

Preferred Project Report Construction of a Mixed Use Retail / Residential Building

Frasers Broadway
Block 2

Submitted to
Department of Planning
On Behalf of Frasers Broadway Pty Ltd

February 2010 ■ 09112

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This report has been prepared by: Jennie Buchanan

Signature

This report has been reviewed by: Gordon Kirkby

Signature

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Statement of Validity

Prepared under Part 3A of the Environmental Planning and Assessment Act, 1979
(as amended)

Environmental Assessment prepared by

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In respect of	Preferred Project Report

Block 2 Project Application

Applicant name	Frasers Broadway Pty Ltd
Applicant address	Level 11, 488 Kent Street, Sydney
Land to be developed	26 Broadway, Chippendale

Environmental Assessment

An Environmental Assessment (EA) is attached

Certificate

I certify that I have prepared the content of this Environmental Assessment and to the best of my knowledge:

- It is in accordance with the Environmental Planning and Assessment Act and Regulation.
- It is true in all material particulars and does not, by its presentation or omission of information, materially mislead.

Signature

Name Jennie Buchanan

Date February 2010

1.0 Introduction

An Environmental Assessment Report (EAR) for the construction of mixed use retail / residential building was publicly exhibited between 7 October and 27 November 2009. The Department provided Frasers Broadway with copies of the 10 submissions that were received in response to the public exhibition of the application.

In a letter dated 17 December 2009, the Department of Planning requested that Frasers Broadway address a number of key issues arising from the submissions and the Department's assessment.

The proponent, Frasers Broadway Pty Ltd and its specialist consultant team have reviewed and considered the Department's comments and considered all the submissions and, in accordance with clause 75H(6) of the *Environmental Planning and Assessment Act 1979*, this Preferred Project Report (PPR) sets out Frasers Broadway's response to the issues raised to the Block 2 Project Application for which development approval is now sought.

Specifically, this PPR includes the following:

- Additional information on certain aspects of the proposal;
- Responses to the issues raised in the Department's letter of 17 December 2009; and
- Responses to issues raised in submissions to the public exhibition of application.

2.0 Key Issues Raised by the Department of Planning

The following section provides a response to the issues raised by the Department of Planning in its letter dated 17 December 2009 (**Appendix A**).

2.1 Environmentally Sustainable Design

“Condition B12 of the Concept Plan approval states that future Project Applications for all residential, commercial and retail developments shall achieve a 6 star Green Star rating. The submitted EA states that the proposal is targeting a 5 star Green Star rating with an overall 6 Star Green Star precinct rating. Further details are to be provided on the ESD and WSUD measures proposed for the development and how these are co-ordinated with the other project applications for the site.”

As outlined in the PPR reports for the building on Blocks 1 and 4 and the Combined Basement, the installation of the site wide infrastructure was excluded from the applications as the detailed design of the infrastructure is still ongoing. A tender has recently been released for the tri-generation plant and it is expected that a tender for the blackwater treatment plant will be released early next year.

With regards to the star rating of the project we draw the Department’s attention to Commitment 24 of the approved modified Concept Plan. Frasers have always made the stance that they will seek to achieve 5 Star rated buildings on the site. If the site wide infrastructure is installed on the site, Frasers will strive to achieve a 6 star rated building. As the installation of site wide infrastructure is dependent on receiving approvals from several authorities Frasers cannot commit to individual 6 star ratings until such time as these approvals are forthcoming.

The sustainability strategy included at **Appendix B** outlines how the site sustainability infrastructure will be linked.

2.2 SEPP 65 / Residential Flat Design Code

“Concerns are raised with the proposal’s overall compliance with the provisions of the RFDC, in particular the western tower apartments. Further details regarding compliance with the RFDC is to be provided, having particular regard to apartment size, depths and solar access. A detailed explanation / justification of any non-compliance should also be provided.”

A further assessment of the project in accordance with the principle ‘Rules of Thumb’ of the Residential Flat Design Code is included at **Appendix C**. We note that the apartments are generally compliant with the following:

- Privacy separation distances;
- Balcony size;
- Average unit size;
- Flexible layout;
- Natural light and ventilation;
- Unit depth; and
- Acoustic design.

The proposal does involve some variations to the provisions of SEPP 65, however these are considered justified for the following reasons:

- If a balcony were to be provided to the single facing studio and 1 bedroom units on the northern side of the western and eastern towers respectively, the balcony would be likely to have low amenity due to noise and pollution generated by traffic along Broadway;
- The two studio units within the western tower and 1 bedroom units on the western tower are slightly less than the minimum internal areas for a studio and 1 bedroom unit as stipulated by SEPP 65 (35.2m² as opposed to 38.5m² for studios and 45.2m² as opposed to 50m² for a 1 bedroom). We do not believe that the 3 - 5m² difference would have a significant impact on the amenity of the unit when considering the efficient design of the units and the other benefits the site has to offer, including close proximity to the CBD, regional public transport, retail facilities and employment. We have attached an article from Saturday's Sydney Morning Herald which further supports that the market is seeking smaller apartments in line with what is currently proposed on the Frasers Broadway site.

