

APPENDIX P: RECOMMENDED MODIFIED INSTRUMENT OF APPROVAL

SCHEDULE 1

PART A- TABLE

1. Amend Table A as shown in bold italics:

| | |
|--------------------------------------|---|
| Application made by: | Sydney Harbour Foreshore Authority (SHFA) |
| Application made to: | Minister for Planning |
| On land comprising: | Barangaroo, Hickson Road, Sydney <i>Lots 1, 2, 4 and 7 DP 876514; Lot 7 DP 43776; Lot 100 DP838323; Lots 6 and 7 DP 869022; part of Lot 110 DP 1061311; Lots 201-205 DP1204948, Lots 208- 209 DP1211553, Lot 101 DP1204946, CP/SP91649 and Lots 1-159/SP91649; part of C.T. Volume 5018 Folio 1</i> |
| Local Government Area: | City of Sydney |
| For the carrying out of: | A detailed description of the proposal approved to is described in Modification A1, Part A, Schedule 2 |
| Capital Investment Value: (original) | \$1.5 billion |
| Capital Investment Value (MOD 8) | <i>\$6 billion</i> |
| Type of development: | Concept approval under Part 3A of the EP&A Act |
| Determination made on: | 9 February 2007 |
| Determination: | Concept approval is granted subject to the modifications in the attached Schedule 2. |
| Date of commencement of approval: | This approval commences on the date of the Minister's approval. |
| Date approval is liable to lapse: | 10 years from the date of determination unless specified action has been taken in accordance with Section 75Y of the EP&A Act. |

2. Amend Part B- Definitions by inserting the following new definitions, as shown in bold italics:

PART B- DEFINITIONS

In this approval the following definitions apply:

Act means the *Environmental Planning and Assessment Act, 1979* (as amended).

Council means City of Sydney Council.

Department means the Department of Planning or its successors.

Director General means the Director General of the Department of Planning.

Future application means any ***State significant development proposal that has lodged an Environmental Impact Statement for the application after the determination of MP06_0162 MOD 8.***

Minister means the Minister for Planning.

Project means development that is declared under Section 75B of the Act to be a project to which Part 3A of the Act applies.

Proponent means the person proposing the carry out of development comprising all or any part of the project, and includes persons certified by the Minister to be the proponent.

Regulations means the *Environmental Planning and Assessment Regulation 2000*.

Secretary means the ***Secretary of the Department of Planning & Environment***

SHFA means the Sydney Harbour Foreshore Authority.

Subject Site has the same meaning as the land identified in Part A of this schedule.

Barangaroo has the same meaning as the land identified in Part A of this schedule.

Barangaroo Concept Plan means the project described in Schedule 2, Part A, Modification A1 and the accompanying plans and documentation described in Schedule 2, Part A, Modification A2.

SCHEDULE 2

PART A – TERMS OF APPROVAL

1. Modify A1 as shown in bold italics below:

A1 Development Description

Concept approval is granted only to the carrying out of the development solely within the Concept Plan area as described in the documents titled "*East Darling Harbour State Significant Site Proposal, Concept Plan & Environmental Assessment (Volume 1 & 2)*" prepared by JBA Urban Planning Consultants & SHFA (dated October 2006), amended by *Barangaroo Part 3A Modification Report (Volume 1 & 2)* prepared by MG Planning Pty Ltd & SHFA (dated June 2008), amended by *Barangaroo Part 3A Modification Report – Headland Park and Northern Cove* prepared by MG Planning Pty Ltd on behalf of Sydney Harbour Foreshore Authority and dated January 2009, and amended by *Barangaroo South Concept Plan Modification and Major Development SEPP Amendment Environmental Assessment Report* prepared by JBA Urban Planning Consultants (dated August 2010), and amended by *Barangaroo Concept Plan Section 75W Modification* prepared by JBA Urban Planning Consultants (dated May 2013), and amended by *Barangaroo Concept Plan Section 75W Modification* prepared by JBA Urban Planning Consultants (dated October 2013) **and as amended *Barangaroo Concept Plan Section 75W Modification (MOD 8)* prepared by JBA Urban Planning Consultants (dated March 2015) including:**

- (1) ***A mixed use development involving a maximum of 605,911 sqm gross floor area (GFA), comprised of:***
 - (a) ***a maximum of 183,031 sqm of residential GFA of which a maximum of 154,000 sqm will be in Barangaroo South;***
 - (b) ***a maximum of 76,000 sqm of GFA for tourist uses of which a maximum of 59,000 sqm will be in Barangaroo South;***
 - (c) ***a maximum of 34,000sqm of GFA for retail uses of which a maximum of 30,000 sqm will be in Barangaroo South;***
 - (d) ***a maximum of 5,000 sqm of GFA for active uses in the Public Recreation zone of which 3,500 will be in Barangaroo South; and***
 - (d) a minimum of 12,000sqm GFA for community uses.

Note: the GFA detailed above is amended by Modification B4(4) below.

- (2) Approximately 11 hectares of new public open space/public domain, with a range of formal and informal open spaces serving separate recreational functions and including an approximate 2.2km public foreshore promenade.
- (3) Built form design principles, maximum building heights and GFA for each development block within the mixed use zone.
- (4) Public domain landscape concept, including parks, streets and pedestrian connections.
- (5) Alteration of the existing seawalls and creation of a partial new shoreline to the harbour.
- (6) Construction, operation and maintenance of a concrete batching plant to supply concrete for construction of future development under this Concept Plan at Barangaroo South.

2. Modify A2 as shown in bold italics below:

A2. Development in Accordance with Plans and Documentation

- (1) The following plans and documentation (including any appendices therein) are approved as part of the Concept Plan:
 - (a) East Darling Harbour State Significant Site Proposal Concept Plan and Environmental Assessment (Volume 1) and Appendices (Volume 2) prepared by JBA Urban Planning Consultants Pty Ltd on behalf of Sydney Harbour Foreshore Authority and dated October 2006.
Except as modified by
 - (b) Barangaroo Part 3A Modification Report (Volume 1) and Appendices (Volume 2) prepared by MG Planning Pty Ltd on behalf of Sydney Harbour Foreshore Authority and dated June 2008;
 - (c) Barangaroo Part 3A Modification Report – Headland Park and Northern Cove prepared by

MG Planning Pty Ltd on behalf of Sydney Harbour Foreshore Authority and dated January 2009; and

- (d) Barangaroo South Concept Plan Modification and Major Development SEPP Amendment Environmental Assessment Report prepared by JBA Urban Planning Consultants and dated August 2010.
 - (e) Section 75W Modification titled 'Concept Plan Modification 6, Barangaroo South' prepared by JBA Urban Planning Consultants and dated June 2013.
 - (f) Section 75W Modification titled 'Concept Plan Modification 7, Barangaroo South' prepared by JBA Urban Planning Consultants and dated October 2013.
 - (g) ***Section 75W Modification titled "Concept Plan Modification 8 and Major Development SEPP, State and Regional Development SEPP and Sydney Harbour SREP Amendments" prepared by JBA Urban Planning Consultants and dated March 2015.***
- (2) The following Preferred Project Report including a revised Statement of Commitments are approved:
- (a) Response to Department of Planning and Revised Statement of Commitments prepared by JBA Urban Planning Consultants Pty Ltd on behalf of Sydney Harbour Foreshore Authority and dated January 2007.

Except as modified by

- (a) Preferred Project Report Barangaroo Part 3A Modification – Commercial Floor Space and Revised Statement of Commitments and Preferred Project Report Addendum prepared by MG Planning Pty Ltd on behalf of Sydney Harbour Foreshore Authority and dated October 2008;
 - (b) Preferred Project Report Barangaroo Part 3A Modification Report – Headland Park and Northern Cove prepared by MG Planning Pty Ltd on behalf of the Barangaroo Development Authority and dated September 2009 and Preferred Project Report Addendum Map prepared by the Barangaroo Development Authority dated September 2009 (Revision F); and
 - (c) Preferred Project Report Concept Plan Modification 4 (MP 06_0162 MOD 4) Barangaroo Stage 1 prepared by JBA Urban Planning Consultants on behalf of Lend Lease and dated November 2010 and revised Statement of Commitments (December 2010).
 - (d) Preferred Project Report Concept Plan Modification 6 (MP06_0162), Barangaroo South prepared by JBA Urban Planning Consultants on behalf of Lend Lease and dated 17 October 2013.
 - (e) ***Response to Submissions and Preferred Project Report titled "Concept Plan Modification 8, Major Development SEPP and State and Regional Development SEPP and Sydney Harbour SREP Amendments, Barangaroo South" prepared by JBA Urban Planning Consultants Pty Ltd and dated September 2015, as amended by drawing B10_ASK_DE_0013_V07 prepared by Lend Lease dated 16 February 2016 and drawings B10_AMP_08_0093-01, B10_AMP_08_0094-01 and B10_AMP_08_0095-01 prepared by Lend Lease dated 25 November 2015.***
- (3) In the event of any inconsistencies,
- (a) the Statement of Commitments referenced in A2(2)(d e) of this approval prevails to the extent of any inconsistency in the plans and documentation identified in (1), and
 - (b) the modifications of the Concept Plan approval identified in Part B & C Schedule 2 prevail over the documentation listed in (1), (2) and (3)(a) above.

