in State Environmental Planning Policy (Major Development) 2005.

The extent of the overhangs is illustrated in Figure 6 below.

The overhangs represent a crucial part of the architectural design awarded from a competitive design excellence process. The proposal provides an appropriate design response by achieving architectural variety and interest to the southern gateway of Barangaroo. The overhangs offer outdoor seating amenity for a future food and drink premises; highly desirable to activate the public domain and take advantage of the waterside location.



Figure 6 – Section of Building R1

Building R1 Visual Analysis

The Department has requested that additional visual analysis be undertaken relating to the view corridor from the Sydney CBD through Exchange Plan (formerly Transport Place) to the harbour. This is requested on the basis that the northern edge of Building R1 seeks a minor variation to the envisaged Concept Plan layout of Building R1 as described and addressed above.

Figure 7 illustrates the design of Building R1, emphasising the open nature of the northern ground plane.

Figure 8 illustrates the sight lines from the eastern area of Exchange Plan to the west. This view was provided with the Building R7 SSDA (SSD 6623), and demonstrates the relationship of Building R1 and Building R7 in creating an active street edge to Exchange Plan.

Based on the analysis below, the proposal will ensure the visual corridor from Exchange Plan to Darling Harbour (and beyond) is retained.

When measured from the edge of the overhangs, the proposal results in a reduction in separation of Building R1 to Building R9 from that indicated by the Concept Plan indicative building envelope diagram by approximately 3 metres. The glazing line remains within the envisaged envelope under the Concept Plan. As such, an approximate width of 15m is achieved between these buildings at the ground level of Exchange Place with the overhang balconies above, allowing views experienced by pedestrians within the ground plane of Exchange Plan to be maintained.

Above ground, the proposed overhangs of Building R1 are balanced with open areas to the building edges. This provides opportunity for views along the edge of the R1 glass line to buildings and sky beyond (depending on vantage point), filtered through the canopies of approved trees at the intersection of Lime Street and Exchange Plan and along the waterfront promenade.

In summary, the proposed view corridor remains with the variation to the envisaged building envelope under the approved Concept Plan.



Figure 7 - Building R1 viewed from Exchange Place/Lime Street



Figure 8 – View corridor from the eastern end of Exchange Place

We trust the above information is sufficient to allow a prompt assessment of the application. Should you have any queries about this matter, please do not hesitate to contact me on 9956 6962 or bhoskins@jbaurban.com.au.

Yours faithfully

B.Hon.

Brendan Hoskins Senior Planner

- Attachment A Detailed Response to Submissions
- Attachment B Amended Architectural Drawings
- Attachment C Tenant's consultant package
- Attachment D RAP Confirmation Letter