"The proposal includes the provision of 2 key apartments. Concern is raised that should they be occupied separately, the apartments would not comply with the requirements of the RFDC. Confirmation is required that the units will remain in single ownership."

The proposed residential building will be the subject of a separate application for strata subdivision. During the assessment of this application, the consent authority will be able to control the subdivision of the units such that the two key apartments are located on a single lot. Notwithstanding this a commitment has been made at **Section 4** of this report which outlines that the 2 key apartments will not be subdivided into two separate lots.

2.3 EA Documentation

"The consultant reports and Table of Compliance are to be reviewed to ensure that they correctly refer to the current revision plans, the current GFA of each component of the development, proposed car parking numbers job numbers and that no serviced apartments are included within the development."

We note that there are some inconsistencies in references to the plans and GFA in some of the reports submitted with the EAR. We confirm that the proposal seeks consent for the following and does not include the provision of serviced apartments:

- Construction of a new mixed use retail, commercial and residential building (66,698m² GFA) with ancillary retail uses on Block 2, accommodating:
 - 46,939m² of residential floor space comprising 593 residential apartments;
 - 15,481m² retail floor space comprising a food court, speciality retail and a supermarket; and
 - 4,278m² of commercial floorspace.
- Construction of terraces (landscaped platforms) which rise from the plaza to the podium level 2 of the new building on Block 2;
- Installation of a heliostat (consisting of mirrors which are orientated to focus sunlight onto the landscaped platforms);
- Construction of the surrounding public domain; and
- Stratum subdivision of Super Lot 3 in Lot 1 of DP1131320

The relevant consultants have confirmed that despite the above minor errors, their overall recommendations do not change with respect to the proposal. A revised Tables of Compliance is included at **Appendix D**.

2.4 ESD Report

“The ESD report refers to serviced apartments and incorrect gross floor areas. The report is to be updated to ensure that the report is consistent with the submitted proposal. In particular the built form and uses.”

Arup has updated the report and it is included at **Appendix E**.

2.5 BASIX Assessment

“Submission of the BASIX Certificate for the development demonstrating compliance with State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 as referred to within the EA.”

Arup has prepared a preliminary BASIX assessment which is included at **Appendix Q**. Once finalised the final BASIX certificate will be provided under separate cover.

2.6 Child Care Centre

“The proposal should demonstrate compliance with the City of Sydney Childcare DCP 2005 (including calculation of child care spaces for retail / commercial component). It is noted that child care spaces required for Block 2 are to be provided within Block 1 and 4 and also Block 8 or 11. Further details are to be submitted to provide certainty that the required child care spaces for Block 2 will be provided elsewhere on site.”

The proposed development generates a provision requirement of the following child care spaces:

- 593 residential apartments – 36 spaces
- 19,759m² non-residential floor space – 14 spaces

The total number of child care spaces generated by Block 2 is therefore 50 spaces.

An 80 space childcare centre is proposed on Blocks 1 and 4 which will accommodate 29 spaces more than the proposed development on Blocks 1 and 4 is required to provide. This will then go somewhat towards the provision of spaces required to be provided for the development on Block 2. A commitment has been made in **Section 4** of this report which we believe gives the DoP certainty and power to subsequent consent authorities to ensure, that the required child care spaces will be provided elsewhere on the site.

2.7 Built Form

“The proposal provides additional height to the western tower. Further details are to be provided on the extent of overshadowing from this additional height, including the provision of plans clearly demonstrating the additional impacts upon the main park, particularly between the hours of 12.00pm and 2.00pm.”

Additional Shadow Diagrams are provided at **Appendix F** which calculate the change in shadow impacts of the building.

2.8 Plans

“The public domain plans are to be co-ordinated with the landscape plans and have particular regard to the comments provided by the City of Sydney Council.”

Frasers are aware that further agreement is required on the final public domain finishes across the Frasers Broadway site. In light of this it is requested that the DoP deal with this issue by way of condition as suggested below:

“Detailed Public Domain Plan

Three copies of a detailed public domain plan must be prepared by an architect, urban designer or landscape architect and must be lodged with Council and approved prior to a Construction Certificate being issued for above ground works.

The public domain plan must be:

- *co-ordinated with the landscape plans prepared by Atelier Jean Nouvel;*
- *in accordance with the City of Sydney’s Public Domain Manual; and*
- *Sydney Streets Design Code.”*

“Identification of the bicycle racks mentioned within the ESD report, 30 car share spaces and the location of the 548 car parking spaces for Block 2 within the basement levels.”

The bicycles for the residents are to be stored within the residential storage lockers provided within the basement. The diagram at **Appendix G** demonstrates how they are to be stored. A total of 642 residential storage lockers are provided for Block 2 residents.

2.9 Stratum Subdivision

“Further additional details are to be provided in relation to the proposed stratum subdivision, including the ownership of the allotments within the subdivision and a detailed explanation of items contained within each allotment.”