PART B – MODIFICATIONS TO CONCEPT PLAN

3. Delete Modification B3 in its entirety and insert new Modification B3 as shown in bold italics below:

B3 Future Built Form:

Block 5

- (1) Future buildings in Block 5 are to comply with the controls below as illustrated on the drawing B10_ASK_DE_0013 V07 (21 March 2016). Future above ground buildings are to be setback:
 - i) a minimum of 8m from the Boundary to Barangaroo South; and

- ii) above ground level in the setback zone defined by a line connecting the following two points:
- (1) approximately 45m east of the south western corner of Block 5 along the 8m setback line from the Barangaroo South Boundary; and
 - (2) approximately 27m north of the Southwestern corner of Block 5 along its western boundary with the exception of building projections;
- with the exception of projections within the setback zones subject to future environmental assessment requirements detailed in Condition C1 below.

Block Y:

- (2) *In order to provide an appropriately dimensioned unobstructed public promenade on the northern edge of Watermans Cove, any future building to be located in Block Y is to comply with the following setback controls from the northern edge of Watermans Cove:*
 - a) *an average of approximately 27.5m to the ground floor façade (excluding any structures associated with any future ground floor licensed area); and*
 - b) *a minimum 18.5m to the outside edge of any vertical structure associated with any ground floor licensed area. This setback is to be unobstructed including by any ground level structures associated with any future ground floor licensed area.*
- (3) *In order to mitigate the visual perception of bulk, the façades of the podium of any future building in Block Y are to be broken down into separate discernible elements, such that:*
 - a) *the southern podium façade is comprised of two major elements with a unbroken horizontal dimension of approximately 32.5 metres;*
 - b) *the western podium façade is comprised of two major elements with a unbroken horizontal dimension of approximately 45 metres. The two façade elements are to be broken up by an approximately 7 metre wide recess which extends vertically for the full height of the podium; and*
 - c) *the eastern façade is to appear as 3 distinct, but visually related, elements.*

4. Delete B4 in its entirety and insert new Modification B4 shown bold italics below:

B4 Built Form

- (1) *Approval is given to a mixed use development involving a maximum of 605,911 sqm gross floor area (GFA), comprised of:*
 - (a) *A maximum of 183,031 sqm GFA for residential uses of which a maximum of 154,031 sqm may be located in Barangaroo South;*
 - (b) *A maximum of 76,000 sqm GFA for tourist uses of which a maximum of 59,000 sqm may be located in Barangaroo South;*
 - (c) *A maximum of 34,000 sqm GFA for retail uses of which a maximum of 30,000 sqm may be located in Barangaroo South;*
 - (d) *A maximum of 5,000sqm GFA for active uses in the Public Recreation zone (3,500sqm of which will be in Barangaroo South); and*
 - (e) *A minimum of 12,000sqm GFA for community uses.*
- (2) *Despite B4(1) above, future development applications are not to exceed the GFA, maximum residential GFA and building heights specifically identified in table (2)(a) below.*

| | GFA (sqm) | Residential GFA (Max) (sqm) | Height (Max AHD) | Height above existing ground level (m) |
|-----------------|------------------|------------------------------------|-------------------------|---|
| Block 1 | 1,927 | | RL 25 | 23 |
| Block 2 | 197,280 | | RL 180 | 178 |
| Block 3 | 129,934 | 10,515 | RL 209 | 207 |
| Block 4A | 86,979 | 86,166 | RL 250 | 248 |
| Block 4B | 19,158 | 18,287 | RL 107 | 173 |
| Block X | 18,908 | 16,463 | RL 41.5 | 39.5 |
| Block Y | 77,500 | 22,600 | RL 275 | 273 |
| Block 5 | 41,225 | 15,000 | RL 34 | 32 |
| Block 6 | 3,000 | - | RL 29 | 27 |
| Block 7 | 15,000 | 14,000 | RL 35 | 33 |
| TOTAL | 590,911 | 183,031 | | |

- (3) *Notwithstanding B4(2) above, future development applications for buildings within Blocks 2, 3, 4A and 4B and Y, may accommodate a redistribution of GFA (but not in excess of the total GFA for those blocks) resulting from the Urban Design Controls identified in Modification B9.*
- (4) *Wintergardens may be excluded from the maximum residential and tourist GFA stipulated for Blocks 4A, 4B and Block Y in the Table above, subject to compliance with the revised Built Form Principles and Urban Design Controls required to be prepared in accordance with Modification B9(4) below.*

5. Delete Modification B5 in its entirety and insert new Modification B5 shown bold italics below:

B5. Revised Design Principles

- (1) *Future applications in Barangaroo South are to demonstrate consistency with the Built Form Principles and Urban Design Controls within the Supplementary Urban Design Statement by Rogers Stirk Harbour + Partners (February 2015) as amended by the required modifications as outlined in Modification B9.*

6. Modify B6 as shown in bold italics below (deletions shown in strike-through):

B6. Tourist Uses

- (1) The 'tourist uses' shall be a maximum of ~~50,000sqm~~ **76,000 sqm** and shall not include serviced apartments, unless they are in single ownership and title (no strata titling). If they do meet these criteria they will be considered residential uses. In any event serviced apartments shall not exceed 12,500sqm.
- (2) Future applications for serviced apartments are to have equivalent amenity standards to residential buildings, in accordance with State Environmental Planning Policy No 65.

7. Delete B7 in its entirety and insert new Modification B7 as shown in bold italics below:

B7. Community Uses

- (1) *At least 3,000sqm of approved community uses shall be located within Barangaroo South, of which up to a maximum of 2,000sqm of community uses GFA may be located on a public pier in a central location that engages with the public domain, subject to compliance with the future environmental assessment requirement C10 below. All community uses GFA is to be constructed prior to the final occupation of any building in Stage 1B.*
- (2) *The proponent shall consult the City of Sydney in considering and determining the appropriate mix and provision of community uses within Barangaroo South and outline the outcome of such consideration and consultation with the relevant Project/development application.*
- (3) *Despite any other modification of this approval, a minimum of 2,000sqm of community uses GFA must be provided within Block 6 or 7 (or other block approved by the Secretary and be of a type acceptable to the Secretary).*

8. Delete Modification B9 (1) to (6) in its entirety and insert new Modification B9 (1) to (6) shown in bold italics below:

B9. Envelope Amendments and Built Form Controls

Barangaroo South

- (1) *The Built Form Principles and Urban Design Controls prepared by Rogers Stirk Harbour + Partners (February 2015) for Barangaroo South are required to be modified in accordance with Modifications B9(2)-B9(6) below. A final consolidated set of the Built Form Principles and Urban Design Controls shall be provided to the Secretary prior to the determination of any SSD application for new above ground buildings on Block Y incorporating all of the required modifications set out in Modification B9(2)-B9(6).*
- (2) *The draft Barangaroo South Design Guidelines (draft guidelines) prepared by JBA dated September 2015 shall be reformatted and consolidated into the revised set of Built Form Principles and Urban Design Controls referred to in Modification B9(1) above. In this regard, the design solutions in the draft guidelines shall be revised and restructured to incorporate objectives and design standards for the controls within each development Block in accordance with the format for the existing Built Form Principles and Urban Design Controls*

prepared by Rogers Stirk Harbour + Partners (February 2015) for Barangaroo South. The provisions relating to Blocks 1, 2, 3 and X may be retained in their current form.

Envelope Amendments

(3) The urban design controls are to be amended as follows:

- a. **Block Y is to be amended in accordance with Modification B3 and B4(4) above; and**
- b. **Block 4A is to be modified to include generous through-site links to promote visual and physical permeability through the podium of the Residential 4A and 4B Buildings connecting Hickson Park to Watermans Cove.**

Wintergardens

(4) The final consolidated Urban Design Controls are to include the following objectives and standards for wintergardens for Block 4A, 4B and Y:

- a. **Building Mass and Location Objective: Allow balconies on towers including residential and / or tourist and visitor accommodation GFA to be partially enclosed without the need to include balcony floor area as GFA.**
- b. **Building Mass and Location Standard: Applies to residential and tourist and visitor accommodation development within a building with a height of 30 metres or more; the maximum private external balcony area must not exceed 15% of the GFA of the apartment or tourist and visitor accommodation room to which the balcony is connected; and the bulk of the building is no greater than it would be if balconies were not partially enclosed.**
- c. **Residential Amenity Objective: Enable the partial enclosure of balconies to provide private open space that is usable and has a high level of amenity.**
- d. **Residential Amenity Standard: the glass wind screen must be designed so the balcony remains external open space; and the wind screen design ensures permanent natural ventilation and cannot be fully enclosed or sealed from the weather.**

Signage

(5) The final consolidated Urban Design Controls are to include the following additional standard for signage for Blocks 4A, 4B and Y:

- a. **Signage Standard: Each development application submitted for the erection of a new building/s is to include as a minimum a description and illustration of intended signage location/s and form. Where detailed signage proposals are not included in the works proposed in a development application for the erection of new buildings, actual sign approvals will be subject to separate Development Applications.**

Urban Design Controls- Figures

(6) All figures/diagrams shall be updated to incorporate the above modifications as necessary and shall be incorporated into revised set of Built Form Principles and Urban Design Controls required to be submitted to the Secretary for approval in accordance with Modification B9(1) above.