“As the stratum subdivision relates to additional floor levels not provided within the EA, relevant plans are to be submitted for assessment to confirm that the proposed allotments have been correctly identified.”

“An additional set of plans is to be provided in colour and overlaid with the revised stratum subdivision plans taking into consideration details submitted for the basement project application.”

Revised Stratum Subdivision Plans, prepared by Denny Linker Pty Ltd are provided at **Appendix H** as requested.

The information on ownership is as follows:

- Lot 301 - Stratum Lot comprising the residential components of the eastern tower, together with associated basement level carparking, storage and service rooms. The main residential apartment levels comprised within Lot 301 begin on Level 5 and extend up to and inclusive of Level 28. The intention is for Lot 301 to be subsequently strata subdivided; therefore the owners of Lot 301 will ultimately be the Owners Corporation of the Lot 301 Strata Scheme.
- Lot 302 - Stratum Lot comprising the residential components of the western tower, together with associated basement level carparking, storage and service rooms. The main residential apartment levels comprised within Lot 302 begin on Level 5 and extend up to and inclusive Level 12. The intention is for Lot 302 to be subsequently strata subdivided; therefore the owners of Lot 302 will ultimately be the Owners Corporation of the Lot 302 Strata Scheme.
- Lot 303 – Stratum Lot comprising the main retail component of the development. Lot 303 comprises carparking, service vehicle bays and service rooms located on Basement Levels 2, large retail tenancy and service rooms on Basement Level 1, and numerous street level tenancies on Ground Level and Level 1, with larger tenancies and suites designed for Levels 2 and 3. The owner of Lot 303 will be the owner of the retail component of the development.

- Lot 304 – Stratum Lot comprising that part of the Frasers Broadway proposed public road network which will be constructed as part of the Block 2 works. Council has indicated that they will require Lot 304 dedicated to the public at the completion of all works associated with the Block 2 development. Council will become the owner of the lot.
- Lot 305 – Stratum Lot comprising the residue of the site. The residue contains the majority of the Block 5 and 9 site together with parts of the future public road network. The residue will exclude the Black Water Treatment Plant and Service Vehicle Parking Bays (noted as Lot 307). Lot 305 is the subject of a separate subdivision application. The residue lot will remain in the ownership of the developer.
- Lot 306 - Stratum Lot comprising the upper level residential component of the eastern tower, together with associated basement level carparking, storage and service rooms. The upper residential apartment levels comprised within Lot 306 begin on Level 29 and extend up to and inclusive of Level 33. Lot 306 is unlimited in height. The intention is for Lot 306 to be subsequently strata subdivided, therefore the owners of Lot 306 will ultimately be the Owners Corporation of the Lot 306 Strata Scheme.
- Lot 307 – Stratum Lot comprising the service vehicle spaces which will be constructed within that part of Basement Level 1 located within the Block 5 building. The service vehicle spaces are for the use of Block 2. An easement will be created over Lot 307 giving Block 2 owners rights to use the service vehicle bays. The ownership of Lot 307 will be tied back to the ownership of the Retail Stratum Lot 303.
- Lot 308 – Stratum Lot comprising that part of the retail/commercial component of Block 2 located on Level 4. It is envisaged that this retail/commercial component of the development will not be in the same ownership as the main Retail Stratum Lot 303.
- Lot 309 - Stratum Lot comprising the upper level residential component of the western tower, together with associated basement level carparking, storage and service rooms. The upper residential apartment levels comprised within Lot 309 begin on Level 13 and extend up to and inclusive Level 17. Lot 309 also includes the roof of the western tower. The intention is for Lot 309 to be subsequently strata subdivided, therefore the owners of Lot 309 will ultimately be the Owners Corporation of the Lot 309 Strata Scheme.
- Lot 310 – Stratum Lot comprising the Black Water Treatment Plant. It is intended to have the plant ready for operation upon the completion of Block 2. The stratum lot comprising the BWTP will be burdened and benefited by numerous easements which will be required for its effective operation. It is anticipated that the ownership of the plant will be linked to an 'Umbrella Company'.
- Lot 311 - Stratum Lot comprising that part of the commercial component of Block 2 located on the western part of Level 4.
- Lot 312 – Stratum Lot comprising the storage cages allocated for the Block 9 residential building. The storage cages are to be located within Basement Level 4 of Block 2. As the storage areas are remote from the Block 5-9 building, Lot 312 will be the subject of a future Strata Plan creating storage lot spaces which will be purchased by the future owners of Block 9. The owners of Lot 312 will ultimately be the Owners Corporation of the Lot 312 Strata Scheme.
- Lot 313 - Stratum Lot comprising the carparking and storage allocations for the Block 3, 6, 7 and 10 components of the development site. The carparking and storage areas are to be located within Basement Level 2 of Block 2. Lot 313 will be the subject of a future Strata Plan creating car space and storage lots which will then be purchased by the future owners of Blocks 3, 6, 7 and 10. The owners of Lot 313 will ultimately be the Owners Corporation of the Lot 313 Strata Scheme.