PART C – FUTURE APPLICATIONS

9. Insert new environmental assessment requirement C1 shown in bold italics below

C1 Future Building/s on Block 5

Any future development application/s which includes building projection/s within the setback zone and/or the discretionary setback / projection zone required by B3(1) above and drawing B10_ASK_DE_0013 V07 (21 March 2016) is to satisfy the following:

- a. **demonstrates that the projections are visually perceived as projections rather than part of the substantive base building form; and**
- b. **be supported by a view impact assessment to demonstrate that the building projection/s will not adversely impact on the quality of:**
 - i. **the view corridor; or**
 - ii. **views to the harbour and the sky from the public domain; and**
- c. **demonstrates that the ground level below remains legible and usable public open space.**

10. Modify future environmental assessment requirement C3(3) shown in bold italics below (deletions shown strike-through):

C3 Transport and Pedestrian Management

(3) *The Transport Management and Access Plan shall be reviewed and updated at key transport milestones in the ~~year 2014 and~~ year 2018 **and year 2024**, or timing as otherwise directed by the ~~Director General~~ **Secretary**, to enable the development of Barangaroo to align with key planned public transport improvements.*

11. Insert new future environmental assessment requirement C3C shown in bold italics below:

C3C Traffic and Transport related matters- Consultation with Roads and Maritime Services (RMS) and Transport for NSW (TfNSW)

The Proponent is to undertake further consultation with the RMS and TfNSW regarding the following:

- (a) any proposed traffic signals at the Hickson Road/Shelley Street and Barton Street/Hickson Road intersections; and*
- (b) coach set-down provisions within the Barangaroo Precinct.*

The results/ recommendations arising from the above consultation is to be included in the updated TMAP and is to inform the relevant future development application/s for the public domain works.

12. Modify future environmental assessment requirement C4 shown in bold italics below:

C4 Car Parking

(1) The following maximum car parking rates shall apply to future development within the site:

- (a) Commercial: 1 space/600m² GFA
- (b) Residential: - 1 bedroom/bedsitter unit – 1 space/2 units
- 2 bedroom unit – 1.2 spaces/unit
- 3+ bedroom unit – 2 spaces/unit
- (c) Other Uses:- City of Sydney Council rates
- (d) Hotel: City of Sydney Council rates or as otherwise approved by the relevant delegate of the Minister.*

13. Modify future environmental assessment requirement C5 by inserting the following additional words shown in bold italics(deletions shown strike-through) below:

C5 Marine Ecology

Any future Project Application for the construction of the public pier and ferry wharves in Barangaroo South, formation of the ~~Southern~~ **Watermans** Cove and formation of the new shoreline in **Barangaroo South**, Barangaroo Central and the Headland Park/Northern Cove will be required to address in detail any impacts on the existing marine ecology.

14. Modify future environmental assessment requirement C7 shown in bold italics below (deletions shown in strike-through):

C7 Pedestrian Linkages, Activation of Streets and Public Domain

In developing detailed plans for the development blocks, "internal" or "through-site" links and internal public domain activity should not occur at the expense of achieving primacy in pedestrian activity and use, as well as the built form objectives for Hickson Road ~~and Globe Street~~, and public streets

In addition, future applications shall comply with the following:

- (a) the detailed design of the promenade, in particular, the licensed areas are to promote visual and physical connectivity and legibility as a generous and inclusive public space;*
- (b) generous through-site links to promote visual and physical permeability through the podium of the Residential 4A and 4B Buildings within Block 4A, connecting Hickson Park to Watermans Cove; and*
- (c) future applications shall maximise active interfaces of buildings to streets to encourage diversity and public access.*

15. Insert new future environmental assessment requirement C8 shown in bold italics below:

C8 Road design in vicinity of Block Y

Detailed consideration is to be given to the future design of Barangaroo Avenue and the provision of any future intersection with Hickson Road in the vicinity of the boundary between Blocks 4 and 5 to ensure that pedestrian access between Hickson Park and the waterfront in the vicinity of Block Y is prioritised. In this regard, any relevant future public domain application shall be designed to minimise the potential for vehicular and pedestrian conflict and shall be designed and appropriately treated to improve road and pedestrian safety.

Any future application for the construction of Barton Street/or any future intersection with Hickson Road in the vicinity of the boundary between Blocks 4 and 5 or the future construction of Barangaroo Avenue shall also demonstrate compliance with the above requirement and be accompanied by a Road Safety Audit.

16. Insert new future environmental assessment requirement C9 shown in bold italics below:

C9 Public Access to Upper Levels of Block Y

Any future development on Block Y is to comprehensively consider opportunities for public access to the upper levels of the tower in order to allow the general public to access views afforded by the building's height and location.

17. Insert new future environmental assessment requirements C10 shown in bold italics below:

C10 Public Pier and future building

- (a) The public pier is to be located wholly within the site boundary and is to clearly define the southern edge of Watermans Cove without impeding the key view corridors between the water and CBD and along the foreshore.*
- (b) Any future building on the pier is to be low-scale, provide appropriate public access around the full perimeter of the pier and maximise visual permeability.*
- (c) Prior to the submission of any future application for the pier and/or future building, the Proponent is to consult with Transport for NSW and the Ferry Operator in relation to the following:
 - i. The clearance between the northern face of the northern-most public ferry wharf and the public pier to ensure that the width proposed supports the entering and exiting of a ferry vessel without any impediment;*
 - ii. Practical measures to be implemented to ensure adequate clearance is maintained between the pier and the northern-most public ferry wharf during construction and operation;*
 - iii. The design of the future building on the public pier (location and orientation), including in relation to sight lines for ferry vessel masters, the proposed installation of southern fender piles and the scope of construction works to ensure that they do not impact on the construction and operation of the Barangaroo Ferry Hub and associated ferry navigation.**
- (d) Any future development application/s for the public pier and the associated building is to include a:
 - i. Navigation Impact Assessment. The assessment is to demonstrate that adequate clearance is maintained at all times during construction and operation and that the proposal will not adversely impact on ferry navigation and safety; and*
 - ii. Demonstrate general compliance with the recommendations in the Royal Haskoning DHV Navigation Impact Assessment dated 19 September 2014 (MOD 8) and Navigation Report Addendum dated 2 September 2015 (MOD 8).**

18. Insert new future environmental assessment requirement C11 shown in bold italics below:

C11 Landscaped Areas

Where landscaped areas involving the planting of trees are proposed above basement car parking, the Proponent must ensure that there is adequate soil depth to support mature large scale trees. Trees selected for landscaping shall not include species that are declared a noxious weed under the Noxious Weeds Act 1993.

19. Insert new future environmental assessment requirement C12 shown in bold italics below:

C12 Wind Assessment Report

A wind assessment report is to accompany all future development application/s (for above-ground works) and is to incorporate specific mitigation measures into the design of the building and public domain.

Note: any structure required in the public domain to mitigate wind should not adversely impact view corridors.

20. Insert new future environmental assessment requirements C13 shown in bold italics below:

C13 Lighting Strategy

A Preliminary Lighting Strategy is to be submitted for all future development applications for above ground works. The Strategy is to include, but not be limited to, an assessment of the potential impact on the Sydney Observatory and is to recommend relevant mitigation measures to minimise any adverse lighting impacts to neighbouring properties

21. Insert new future environmental assessment requirement C14 shown in bold italics below:

C14 Intersection Design

The Proponent is to consult with TfNSW and the RMS in relation the design for the intersections on Hickson Road, prior to the lodgement of the relevant future public domain development application/s.

22. Insert new future environmental assessment requirement C15 shown in bold italics below:

C15 Airspace

The Proponent shall ensure that for all future development applications involving the erection of a building, all necessary approvals are obtain under the Airports (Protection of Airspace) Regulations 1996, where required.

23. Insert new future environmental assessment requirement C16 as shown in bold italics below:

C16 Statement of Commitments

Any updates to the Statement of Commitments are to be submitted for the approval of the Secretary.

SCHEDULE 3 STATEMENT OF COMMITMENTS

1. Delete the Statement of Commitments in its entirety and replace with the following:

Condition / Commitment

Concept Plan Modification 8
(s.75W)

Concept Plan Statement of Commitments

1. A Design Excellence Strategy that clearly articulates a process to achieve quality in both the private built form and the detailed design of the public domain (streets, pedestrian connections, parks and squares) is to be prepared.
2. The Design Excellence Strategy may include the preparation of site specific design guidelines, articulate a process(es) for the conduct of design competitions for major developments and the design of public open spaces, and/or establish a competitive process for individual development sites.
3. A Technical Working Group is to be established to prepare the Design Excellence Strategy. The membership of the Working Group is to be determined by the proponent team and the Barangaroo Planning Reference Group (under its terms of reference dated 26 November 2006).
4. The Terms of Reference is to be consistent with the requirements for the preparation of the Design Excellence Strategy specified in this Statement of Commitments and are to be endorsed by the Barangaroo Planning Reference Group or equivalent body.
5. The Design Excellence Strategy is to be submitted by the Working Group to the Barangaroo Planning Reference Group of the equivalent body. The Barangaroo Planning Reference Group or equivalent body will report to the IPCC on relevant matters as recommended by the proponent team and the Working Group. The Proponent will report to the Barangaroo Delivery Authority on recommendations from the Working Group.
6. Following endorsement, the Design Excellence Strategy is to be made publicly available in a manner to be determined by the Barangaroo Planning Reference Group or equivalent body.

To be submitted to the Barangaroo Planning Reference Group or equivalent body prior to the lodgement of any relevant project application relating to the buildings or to the establishment of the public domain, other than for demolition or early/site preparation work and remediation.

7. The following Implementation Plans will be prepared for the site as a whole and/or specific components or stages of the project:
 - Public Domain Plan(s)
 - Transport Management & Access
 - Community & Social Plan(s)
 - Utility Services and Infrastructure
8. The Implementation Plans are to:
 - Verify the scope and accurately cost all of the social and physical infrastructure needed to support the proposed development.
 - Identify the relevant requirements for timing and staging of provision of that facility, service or physical infrastructure
 - Identify any relevant Government agency policy initiatives that will need to be in place to deliver specific outcomes
 - Provide details with respect to the funding mechanisms for the delivery of identified infrastructure
 - Provide sufficient detail to enable proponent to enter into planning agreements with developers, relevant Government agencies, City of Sydney Council and/or Minister for Planning if and as required to collect contributions for the provision of infrastructure either through a cash contribution or works-in-kind

To be submitted to the Barangaroo Planning Reference Group or equivalent body prior to the lodgement of any relevant project application relating to the buildings or to the establishment of the public domain, other than for demolition or early/site preparation work and remediation.

9. Technical Working Groups are to be established to prepare each of the Implementation Plans. The membership of the Working Group is to be determined by the proponent team and the Barangaroo Planning Reference Group or equivalent body (under its terms of reference dated 26 November 2006), and may include or consult with representatives from the Sydney Harbour Foreshore Authority, Department of Planning, City of Sydney Council, State Transit Authority, Sydney Ferries Corporation, Railcorp, Sydney Ports, NSW Maritime, Department of Housing, NSW Roads and Traffic Authority, Sydney Water and/or other infrastructure providers as is determined appropriate.
10. The Terms of Reference are to be consistent with the requirements for the preparation of the Implementation Plans specified in this Statement of Commitments and are to be endorsed by the Barangaroo Planning Reference Group or equivalent body. The Barangaroo Planning Reference Group or equivalent body will report to the IPCC on relevant matters as recommended by the proponent team

To be submitted to the Barangaroo Planning Reference Group or equivalent body prior to the lodgement of any relevant project application relating to the buildings or to the establishment of the public domain, other than for demolition or early/site preparation work.

and the Working Group. The Proponent will report to the Barangaroo Delivery Authority on recommendations from the Working Group.

11. The Implementation Plans may be updated throughout the development of the project. Following endorsement, the Implementation Plans are to be made publicly available in a manner to be determined by the Barangaroo Taskforce or equivalent body or equivalent body.

12. The Public Domain Plan/Plans referred to at Commitment 7 is to include the following as generally described in the Concept Plan:
- An introductory explanation of types, hierarchy, interrelationships of spaces & appropriateness of spaces to end users of the public domain
 - New Headland Park
 - Waterfront parks and squares
 - A fore shore promenade
 - An informal sports playfield
 - A north south pedestrian promenade street
 - An internal street system that 1) defines development blocks, 2) provide easy flow of people and vehicles 3) acts as a comfortable stage for activity and human interaction 4) creates a distinctive address for each new development building and 5) creates a connection between Hickson Road and the Harbour Edge
 - on street bicycle lanes to create a route utilising Napoleon Street, Napoleon Street extension, proposed Globe Street
 - an off street cycle route within Headland Park to link between the proposed Globe Street and Hickson Road
 - Shared use of pedestrian promenade street by bicycles

To be submitted to the Barangaroo Planning Reference Group or equivalent body prior to the lodgement of any relevant project application relating to the buildings or to the establishment of the public domain, other than for demolition or early/site preparation work and remediation.

13. Within the framework of the future Public Domain Plan(s), a Headland Park Sub Plan will be prepared for the Headland Park. The Plan will address:
- All planning, accessibility and design issues related to the connectivity of the Headland Park to its surrounding development;
 - Incorporate traffic and transport planning, event management and recreational capacity;
 - Proposals and options to increase cultural experiences at the Headland Park
 - Measures to provide for the diverse activation of the parklands while being sensitive to local community needs
 - Crime Prevention Through Environmental Design safety strategies
 - Heritage conservation and adaptive reuse as part of the urban landscape design, including management and interpretation
 - **Sustainability program for the headland park** at design, construction and operations stages

14. To inform the preparation of the Headland Park Sub Plan a Recreational Plan will be prepared which will consider the following:
- The desires of the general and local communities
 - Transport needs and connections
 - Activation of the parkland spaces
 - Cultural and recreational needs
 - The park location and space capacity constraints including the relationship to the increasing population to the city and Barangaroo
 - Universal access
 - Operation times, events and management

15. The Public Domain Plan(s) is to provide details with respect to the following:
- Indicative levels in parks, edge conditions of parks and pedestrian connections through parks
 - Materials and planting
 - Safe and convenient walking routes and facilities
 - Street furniture
 - Design standards for road network (dimensions, materials, drainage), kerb parking and loading spaces, crossings, cycling, and taxi facilities, including bicycle parking facilities). All extensions to the existing road network within the Barangaroo site are to comply with the geometric requirements of the RTA road design guide.
 - Mix of parking/loading/other kerb controls
 - Design guidelines/requirements for integrated water management/water sensitive urban design consistent with Water Management Plan
 - Design requirements and details relating to recreational facilities
 - Requirement for public parking structure of up to 300 spaces in Headland Park area

16. The Public Domain Plan is to incorporate a Public Art Strategy.

17. In addition to the general matters specified above, the Public Domain Plan is to address:
- The future ownership and maintenance of parks
 - The feasibility both conceptually and financially of establishing the elevated Headland topography

18. The Transport Management and Access Plan (TMAP) referred to at Commitment 7 is to be prepared following:

- An assessment of the area wide traffic impacts of the development on the Sydney CBD road network using the RTA's PARAMICS traffic modelling (including the effects of changes to the bus service network)
- The preparation of the TMAP or equivalent to investigate the following:
 - (a) A cohesive street network connecting land use components and local roads within and to CBD streets and regional roads;
 - (b) The method by which traffic estimation figures are generated;
 - (c) Identification of public transport service opportunities and constraints with a view to encouraging a high level of travel by public transport, walking, and cycling;
 - (d) Likely traffic impacts on local and regional intersections – including the key junctions for buses at Clarence Streets at Market Street;
 - (e) Identification of local and regional infrastructure improvements
 - (f) The timing of traffic and public transport infrastructure improvements so they are in line with the staged development of the Barangaroo Site.
- The PARAMICS model is to be used in an iterative manner during the preparation of a TMAP or equivalent to test:
 - (a) Impact on traffic operation of changes to pedestrian movements and volume configuration
 - (b) Different bus access strategies
 - (c) Variations in traffic generation estimates (depending on the relative attractiveness of pedestrian, rail, and bus access)
- The outcomes of the area wide traffic impact modelling are to form part of the consideration of the physical road transport infrastructure to be addressed in the preparation of the TMAP.

To be submitted to the Barangaroo Planning Reference Group or equivalent body prior to the lodgement of any relevant project application relating to the buildings or to the establishment of the public domain, other than for demolition or early/site preparation work and remediation.

19. The Transport Management and Access Plan is to consider

- Design and construction of a traffic signal controlled intersection at Sussex Street/Napoleon Street to facilitate main point of vehicular entry into development site intersection (to RTA requirements).
- The feasibility of future specialist transport services to the site (including light rail, boutique tourist bus services, river metro route) and the need to protect possible future alignments for these services. This is to include a possible future light rail system with appropriate reservation of road space on Hickson Road.
- Off-site improvements to facilitate pedestrian and cycle access between the site, Wynyard Railway Station, Millers Point, the Rocks, Circular Quay and Dawes Point. This is to include consideration of pedestrian links to existing bus services and the potential for grade separated connections between the site/Hickson Road and Wynyard Station, which will meet pedestrian desire line and provide physical linkages to the adjoining residential areas of Millers Point, which will facilitate easy access to and regular use of the services, facilities and public spaces at Barangaroo by existing local communities. Consideration of off site pedestrian improvements is only where those improvements can be demonstrated to positively improve the amenities of the proposed development and its connections to the surrounding developments. Consideration of more general public domain improvements for the benefit of the wider CBD is not required.
- Options for the extension/amendment of bus services. Initial options include extensions to services from QVB, and the east-west bus link (Erskine Street, Wynyard Street and Regimental Square) and services which currently terminate at Wynyard. This is to include consideration of the need for any offsite traffic works to provide for improved east-west bus movements relating to servicing of the site.
- Any options for extended bus services to the site subject to endorsement by the Ministry of Transport (MoT), State Transit Authority (STA) will be progressively provided in line with the staged development of Barangaroo.
- Bus stops and access, including the location of bus stops along Hickson Road, and any relocation of existing stops.
- Provision of off-road layover facilities for buses and coach drop-off and parking, including the need for on-street tourist coach parking facilities at the northern end of the site (in Hickson Road and Munn Street)
- Provision of passenger wharf facilities, including at least one public ferry wharf with appropriate landside facilities adjacent to the site. The role of this commuter/tourist/recreational wharf, and possible adjustments to ferry services is to be the subject of consultation with Sydney Ferries/MoT/NSW Maritime/Sydney Ports Corporation.
- Feasibility of creating a westward extension of Grosvenor Street to Kent Street and provision of two way vehicular access to Kent Street.
- Realignment and/or retention of Margaret Street along the southern boundary of the site and land use implications of such changes.
- Desirability of replacing existing all day (10 hour) on-street parking in Hickson Road by parallel shorter term parking.