There would be a Body Corporate representing each member of the respective stratum lot with each being represented on the Building Management Committee that will run / manage the entire block. The BMC will also be responsible to the Umbrella which is a body representing the precinct. Refer attached Holding Redlich documents at **Appendix P**.

3.0 Key Issues Raised in Public Submissions

3.1 City of Sydney

Massing

“The drawings do not clearly illustrate the modulation of the two towers of the façade treatment is hidden behind the extensive landscaping that covers the elevations. It appears that the fragmentation of the massing overall on both towers is not as pronounced as the massing of the buildings proposed on Blocks 5 and 5A... It is therefore preferable that the proposed slots and various terraces incorporated at the upper levels were more pronounced so as to further break down the overall massing of the buildings, particularly on the tallest tower.”

AJN have provided the following response to this comment:

“The massing of the proposed Tower is best illustrated with the physical model submitted for the PA, since the appearance of the massing should not be considered without the planting of the facades. As an integral part of the architectural intent, it would be technically viable for some of the planting to be absent, but the image of the building is highlighted by the vegetation as with any architectural feature.

The slots that divide the wider East facade of the East Tower are at no point obstructed by any vegetation or built mass. The width of these slots is not unusual in the context of the city. The expressed slab edges are visibly interrupted at each slot and the corners of these interruptions are clearly discernable in their vertical alignment.

The resulting three vertical prisms of the tower are then further broken down by a randomized configuration of recessed balconies with removable glass fronts. At any given time, some of these may be open, some closed and others just tilted.

The rhythm of the expressed slab edges gives the tower a vertical human scale, whereas the branches, leaves and their reflections in the glass add a yet finer layer of detail and scale. They also provide privacy and shading in excess to the BASIX requirements. From the outside, the veil of climbing plants blends and mitigates the kaleidoscope of apartment interiors visible through the glass facade.”

AJN have prepared two additional renderings of the building which show the built form without the horizontal and climbing planters, see **Appendix I**.

Podium Level

“The podium and particularly the ground and first floor levels should be treated with more masonry elements so that the building clearly relates to the streetscape and to the adjacent heritage items, greater verticality should be incorporated into the overall podium design (the façade treatment at ground and first floor levels still incorporate principally glass curtain walls with no visible masonry elements).”

AJN provide the following response:

“The character of the proposed building is determined by a rising sequence of horizontal planes that are veiled in a shroud of vegetation. At the ground floor, the high level of transparency between these horizontal planes has the advantage of providing a very open and inviting facade for retail activity.

For this project, masonry would not be a natural choice, because its opacity and mass would be in contradiction with the transparency and lightness of the facades. There is also no architectural intention in this project to treat the podium as a pedestal on which the towers would then rest. The project embraces the height and verticality of the towers as a positive value in Louis Sullivan's sense and makes no attempt to scale it down by staggering and stacking its mass.

The quality of the design is intended to reside in its integrity and the internal coherence of architectural details and materials. In this particular case, the materiality of bricks would interfere with the integrity of the design and weaken it without achieving any compelling connection with the site's history in return.

While the materials of the tower are strictly contemporary, it still creates a geometrical relationship with the Victorian frontages with its 8m structural spacing and the horizontal accent of the second floor slab that extends the lower scale of the Kent Brewery Portal along Broadway.

Furthermore the expanse of horizontal retail frontages on Broadway will be interrupted by the two arcade entrances and the vertical green walls that descend to the ground level."

Vertical Landscaping

"The current design does not provide an unambiguous or comprehensive picture of the buildings appearance without the vertical green walls, so it is difficult to anticipate how the building will appear during the initial growing period or if the green walls fail in the long term... a prototype display unit could be set up to demonstrate the practical application and performance of the hydroponic plant walls and horizontal planters and how they are to be integrated with the proposed screen façade building elements."

Frasers have constructed a prototype of the proposed green walls at their 'Trio North' development in Camperdown. The green wall is 33m high and 5m wide. An article recently printed in the Daily Telegraph (1st December 2009) is included at **Appendix J** which shows a picture of the wall developing. More recent photos of the green wall are also included at **Appendix J**.

In addition to this, Frasers has recently lodged an application (D/2009/1589) with the City of Sydney for a marketing suite which will be used to further develop the design of the landscaping and façade elements of the building. This application was approved in December 2009.

"The Design Report specifies that the ongoing maintenance of the landscaping will be by the Body Corporate and not individual owners/occupants. Clear detail has not been provided as to how the system will effectively work. It appears that the maintenance of the green wall will be borne by the owner of the unit who will pay fees to the body corporate. This will have implications ultimately on the affordability of the development overall and how the extra costs involved compare with conventional comparable development.

A comparative cost analysis should be provided because this will directly affect the affordability of this type of residential development. A condition of consent is also recommended to require a positive covenant be placed on title to require the ongoing maintenance of the planting and serve as a 'buyer beware'."

We understand that the Department needs to be satisfied that the proposed green walls will be successful, but do not consider that a financial review is necessary as this is not a planning consideration. As part of the purchase of each unit, each purchaser will be made aware of the relevant strata levies and as such will be aware of what costs of living in the building will be payable. In light of this a covenant on the title is not considered necessary.

I also note that the CUB/Frasers Design Integrity Panel Report dated November 2008 specifies that, "Detailed resolution of planting systems on the residential section of Block 2 tower buildings as in the 'green walls' are a critical component of the design of Block 2. The manner in which the plantings on the building are managed after completion of the project will be critical to the building's future appearance". In this regard the Department should satisfy itself that it has the level of detail it requires to determine the application at this stage."

AJN provide the following comment in relation to the vertical walls:

"The facade vegetation of the project comprises three typologies:

- 1. opaque vertical green walls*
- 2. vertically climbing plants in front of the glass facades*
- 3. horizontally cantilevering balcony planters*

The vertical green walls have been patented and built by Patrick Blanc for over twenty years in a variety of climates. The details of irrigation, drainage and maintenance are well known and documented through built examples in general and Frasers' prototype at their Trio development in Sydney in particular.

The vertically climbing plants will grow from horizontal strip planters, 50cmx30cm in cross section, and will span from one floor to the next. These plants will arrive on the site with an average height of approximately 1m and are expected to grow 1m every 6 months until they reach roughly a full floor height. Their growth will then be inhibited by the limited root space available in the planter. A peripheral irrigation and drainage provides nutrients and evacuates excess water. This system is no different from any potted and automatically irrigated plant arrangement that could be found in urban high rise environments. The same can be said for the horizontally cantilevering balcony planters. These are however wider and can support a broader range of plants, including shrubs and taller grasses.

As a part of optimizing root development, nutrient absorption and water use efficiency, the composition of the substrate that supports the growth of the plants will be carefully fine tuned with the plant providers and maintenance companies as the project' contracts get awarded.

It is obvious that the greening of urban space comes with an installation and maintenance cost that has so far at this scale almost exclusively been funded and managed publicly. This project attempts to share the benefits of urban green with the public while keeping the costs of it private. The underlying logic of this proposal is that the obvious rapid increase in real estate value we observe in the vicinity of new urban green areas can reasonably be expected to offset in the case of this vertical park the relatively minimal private funding. In other words, in the same way that home owners individually care for and maintain the look of their street and front yards because it affects the real estate value of their property, the apartment owners of the proposed project have all interest to collectively prevent their green facades from degradation. And the cost and effort of doing so is in reasonable proportion to the gain in life quality and value of their property.

Building Separation

“The submitted Design report states that the design respects the separation between the two towers. However, the plans indicate that the separation between windows of different units, particularly between rooms located within the slots, do not comply with SEPP 65 minimum distance requirements. This issue should be resolved as part of the integral design of the building by perhaps using suitable privacy screen devices.”

The measurements provided on the North Elevation Plan (PA-A-4001) demonstrate that the internal facing units will have a separation distance of over 24m, compliant with the RFDC.

With regard to the windows located within the internal slots we draw the DOP's attention to drawings PA-A_3004 and PA-A-3005 which show the slots 'unfolded'. As can be seen on the drawings, the windows in the slot have been off set from one another so as to retain privacy between the units. The same pattern of windows is repeated several times up the building.

Public Domain / Connection to the Park

“... Council normally requires a minimum width of 4.5m for through site links and mid block connections. Accordingly, consideration should be given to widening the two north-south arcades proposed under the building.”

The proposed internal paths are 3.95m wide, this is considered to be a generous passage which pedestrians should be able to walk comfortably through.

Cascading Platforms

“The functionality of the platforms to act as usable pedestrian connection to the elevated retail areas has been questioned in the past by the City. These spaces are unlikely to function as public areas and will operate in unison with the retail uses and commercial areas within the podium...”

Concern is also raised regarding the width of the platform bridge spanning over Tooth Lane and the impact to the visual quality of the lane. The width of the platform should be reduced to minimise this impact. The Department should also carefully consider the amount of sunlight that will penetrate to the platform and whether the heliostat will provide any significant benefits in relation to directing sunlight onto the platforms.”

The platforms will be accessible to the public 24 hours a day and will be activated by lighting, landscaping and small retail elements. As the platforms will be accessible at all times of the day, the use of the platforms will not be reliant on the operation of the retail / commercial uses.

With regard to the width of the section of the platform connected to the building, it is noted that it is some 10.0m above the roadway below and contains two large voids to aid the transition of natural light to the roadway below as demonstrated on drawing PA-A-2004.

AJN provide the following additional comments:

The project is based on the idea of a green “Jacob’s Ladder” of planted platforms that rise from the park, become horizontal planters in front of the apartments and finally a landscape of roof terraces at the tower tops. This suggests that the two towers are in fact a three dimensional park sculpture at a monumental urban scale, taking the urban green for the first time in Sydney into the sky.