19. Future project applications will address consistency with the Transport Management and Access Plan (Supplementary) prepared by Arup and dated July 2010, where relevant.

20. The Community and Social Plan/Plans at Commitment 7 is to include provision for the following facilities within the Barangaroo site, as relevant:

Social:

- A multi-purpose facility designed to accommodate a range of community programs. The facility will have the capacity to accommodate an innovative mix of functions and tenancies, including complimentary commercial concessions, and with the potential to respond to social needs.
- A minimum of two long day-care and early learning centres.

Health:

- A range of outdoor spaces, linkages and facilities designed to enable active recreation including walking/jogging, informal team sports, outdoor exercise, court games, and non-motorised water sports.
- A range of outdoor spaces, structures and/or buildings for relaxation, social interaction, and passive recreation.

Cultural:

- Consideration of floor space for cultural industries and/or cultural industries development. This may be achieved in conjunction with the development of the community infrastructure.
- A flexible outdoor venue for city scale cultural events.

Recreation:

- A harbour foreshore walk/cycle path linking King Street Wharf and Millers Point.
- Active sports areas and associated toilet, change and shower facilities.
- A regional play space with an innovative, engaging mix of facilities and environmental features to function as a major destination for families.
- Public open spaces immediately adjacent to residential areas designed to allow a range of passive recreation activities attractive to residents and regional visitors.
- Well-designed pedestrian linkages allowing easy and safe access to recreational spaces and facilities from commercial and residential areas within East Darling Harbour and from Millers Point, Walsh Bay, Kent Street, and King Street Wharf.
- The Public Domain Plan(s) is to adopt design requirements and details relating to social, health, recreation and community facilities.

21. The design requirements and details relating to the facilities noted at Commitment 20, and in particular to the health and recreation facilities are to be incorporated into the Public Domain Plan.

22. Development should be generally undertaken in conformance with the recommendations of the Community Plan prepared by Barangaroo Delivery Authority and Lend Lease (Millers Point) Pty Ltd (July 2010), as relevant.

23. The Utility Services Infrastructure Plan/Plans referred to at Commitment 7 is to include and provide details in relation to the following within the Barangaroo site:

- Infrastructure requirements for integrated water management, including stormwater treatment, as determined through the preparation of the Integrated Water Management Plan at Commitment 24.
- Type, extent and location of utility services (power, gas, water, sewer, stormwater, communications) consistent with the ESD principles and other commitments incorporated within the Statement of Commitments.
- Coordinated response to infrastructure design and delivery on the site and consideration of infrastructure benefits to the adjoining precincts.

24. As part of the preparation of the future Utility Services Infrastructure Plan:

- Further investigations are to be undertaken with respect to the existence of any services (such as pipes and cables) and structures within the Barangaroo site. Consultation with Railcorp to be undertaken on this issue.
- Locations for electricity sub-stations and transformers are to be examined. No sub-stations or transformers are to be placed in above-ground public domain areas, but instead installed underground or in buildings.
- Appropriate investigations are to be undertaken to ensure that the impact on safety, integrity and operation of NSW rail network – through the development's effect on traction (electrical power supply on the operation of current City underground rail network – is appropriate.

25. An Integrated Water Management Plan/Plans is to be prepared for future development. The Integrated Water management Plan is to incorporate a Water Demand Management Plan

26. The Water Demand Management Plan/Plans is to include an investigation of possible schemes to reduce potable water demand through source substitution. A "fit-for-purpose" approach to alternative sources of water for substitution of potable mains water for non potable use is to be included in the Plan. In line with BASIX (and extending to commercial properties)

To be submitted to the Barangaroo Planning Reference Group or equivalent body prior to the lodgement of any relevant project application relating to the buildings or to the establishment of the public domain, other than for demolition or early/site preparation work and remediation.

To be submitted to the Barangaroo Planning Reference Group or equivalent body prior to the lodgement of any relevant project application relating to the buildings or to the establishment of the public domain, other than for demolition or early/site preparation work and remediation.

To be submitted to the Barangaroo Planning Reference Group or equivalent body prior to the lodgement of any relevant project application relating to the buildings or to the establishment of the public domain, other than for

demolition or early/site
preparation work and
remediation.

27. The Wastewater Management Plan/Plans is to include an investigation of schemes to manage wastewater from the residential and commercial buildings as a resource
28. The Stormwater Management Plan/Plans is to include an investigation of the feasibility of on-site treatment of stormwater from external catchments at Millers Point to national best practice standards. Where feasible.

29. A Housing Strategy is to be prepared that:

- Identifies preferred mix of housing opportunities defined by price, dwelling type and dwelling size.
- Incorporates intermediate housing tenure options.
- Sets a suitable intermediate housing component as a proportion of total housing provision.
- Includes a range of mechanisms to subsidise the development of the intermediate housing component.
- Retains land provided for intermediate housing in Government ownership with leases up to 99 years.

To be submitted to the Barangaroo Planning Reference Group or equivalent body prior to the lodgement of any relevant project application for development within the Mixed Use Zone other than for demolition or early/site preparation work.

30. A Technical Working Group is to be established to prepare the Housing Strategy. The membership of the Working Group is to be determined by the proponent team and the Barangaroo Planning Reference Group (under its terms of reference dated 26 November 2006), or equivalent body.

31. The terms of Reference of the Technical Working Group is to consistent with the requirements for the preparation of the Housing Strategy specified in this Statement of Commitments and endorsed by the Barangaroo Delivery Authority or equivalent body.

32. The Housing Strategy is to be submitted by the Working Group to the Barangaroo Planning Reference Group of the equivalent body. The Barangaroo Planning Reference Group or equivalent body will report to the IPCC on relevant matters as recommended by the proponent team and the Working Group. The Proponent will report to the Barangaroo Delivery Authority on recommendations from the Working Group.

To be demonstrated as part of any relevant project application for residential development which relates to Barangaroo South.

33. Following endorsement, the Housing Strategy is to be made publicly available in a manner to be determined by the Barangaroo Planning Reference Group or equivalent body.

34. Within Barangaroo South up to 2.3% of all approved residential GFA will be provided as key worker housing.

35. A Marketing and Promotion Strategy/Strategies is to be prepared to promote Barangaroo's and the broader Sydney region's development opportunities to international companies, investors and property brokers. The Strategy(ies) will cover the lifespan of the redevelopment and focus on attracting investment from outside the Sydney region and State. The Strategy will emphasise the unique attributes of the site such as the lifestyle and work force skills available in this urban waterfront precinct.

To be submitted to the Barangaroo Planning Reference Group or equivalent body prior to the lodgement of any relevant project application for development within the Mixed Use Zone other than for demolition or early/site preparation work.

36. A Technical Working Group is to be established to prepare the Marketing and Promotion Strategy. The membership of the Working Group is to be determined by the proponent team and the Barangaroo Planning Reference Group (under its terms of reference dated 26 November 2006), or equivalent body.

37. The terms of Reference of the Technical Working Group is to consistent with the requirements for the preparation of the Marketing and Promotion Strategy specified in this Statement of Commitments and endorsed by the Barangaroo Delivery Authority or equivalent body.

38. The Marketing and Promotion Strategy(ies) is to be submitted by the Working Group to the Barangaroo Planning Reference Group of the equivalent body. The Proponent will report to the Barangaroo Delivery Authority on recommendations from the Working Group.

39. Following endorsement, the Marketing and Promotion Strategy(ies) is to be made publicly available in a manner to be determined by the Barangaroo Planning Reference Group or equivalent body.

40. A Retail Management Plan(s) is to be prepared to guide and encourage right mix of retail to establish Barangaroo as a distinctive retail precinct. The Plan will include innovation management strategies, foster design leadership & encourage originality and differentiation.

To be submitted to the Barangaroo Planning Reference Group or equivalent body prior to the lodgement of any relevant project application for development within the Mixed Use Zone other than for demolition or early/site preparation work.

41. The Retail Management Plan(s) is to be drafted to adapt to retail trends and changes over time by having in place a set of coordinated retail management guidelines for the site that will refresh the offerings, yet ensure consistency of vision and connection between the office and residential blocks, while maintaining an appropriate mix and market positioning of the Barangaroo retail precinct.

42. The Retail Management Plan(s) is to include opportunities for ephemeral retailing events, such as markets and festivals, which are consistent with the overall images or brand of the precinct.

43. A Technical Working Group is to be established to prepare the Retail Management Plan(s). The membership of the Working Group is to be determined by the proponent team and the Barangaroo Planning Reference Group (under its terms of reference dated 26 November 2006), or equivalent body.

44. The terms of Reference of the Technical Working Group is to consistent with the requirements for the

preparation of the Retail Management Plan(s) specified in this Statement of Commitments and endorsed by the Barangaroo Delivery Authority or equivalent body.