The publicly accepted priority of moving the main mass of this development close to Broadway and as far away as possible from the residential low rise areas in the South has the obvious advantages of avoiding shadows on these residences and freeing up enough area on the site to create a major public park for the neighbourhood. Unfortunately, this also implies that the towers now add incrementally to the already existing shadow zone of the UTS Tower across Broadway.

In order to attenuate this problem at least visually, the project proposes a Heliostat, which will redirect some sunlight into the shadow zones of the park. The area of the mirrors in relation to the area of the park leaves no doubt that this device can by no means compensate for the totality of the lost light and heat at all times of the day. It does however project an impressive ballet of light patches across the trees and terraces, as the sun moves throughout the day, and the animations of the light reflections from the Heliostat show this in a fast-forward sequence. As this slow motion firework moves across the site, its drifting highlights create lighting situations of a complexity and beauty that would be difficult to match on a movie set. Sometimes effects like these happen in a dense inner city environment when glass facades randomly reflect sunlight patches deep down into the canyon streets. But they never have the focus and the intensity of a scientific device that has been studied for this sole purpose.

At night, the Heliostat becomes a floating carpet of LED lights that functions as a giant screen and reflects changing coloured floodlights into the park."

Public Art

"Details of the art work should be submitted to and approved prior to any Construction Certificate being issued and further conditions should be imposed on any consent to ensure that the public art is installed and of high quality. The City is concerned that without such conditions public art may only be an after thought and result in token pieces."

It is currently proposed that public art will be installed within the atrium space of the development. Frasers are happy to commit to providing details of public art prior to the issue of a CC. Refer to the Statement of Commitments at **Section 4** of this report.

Heritage

"The detailed design resolution of the pedestrian entrance into the Main Avenue, adjacent to the Kent Brewery Gate Portal at the northwest corner of the building, should remove any ambiguity between the two adjacent entrances and should ensure that the historic gate portal remains prominent.

The north-west corner of the building overhang above Level 2 (RL25.40) is located less than 300mm alongside the gate. Beneath this overhang of the tower there is then a 3.5metre opening providing a sheltered pedestrian access into the Main Avenue that is separated from the car entrance through the historic gate portal. The location of the two entrances side by side creates ambiguity and may detract from the prominence of the historic gate portal. Further, this pedestrian opening is not acknowledged or celebrated by the architectural design of Block 2 other than by the provision of the canopy formed by the overhang of the tower, which appears as an accidental rather than an intentional device."

AJN provide the following response:

"The East Tower of the proposed project proposes an arcade adjacent to the existing historic Kent Brewery Gate. A vertical green wall is located directly adjacent to the gate, completing the vertical elevation of the North facade by closing the cutaway of the arcade and creating a pedestrian passage along the East facade. The gate has always been inserted in between the existing building to its East and a now

demolished building to its West. By recreating this lost tangency to the West, the impression of a missing tooth will vanish. This can effectively be verified on the physical model of the project. The extension of the gate's geometry horizontally into the podium facade recreates the original urban continuity of this frontage. While the gate is a vehicular access, the pedestrian arcade next to it belongs clearly to the new building and competes in no way with it."

"In addition to the proposed display of archaeological artefacts within the Block 2 foyers, the interpretation of those elements found during the Block 2 archaeological investigations, particularly the remains of the c1816 Wellington Inn and various George St West shops, could be interpreted in their original location within the proposed retail frontages along Broadway."

Prior to the issue of a CC for construction works above ground, AJN will work with Godden Mackay Logan (GML) to determine a suitable location for the display of archaeological artefacts. The detailed design of the display will be undertaken in accordance with GMLs guidance.

Stratum Subdivision

"Residential lots 301 and 302 include parking and storage. However, the other two residential lots 306 and 309 do not include any parking or storage. The total number of car spaces within lots 301 and 302 appear to be consistent with the number of residential car spaces provided for in the application for the basement levels. The car spaces and storage should be distributed amongst the four lots as provided for in Council's controls."

The stratum plan is now consistent with the carparking allocation provided by JPW. The residential lots of Block 2 are provided with the following parking spaces:

- Lot 301
 - 268 spaces comprising 184 standard spaces, 72 accessible spaces and 12 motorcycle spaces
- Lot 302
 - 93 spaces comprising 73 standard space, 16 accessible spaces and 4 motorcycle spaces
- Lot 306
 - 53 spaces comprising 49 standard spaces, 2 accessible spaces and 2 motorcycle spaces
- Lot 309
 - 24 spaces comprising 23 standard spaces and 1 motorcycle space

"The retail, restaurant and plaza area lot 303 seems to contain about 72 cars, which are in excess of the 58 provided for in the application for the basement levels"

There are 58 retail spaces and 43 Service vehicle spaces within the Retail Lot 303 and the Service Vehicle Lot 307.

"Road lot 304 does not seem to align with the building line along the western side of Kent Road. No footpath has been included in the lot adjoining the set-down bay. Whilst lot 304 extends to Block 9 at ground level 1, the air space above level 1 is within lot 305. The air space should be within lot 304."

Lot 304 – being the road lot has been extended to ensure the required carriageway and footpath components are all contained within Lot 304.

“The ‘Balfour Street alignment’ lot 307 and the ‘Black Water Treatment Plan’ lot 310 are to be owned by the proposed ‘umbrella company’ which is also proposed to own other similar item within the development. The long term viability of this company may be an issue and may leave Council exposed to future maintenance. These lots should at this stage be consolidated with adjoining lots 303 and 305 respectively until the details of the ‘umbrella company’ concept have been examined and considered acceptable.”

As the intention is for the Blackwater treatment plant to be operational upon the completion of the Block 2 development, it is important that the Black water treatment plant stratum lot be created at that time. The draft stratum plan continues to note Lot 310 as the Black water treatment plant lot. The developer will need to satisfy council with regards the workings of the ‘Umbrella Company’.

The former Lot 307 has been deleted from the DA plan. This was the open space adjacent to retail Lot 303.

“Lot 311 is for the vehicular access off Kent Road only this raises the question of ownership and maintenance. This lot should be consolidated with the adjoining lot 305.”

The former Lot 311, being the access into Block 2 via Block 5, has been deleted from the draft Stratum Plan. The easement for access remains.

“It is stated that Lot 312 is for Block 9 storage. However there is also parking within this lot on Basement 3. These elements are well removed from Block 9, and there is no approval or application for Block 9 to be able to determine if the number of spaces is appropriate. There is a need to have these elements as a separate lot, rather than a part lot with residue lot 305, as a strata plan cannot be two building management statement areas (there will be one for Block 2 and one for Blocks 5 and 9).

The updated carparking and storage allocation does show the storage requirements for Block 9 within the Block 2 building. Therefore Lot 312 remains on the plan as a stratum lot comprising storage for Block 9. It will be the subject of a future storage strata plan.

Lot 313 is for the Kensington Street Precinct parking spaces and storage. Again, these elements are well removed from this Precinct, and there is no approval or application for the precinct to be able to determine if the number of spaces is appropriate.”

The carparking allocation for blocks 3, 6, 7 and 10 is shown on the carparking and storage allocations provided by JPW. The stratum lot comprising these areas remains on the draft stratum plan.

“Lot 314 is for the Block 2 retail service vehicles containing about 16 spaces. This lot could readily be sold to anyone (even with a restriction on title regarding use), and the spaces lost for servicing of the building. This lot should be consolidated with lot 303.”

In councils submission, (note Lot 314 is now Lot 307) they acknowledge the issues associated with trying to strata a single lot which is comprised within 2 separate buildings and subject to two separate Strata Management Statements. For that reason it is important that the service vehicle spaces located within the Block 5 building but for the use of Lot 303 remain as a separate stratum lot. However the draft plan now notes an easement for service vehicle spaces affecting that lot (now being Lot 307). The easement will be in favour of Lot 303 (being the retail lot) and the 88B will note that the easement can only be varied with the approval of Council. This will alleviate councils concerns of the lot being sold off and then used by another party.

Balfour / Broadway Signalised Intersection

“The Broadway / Balfour signal works, Jones Street closure and associated widening of Broadway will have impacts that the City would like to comment on and provide recommended conditions, however a clearer understanding of which application the works are tied to is requested.”

The City has recently advertised these changes, Rodney King of the City of Sydney is the main point of contact.

<http://www.cityofsydney.nsw.gov.au/Council/OnExhibition/ProposedRoadClosureJonesStUltimo.asp>

This application does not involve any changes to the alignment of Broadway. The installation of the new intersection at Broadway forms part of the scope of works proposed under MP09_0164.

Roads, Footways & Cycleways

“At a meeting with Frasers on 11 February 2009, Frasers indicated that available footway widths were generally proposed between 2.5m and 3m, which would include the infrastructure zone for lighting, signs, furniture and the like. If the reservations are not already fixed by previous approvals, a minimum of 3.6m (from face of kerb to future private property boundary) should be allowed for all footways, including the provision for assets.”

The widths of the surrounding footpaths are nominated on drawing PA-A-1002 rev 11.

Stormwater

“The subsequent study by Hughes Trueman specifically for Block 2 does not mention flood planning levels or freeboard requirements.”

An updated Stormwater Report is included at **Appendix K**.

“The study also proposes the use of automatic flood barriers at the entry points to some basement car parks rather than providing crests in driveways to a floor planning level that includes a freeboard. Whilst the City is willing to give consideration to such devices to flood proof existing buildings, it is not acceptable to use them in any new developments. The satisfactory resolution of both these issues may require a redesign of roads levels and/or a reassessment of all proposed floor levels to safely route floodwaters through the site.”

As noted in the PPR for the combined basement (MP09_0042) automatic flood barriers have been previously endorsed by Council. Subsequent to this Council have now taken an alternative approach and are no longer supportive of this design aspect.