45. The Retail Management Plan(s) is to be submitted by the Working Group to the Barangaroo Planning Reference Group of the equivalent body. The Barangaroo Planning Reference Group or equivalent body will report to the IPCC on relevant matters as recommended by the proponent team and the Working Group. The Proponent will report to the Barangaroo Delivery Authority on recommendations from the Working Group.
46. Following endorsement, the Retail Management Plan(s) is to be made publicly available in a manner to be determined by the Barangaroo Planning Reference Group or equivalent body.
47. Off-street bicycle parking and shower facilities are to be provided within buildings in line with the following minimum rates:
Commercial: the number of bicycle spaces shall be 4% of the commercial GFA/20sqm. The minimum number of showers shall be 1 for every 10 bicycle spaces.
Residential: 1 space per dwelling; and
Other uses: 6 bicycle spaces for every 100 Other Uses car parking spaces.
Note: Residential spaces can be provided within the dwelling's basement storage area.
48. All on-site parking areas to comply with AS2890. 1:2004.
49. Maximum car parking rates are:
 - Commercial Uses – 1 space /600m² GFA
 - Residential
 - 1 bedroom unit – 1 space / 2 units
 - 2 bedroom unit – 1.2 spaces / unit
 - 3 bedroom unit – 2 spaces / unit
 - Other Uses – City of Sydney rates
 - Passenger terminal – subject to a future traffic report based on demand estimates.
50. All building servicing & loading facilities are to accord with City of Sydney Council's rates.

At the stage of any relevant project application.

51. All service/delivery areas to accord with AS2890. 2:2002 subject to driveways complying with City of Sydney Council's requirements.
52. A Heritage Impact Statement is to be prepared for the sewage pumping station to guide its future treatment. The Heritage Impact Statement is to consider the following options:
 - retention of Pumping Station in situ, albeit buried, as a future archaeological resource; or
 - its relocation and adaptive reuse within Barangaroo site (including a recommended methodology for this course of action);
 - its relocation to a relevant location (including a recommended methodology for this course of action) ; or
 - recommendations for its interpretation both within the Barangaroo site and elsewhere, should the study conclude that this is the most appropriate course of action.
53. The Heritage Impact Statement is to be prepared in consultation with a heritage experienced engineer to ensure minimum alteration and damage to the fabric. Moving the whole structure in one piece should be investigated.
54. If the Heritage Impact Statement recommends either relocation or demolition, archival recording of the structure will be prepared in accordance with the NSW Heritage Office's Guidelines.
55. A Conservation Management Plan (CMP) will be prepared by an appropriately qualified heritage practitioner for the Dalgety's Bond Store in accordance with the NSW Heritage Office's Guidelines and in consultation with the NSW Heritage Office. Any proposal for major alterations and additions to the building site will be guided by the CMP.
56. Future development Views from public spaces on opposite foreshores to Observatory Hill Park will be retained. Panoramas from Pymont Park around to the Harbour Bridge (from Observatory Hill Park) will also be retained.
57. Future development within the Barangaroo site is to retain views to Observatory Hill Park from public spaces on opposite foreshores; and to retain a panorama from Pymont Park around to the Harbour Bridge as seen from Observatory Hill Park, and as shown within the approved Concept Plan (as modified) by the photomontage images included in the Heritage Impact Statement prepared by City Plan Heritage, amended by the Barangaroo Modification Report dated June 2008 prepared by MG Planning (as it applies to Block 5, 6 and 7) and subsequently amended the View Impact Analysis prepared by JBA Planning (November 2010) in support of the Concept Plan Modification Preferred Project Report, also prepared by JBA Planning (November 2010) **and the Visual Impact Analysis prepared by JBA (September 2014) in support of the Concept Plan Modification Report as that document applies these documents apply** to Barangaroo South.
58. Future development within the Barangaroo site is to provide adequate view corridors over and between new built form to maintain the key attributes of views from Millers Point. The key attributes to be retained are:
 - views to significant tracts of the water,

At the stage of any relevant project application relating to the specific structure/heritage item.

- the junction of Darling Harbour and the Harbour proper,
 - the opposite foreshores,
 - panoramic qualities of existing views and,
 - the most distinctive views to landmark structures,
59. All the above shown within the approved Concept Plan (as modified) and illustrated by the photomontage images included in the Heritage Impact Statement prepared by City Plan Heritage.
60. Future development within the Barangaroo site is to retain the ability to appreciate the Millers Point headland and the roovescape of terrace houses throughout Millers Point when viewed from public spaces on opposite foreshores. The detailed design of future development within Barangaroo should ensure a relationship between new built form and existing structures and design details within Millers Point Conservation Area. Consultation is to be undertaken with NSW Heritage as part of detailed project Application Stage.
61. An appropriately experienced and qualified heritage practitioner will be engaged to prepare Advice and a Schedule of Conservation Works that will guide the conservation of the sandstone wall on the eastern side of Hickson Road as part of the construction of any proposed pedestrian bridge across Hickson Road. The Advice and Schedule of Conservation Works will inform the design of the proposed Hickson Road bridge and, in particular, how it meets the wall, and shall include conservation works to the palisade fence, sandstone piers and plinth, the cutting wall, the existing High Street steps (southern end), in-filled steps (northern end), and the substation at the southern end. Any new fence elements shall be sympathetic to the existing significant fence fabric
62. A Conservation Management Strategy (CMS) will be prepared by an appropriately experienced and qualified heritage practitioner for the Moreton's Hotel in accordance with the NSW Heritage Office's guidelines and in consultation with the NSW Heritage Office. The CMS will provide specific guidelines and conservation policies for the implementation and construction of any pedestrian walkway running through (with owner's consent) or alongside the Hotel, but will not address the whole Moreton's Hotel site.
63. A Heritage Impact Statement (HIS) will accompany any application for works to Munn Street or in the vicinity of the Munn Street terraces. That HIS will include an assessment of how the development proposed satisfies the following Principles:
- The design of the building proposed adjacent to the west of the Terraces will be sympathetic in bulk and scale and retain a reasonable level of amenity for the occupants of the Terraces.
 - Works to Munn Street will retain and conserve the front verandas, other building elements of significance along the southern frontage and the remnant cross walls and floors from the demolished terraces attached to the western elevation.
 - Works to Munn Street will retain and conserve significant landscape elements associated with the former street and the Terraces, such as the sandstone retaining walls and fences.
64. A Conservation Management Strategy (CMS) should be prepared for the Moores Wharf Building in accordance with the NSW Heritage Office guidelines if a change of use or activity is proposed that requires substantial alteration to the place. The CMS will provide guidelines for the adaptive reuse of the building, which will be implemented in association with any development application for the building. The CMS will also suggest other appropriate uses in addition to the current use as Ports Security administration, particularly uses related to harbour activities.
65. A Heritage Impact Statement is to be prepared in relation to the proposed relocation and reuse of sandstone seawall in the vicinity of the Headland Park.
66. The proposed pedestrian bridges over Hickson Road will include conservation works to the palisade fence, sandstone piers and plinth, the cutting wall, the existing steps (southern end), in-filled steps (northern end), and the substation at the southern end. The conservation works will be implemented through preparation and adoption of a Schedule of Conservation Works. Any new fence elements will be sympathetic to the existing significant fence fabric. An appropriately experienced and qualified heritage practitioner will be engaged to provide advice on the construction of the pedestrian bridge, how it meets the wall, and the conservation of the wall.
67. A Heritage Impact Statement will be prepared to assess the significance of the Harbour Control Tower. The Heritage Impact Statement will be undertaken using the State Heritage Register criteria for listing.
68. All affected potential historical archaeological sites or 'relics' of Local and State significance are to be subject to professional Archaeological Assessment in accordance with Heritage Council guidelines. The assessment must address both terrestrial and maritime archaeological resources and must be prepared by a practitioner (or practitioners) with both terrestrial and maritime experience. The Assessment must consider the desirability and staging of any proposed archaeological excavation and/or recording before construction works commence and also other mitigation strategies such as archaeological monitoring (or watching brief) during construction works.
69. A Research Design including an Archaeological Excavation Methodology will be prepared in accordance with the Heritage Council's guidelines for each site which is impacted by the proposal. Those documents will be prepared for the approval of the Director of the Heritage Branch, Department of Planning. The archaeological Excavation Director will be a qualified archaeologist, and will meet the current Excavation Director Criteria for State significant sites as published by the NSW Heritage Council.

To be assessed at the stage of any development application/project application involving surface disturbance.

70. After archaeological works are undertaken, a copy of final excavation report(s) will be prepared and lodged with the Heritage Branch, Department of Planning, to the State Library of NSW and also to the Local Studies Library in the City of Sydney. The information within the final excavation report will be in accordance with Heritage Branch requirements.
71. A repository for the relics salvaged from any historical archaeological excavations will be nominated by Barangaroo Delivery Authority.
72. An appropriately experienced and qualified heritage practitioner specialist consultants in heritage, landscape, interpretation, historical archaeology and maritime archaeology are to be appointed.
73. An appropriately experienced and qualified heritage practitioner will be engaged to prepare an Interpretation Plan for the whole EDH site in accordance with the NSW Heritage Office Heritage Interpretation Policy. The Plan will explore various cultural, social and environmental themes related to the site including, but not limited to:
- The natural landscape
 - Aboriginal history
 - Manipulation of the landscape
 - Maritime industry, trade and commerce
 - Labour, workers and social movements
 - Archaeology
- The plan will make recommendations for:
- Public Art
 - Naming
 - Interpretive Signage and Installations
 - Display of Archaeological Deposits
 - Built Form Strategies
- The plan will also include strategies for:
- Staged Implementation
 - Ownership
 - Identification of Responsible Stakeholders
 - Future Maintenance
 - any individual demolished, dismantled or buried heritage items
 - historic/significant buildings retained within the precinct
 - the public domain areas of the precinct.
74. After completion of the archaeological fieldwork, the findings of the archaeological work are to be incorporated into the Interpretation Plan.
75. Photographic and archival recording of all affected heritage items, as identified in the specialist reports prepared as part of the Environmental Assessment for the project, will be undertaken prior to the commencement of any construction activity. Recording will be completed in accordance with the Guidelines issued by the Heritage Council of NSW. Copies of these photographic recordings will be made available to the Heritage Branch, Department of Planning, to the State Library of NSW and also to the Local Studies Library in the City of Sydney.
76. Specialist consultants in heritage, landscape, interpretation, historical archaeology and maritime archaeology will be nominated for the Barangaroo project. The consultants will have appropriate qualifications and experience commensurate with the scope of works. The name and experience of the consultant/s will be submitted to the Director of the Heritage Branch, Department of Planning, for approval prior to commencement of works. The heritage consultant/s will advise on detailed design resolution of new heritage related works, undertake site inductions, and inspect design and installation of services involving heritage items and fabric (to minimise impacts on significant fabric and views) and manage the implementation of the conditions of approval for the project. A report by the principal heritage consultant (illustrated by works photographs) will be submitted to Director of the Heritage Branch, Department of Planning for approval, advice and comment within 6 months of the completion of works, any impacts/damage and corrective works carried out.
77. The Director of the Heritage Branch, Department of Planning is to be notified in writing within 14 days of the demolition of any heritage item listed on a Section 170 Register by the relevant government agency responsible for that Register.
78. There is to be an environmental focus on the Water, Energy, Micro-Climate, Environmental Quality/Amenity, Landscape, Transport, Waste and Materials strategies for the development. Each building on site will achieve the primary benchmark of a "5 star" standard of Commercial: Green Star 5 star, and Residential: Green Star Residential score >60, and each development will be required to demonstrate how it satisfies each of the following Key Performance Indicators for each of the ESD focus areas referred to below.
79. There is to be a 35% reduction in Potable Water Consumption compared to a standard practice development and a 40% reduction in flow to sewer compared to a standard practice development.
80. There is to be a 35% reduction in Greenhouse Gas Emissions compared to a standard practice development. 20% of power is to be purchased from low impact, renewable sources or alternatively there should be a 20% reduction in GHG emissions through carbon offsets. The purchase of renewable energy should be at World Best Practice level.
81. Key public open spaces (parks and squares) are to receive direct sunlight in mid-winter.

Wind and ESD Reports to be lodged with each relevant project application. To be demonstrated with each application (as relevant).

- 82. Primarily non-invasive species are to be used on the site.
- 83. Ensure that there is sufficient public transport to achieve points under the public transport credit for Green Star Rating Tools for commercial buildings and a future Green Star tool for residential buildings.
- 84. Centralised recycling areas are to be provided in all buildings and 100% of waste bins for public use are to allow for waste separation.
- 85. Wind tunnel modelling and verification of proposed treatments will be carried out at the building design application stage due to the significant exposure of the site to the southerly and westerly winds. Any development proposal for the southern portion of the site should be subjected to a wind tunnel study, carried out in accordance with the procedures outlined in industry recognised guidelines such as the Australasian Wind Engineering Society Quality Assurance Manual.

- 86. Further site investigations and assessments will be undertaken prior to a Remedial Action Plan (RAP) being prepared. The RAP may be prepared in stages that follow the progressive redevelopment of the site and development blocks. The RAP will address a range of known existing site conditions.
- 87. A Technical Working Group is to be established to oversee the preparation of the RAP. The membership of the Working Group is to be determined by the proponent team and the Barangaroo Planning Reference Group (under its terms of reference dated 26 November 2006). The Terms of Reference of the Technical Working Group are to be consistent with this Statement of Commitments and endorsed by the Barangaroo Planning Reference Group.
- 88. The RAP is to be submitted by the Working Group to the Barangaroo Planning Reference Group. The Barangaroo Planning Reference Group will report to the IPCC on relevant matters as recommended by the Working Group. The Project Team will report to the SHFA Board on recommendations from the Working Group.
- 89. Following endorsement, the RAP is to be made publicly available in a manner to be determined by the Barangaroo Planning Reference Group.

To be submitted to the Barangaroo Planning Reference Group or equivalent body prior to the lodgement of any development application/project application involving site disturbance.

- ~~90. **Building Types:** In terms of the classifications under the Residential Flat Design Code (RFDC), generally the residential buildings on the EDH site are to consist of Row Apartment, Courtyard Apartment, Slab (Block), Tower and Hybrid building types.~~
- ~~91. **Building Heights, Floor Space Ratios and Setbacks:** All building heights and setbacks are to comply with the development block envelope controls contained within the Concept Plan.~~
- ~~92. **Building Depth:** The maximum building depth, as measured from glass to glass excluding balconies, limited to 18 metres. In Row Apartment, Courtyard Apartment, Slab (Block) types, 15 metres glass to glass is preferred.~~
- ~~93. **Building Separation:** Building separations should have regard to separation distances set out in the RFDC. Where smaller separation distances are provided consistent with the Concept Plan urban design envelopes, the amenity, privacy and solar access to existing and proposed dwellings and the public domain need to be adequately considered.~~
- ~~94. **Landscape Design:** generally, landscape spaces for future residents of the EDH will be in the form of roof terraces and balconies. All private landscape design should be consistent with the design principles set out on pp46-47 of the RFDC. Due to the frontage to the extensive new harbour-side park, the proposed street tree planting and the adjacency to the city centre, there is no requirement for deep soil planting within blocks.~~
- ~~95. **Apartment Mix:** Housing across the EDH site should provide a variety of types, sizes and configurations. Flexible live / work housing types are highly appropriate for the city centre fringe location.~~
- ~~96. **Solar Access:** Living rooms and private open spaces for at least 70 % of apartments in a development should receive a minimum of 3 hours direct sunlight between 9 a.m. and 3 p.m. in mid-winter. For up to 30% of dwellings, 2 hours is required (excluding south-facing units).~~
- ~~97. **Single Orientation Apartments:** Apartment buildings should aim to maximise cross-ventilation. The number of single aspect apartments with a southerly aspect (SW-SE) should be limited to a maximum of 10% total of the total units proposed. Developments which seek to vary from the minimum standards must demonstrate how site constraints and orientation prohibit the achievement of these standards and how energy efficiency is addressed.~~

To _____ be demonstrated/assessed—in any relevant development applications/project applications—for residential development.

- 98. All future development applications/project applications will be required to include a Noise Impact Assessment & Mitigation Measures report. All noise emissions from buildings' plant and equipment to be at levels complying with the recommendations of the NSW EPA Industrial Noise Policy. When setting noise emission limits for each site, the cumulative impact of noise emissions from all the sites in the fully developed precinct shall be taken into account.
- 99. Any future traffic management plans will incorporate strategies that minimise transportation noise levels associated with vehicle movements
- 100. To prevent negative impacts resulting from the ordinary operation of the passenger terminal and other community facilities, the envelope of buildings constructed within EDH should be designed to limit sound intrusion from these noise sources. Typical noise levels in occupied spaces adjacent to these noise sources during peak usage periods should comply with the recommended noise levels in AS2107.
- 101. Plans of management developed for noise generating community facilities shall contain measures that seek to balance the use of these facilities with the amenity of nearby potentially sensitive land uses.
- 102. Where deemed appropriate, the facades of new residential and commercial buildings along Hickson Road should be designed to reduce traffic noise levels in occupied spaces in accordance with the levels

Noise Impact Assessment and Mitigation Measures report to be submitted with all relevant development applications/project applications.

- recommended in AS 2107.
- 103.Noise emissions from patrons within proposed licensed premises will be assessed during development approval against Liquor Administration Board Guidelines and appropriate plans for managing patrons' arrival/departure developed.
- 104.All future development application/project applications will be required to include a Construction Management Plan incorporating measures for managing construction noise and vibration emissions including time limits on audible construction activities.
-
- 105.***The built form of development blocks within Barangaroo South will follow the Urban Design Controls and Built Form Principles as set out in Section 5 of the Rogers Stirk Harbour + Partners Urban Design Report (June 2010) and as amended by the Barangaroo South Concept Plan Modification prepared by JBA Planning dated August 2010 and the Urban Design Controls and Built Form Principles as set out in Section 2 of the Rogers Stirk Harbour + Partners Supplementary Urban Design Report appended to the Barangaroo South Concept Plan Modification Preferred Project Report prepared by JBA Planning dated November 2010. Final designs for each development block will be prepared by development partners who will be subject to the Design Excellence Strategy.***
- 106.The built form of development blocks 5, 6 and 7 inclusive will follow the Design Principles, Design Requirements, and Development Controls as set out in Part B and as amended by the Barangaroo Modification Report dated June 2008 prepared by MG Planning. Final designs for each development block will be prepared by development partners who will be subject to the Design Excellence Strategy.
- 107.***The built form of development Blocks 2 to 4 inclusive shall be consistent with the performance based urban design controls contained in the Urban Design Controls and Built Form Principles as set out in Section 5 of the Rogers Stirk Harbour + Partners and as amended by the Urban Design Controls and Built Form Principles as set out in Section 2 of the Rogers Stirk Harbour + Partners Supplementary Urban Design Report appended to the Barangaroo South Concept Plan Modification Preferred Project Report prepared by JBA Planning dated November 2010. In cases where the design is not consistent with the control objectives, justification should be given as to why the control was not applicable and what attributes of the design have been provided in lieu to ensure that the Urban Design Controls and Built Form Principles of the approved Concept Plan (as modified) or design excellence can be achieved.***
- 108.The built form of development Block 5 shall be consistent with the performance based urban design controls contained in Table 1 to Section 2.1.1 of the Barangaroo Part 3A Modification Report – Commercial Floor Space Preferred Project Report prepared by MG Planning dated October 2008. In cases where the design is not consistent with the control objectives, justification should be given as to why the control was not applicable and what attributes of the design have been provided in lieu to ensure that the Built Form Principles of the Consolidated Concept Plan or design excellence can be achieved.
-
- 109.All future development applications for commercial uses will be required to address how the proposal:
- Complements, connects with and extends the commercial activity of the existing Sydney CBD;
 - Contributes to the character of Barangaroo as a unique business address;
 - Offers opportunities for major corporate tenants;
 - Where appropriate includes a mix of support related commercial and retail offerings such as convenience retail, personal services, cafes, bars and health and recreation facilities;
 - Enhances and encourages walking and cycling and connectivity to public transport services;
 - Provides a clear interface to the public domain and includes publicly accessible open space or pedestrian connections and arcades within the private development.
- To be demonstrated/assessed as part of any development/project application for commercial uses.
-
- 110.Sydney Ports Corporation to be consulted on redevelopment that affects ***operation of the Wharf 8 Passenger Terminal, any additional passenger terminal, the harbour control tower and the*** harbour safety function in the Moore's wharf building, including potential use of the new harbour inlet by non-motorised recreational craft.
- 111.***Transfer of the HCT to Barangaroo Delivery Authority not to be undertaken until such BDA and Sydney Ports satisfied on selection of alternate suitable site, transfer of existing equipment and staff & uninterrupted operations under the Port Safety Operating Licence.***
- 112.***Sydney Ports to be consulted on the detailed exclusion zone requirements for the Wharf 8 Passenger Terminal at future project application stages of development.***
- 113.***Operation of the Wharf 8 Passenger terminal to continue uninterrupted during its temporary relocation while the final new building is constructed and during the relocation back to the existing location in the new facilities.***
- 114.***Moore's Wharf and the HCT to be fenced off for security purposes prior to future public access on site.***
- 115.Sydney Ports and NSW Maritime to be consulted regarding any proposals associated with Port Operational requirements that result in the extension of structures alongside or over water into Sydney Harbour.
- 116.***Future car parking for the Wharf 8 Passenger Terminal will be provided consistent with the current car parking provisions for the facility, and subject to the needs of the future terminal.***
-
- 117.Ongoing consultation with Government agencies including the City of Sydney Council (Strategic Planning Department, Community Services and Programs Unit, and Recreation and Community Services Unit), Department of Housing NSW, NSW Maritime, Railcorp, Sydney Ports, NCOSS, Private landowners, and community stakeholders will take place according to established planning and development approval procedures.
- Ongoing

118.NSW Maritime is specifically to be consulted in relation to the following:

- Any proposal that has the potential to impact upon navigational safety.
- The potential to expand ferry and charter boat operations within the redevelopment site.
- On-going maintenance of seawalls, launching and berthing facilities.
- Proposed encroachments into NSW Maritime's land at Darling Harbour.
- The development of the proposed coves and inlets which will become part of the navigable waters of Sydney Harbour.
- Other issues which will inevitably arise from the interface with NSW Maritime's land.
- Port Security matters.

119.Further consultation and information sessions will be held as necessary to communicate the redevelopment process and to ensure all stakeholders have the opportunity to keep up to date on the progress of the redevelopment.

120.All future development to be designed in accordance with CPTED principles.

To be demonstrated/assessed as part of any relevant development/ project application

121.An Environmental and Construction Management Plan will be required as part of any future development on the site.

122.All construction contractors, subcontractors and personnel to be inducted and informed by the nominated heritage consultant/s prior to commencing work on site.

123.Significant heritage items and built elements that are retained to be adequately protected during the works.

124.The future detailed design of the Headland Park including the northern cove, Globe Street and adjacent Block 7 is to be prepared in accordance with the Headland Park Urban Design Framework and Preferred Project Parkland Objectives detailed in the 'Barangaroo Headland Parklands Urban Design Report' prepared by Conybeare Morrison (August 2009).

To be demonstrated/assessed as part of any relevant development/ project application

125.The future detailed design of the Headland Park including the northern cove, Globe Street and adjacent Block 7 is to be prepared in accordance with the Headland Park Urban Design Framework and Preferred Project Parkland Objectives detailed in the "Barangaroo Headland Parklands Urban Design Report" prepared by Conybeare Morrison (August 2009).

To be demonstrated as part of any project application which relates to the Headland Park and surrounds.

126.The future detailed design of Barangaroo South including ~~the Southern Cove Globe Harbour~~, and public domain areas is to be prepared generally in conformance with the following reports and documentation:

- Environmental Assessment Report prepared by JBA Planning (**August 2010 September 2014**)
- **Urban Design Statement prepared by Rogers Stirk Harbour + Partners (August 2010)**
- Public Domain Plan prepared by Aspect/Oculus (July 2010)
- Stakeholder Consultation Strategy prepared by Lend Lease (July 2010)
- Transport Management and Access Plan (Supplementary) prepared by Arup (**August 2010 September 2014**)
- Streetscape and Public Domain Report – Response to Director General's Requirements prepared by Aspect / Oculus (July 2010)
- Overarching Remedial Action Plan prepared by ERM (June 2010)
- Remedial Action Plan – Other Remediation Works prepared by AECOM (May 2010)
- View Impact Analysis prepared by JBA Planning (**August 2010 September 2014**)
- Wind Impact Assessment prepared by Arup and Cermak Peterka Petersen Pty Ltd (**July 2010 September 2014**)
- Acoustic Report – Operations prepared by Arup (July 2010)
- Community Plan prepared by Lend Lease / Barangaroo Delivery Authority (July 2010)
- Metro Interaction Report prepared by Arup (July 2010)
- Marine Ecology, Water Quality Report and Contaminated Sediment Impact Assessment prepared by Worley Parsons (July 2010)
- Navigation Report prepared by Worley Parsons (**July 2010 September 2014**)
- Air Quality Impact Assessment prepared by AECOM (**July 2010 September 2014**)
- Waste Management Plan prepared by Arup (July 2010)
- Building Barangaroo Economic Impacts prepared by Centre for International Economics (July-August 2010)
- Infrastructure Concept Plan prepared by Arup (**July 2010 September 2014**)
- Stormwater Concept Plan prepared by Arup (**July 2010 September 2014**)
- Sea Level and Climate Change Report prepared by Arup (July 2010)
- ESD Report prepared by Arup (**July 2010 September 2014**)
- Covering Letter and Non-Indigenous Archaeological Assessment undertaken by Casey and Lowe (**July 2010 September 2014**)
- Aboriginal Archaeological and Cultural Heritage Assessment prepared by Comber Consultants (**July 2010 September 2014**)
- Archaeological Research Design and management Strategy prepared by Casey and Lowe (July 2010)
- Aboriginal Archaeological Management Plan and Research Design prepared by Comber

To be demonstrated as part of any relevant project application which relates to Barangaroo South

Consultants (~~July 2010~~ **September 2014**)

- Geotechnical Report prepared by Arup (July 2010)
- Noise and Vibration Management Plan prepared by Acoustic Logic (~~July 2010~~ **September 2014**)

127. In addition to the reports and documents identified in Commitment No. 126, the future detailed design of Barangaroo South including ~~the Southern Cove Globe Harbour~~, and public domain areas is to be prepared generally in conformance with the following reports and documentation:

- Preferred Project Report prepared by JBA Planning (November 2010);
- ~~Supplementary Urban Design Report prepared by Rogers Stirk Harbour + Partners (November 2010)~~
- Barangaroo South Urban Design Report – Streets and Laneways within Blocks 2 and 3 prepared by Hassell (November 2010)
- Globe Square Performance Standards prepared by Lend Lease (November 2010)
- Design Guidelines for Hotel Drop Off and Globe Square prepared by Lend Lease (November 2010)
- Visual Impact Analysis prepared by JBA Planning (~~November 2010~~ **September 2014**)
- Barangaroo: A New Gateway to Growth of the Financial Services Sector prepared by Jones Lang La Salle (November 2010)

To be demonstrated as part of any relevant project application which relates to Barangaroo South

128. Any future project application for ~~the Southern Cove Globe Harbour~~ specifically will address:

- Total amount of fill to be excavated
- Potential remediation works and confirmation that the proposed location can be made suitable for its proposed use
- Potential Water quality impacts
- Potential public domain treatments, including any foreshore treatments (boardwalks, landscaping and the like)
- Potential activities within ~~the Southern Cove Globe Harbour~~ upon completion

To be submitted with the relevant project application for ~~the Southern Cove Globe Harbour~~.

129. Future project applications for the public pier ~~and landmark building~~ shall address:

- the need for remediation works and confirmation that the proposed location can be made suitable for its proposed use
- water quality impacts
- public domain treatments, including any foreshore treatments (boardwalks, landscaping and the like)
- ground floor activities on the public pier and access across the Waterfront Promenade
- ~~the provision of a management plan to guide the future operation of the hotel pick up/drop off facility~~

To be submitted with the relevant project application for the public pier ~~and landmark building~~.

130. Any future application for a casino use should be accompanied by a Social Impact Assessment prepared by a suitably qualified consultant which details the social benefits and disbenefits of the use.

To be submitted with the relevant application for a casino use.

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