Frasers have resolved to investigate the possibility of alternative design measures for flood protection, subject to the alternative measures not affecting the safety of vehicular and pedestrian access and also the overall building height.

Health

“It is strongly recommended that a condition should be provided to ensure occupation cannot occur until the final validation reports and approval by the site auditor are issued.”

A commitment in relation to the issue of a Site Audit Statement has been made at **Section 4** of this report.

Acoustic

“Further details of the remedial works required and mentioned in the Acoustic Logic report should be submitted prior to the issue of a Construction certificate and a certificate of compliance should be required prior to the Occupation Certificate.”

An additional commitment has been made at **Section 4** of this report which requires a suitably qualified acoustic consultant to sign off the proposed acoustic design prior to the issue of a Construction Certificate relating to the construction of the building.

Draft Conditions

Frasers' response to the draft City of Sydney conditions is located at **Appendix L**.

3.2 Sydney Metro Authority

"As discussed Sydney Metro will require additional information in regard to both the project applications (Block 1&4 building and Block 2 building) for Frasers on Broadway to ensure that Metro Line 1 (CBD/West Metro projects) and the proposed developments can co-exist within the current planned parameters."

Frasers Broadway Pty Ltd and Robert Bird Group have submitted additional information to the Sydney Metro Authority in relation to the structural design of the building on Block 2. Refer to Frasers Broadway Pty Ltd and Robert Bird Group's letters at **Appendix M**. We note that the Government has since announced that this project will not proceed in the foreseeable future.

3.3 Department of Environment, Climate Change and Water

"Aboriginal Cultural Heritage

All remnant landscape features with the potential to contain evidence of past Aboriginal life, such as suggested may occur with Blackwattle Creek and Blackwattle swamp, will need to be assessed. This may require some test excavations to establish the presence of archaeological material of Aboriginal origin."

Godden Mackay Logan has already undertaken archaeological investigations on Block 2 as part of the Remediation and Transitional Works approval (MP07_0163). Condition C3 of the remediation consent prevents excavation works being undertaken within the 'zone of sensitivity' 3 metres either side of the Blackwattle Creek stormwater channel that extends across the site.

A letter summarising what was found during these excavations is included at **Appendix N**. Further archaeological investigations on Block 2 are not considered warranted.

"Noise and Vibration

DECCW notes that the proposed construction hours for Saturday are 7:30 till 3:30pm. While it is not clear what activities will be undertaken during this time, DECCW recommends that a condition be imposed that limits the construction hours from 8:00am till 1:00pm Saturdays consistent with DECCW's Interim Construction Noise Guideline (2009) and the recommended standard hours for normal construction. It is not clear when blasting will occur but DECCW also recommends that the recommended standard hours for construction work for blasting should apply."

The proposed hours of construction are consistent with those which have previously been conditioned by the Department of Planning. As no submissions have been received objecting to the proposed hours of construction, and the works being carried out on site at the moment are being undertaken during these hours, a condition of consent restricting construction hours on Saturdays to that suggested by DECCW is considered unwarranted.

"Noise and Vibration Management Plan

DECCW notes that the Environmental Assessment Report states that a Noise and Vibration Management Plan will be developed prior to commencement of any works on site. DECCW recommends that the proponent apply the Interim Construction Noise Guidelines to the project and when developing a Noise and Vibration Management Plan."

Noted.

“Dust

DECCW notes that the Environmental Assessment Report states that an Air Quality Management Plan will be developed prior to the commencement of any works on site. It is important that appropriate dust mitigation measures are carried out. The works should be staged so that the area of site open at any one time is minimised. Exposed areas should be stabilised as soon as possible so they are not eroded by wind or rain. Sediment and erosion should be managed in accordance with the guideline: Managing Urban Stormwater – Soils and construction, Volume 20 road construction (DECC 2008), to be read and used in conjunction with Volume 1 Managing Urban Stormwater: Soils and Construction (Landcom 2006). Works that are likely to generate dust should be avoided during unfavourable meteorological conditions.”

Noted.

“Chemicals

Any fuels, oils or chemicals stored on site should be within appropriately bunded and covered storage facilities with impervious floors to prevent leaching of these materials into the environment. Spill equipment should be maintained and accessible.”

Noted, the CMP will deal with management of hazardous chemicals.

“Waste Management

As stated in the Environmental Assessment Report, the works are likely to generate a variety of wastes. DECCW advises that any waste material, whether it be imported to or generated on the site must be assessed and managed in accordance with DECCW's guidelines Waste Classification Guidelines, Part 1: Classifying Waste (2008).”

Noted. The construction management plan will address this issue.

3.4 NSW Transport and Infrastructure

“As you are aware, the NSW State Plan requires NSWTI to achieve by 2016 a public transport mode share of 80% for commuting to and from the Sydney CBD during peak hours. In addition, a cycling mode share target of 5% has been set for all local and district trips made in the Greater Sydney region.

To achieve these targets, the Department of Planning must include as a condition of consent the preparation of transport access guides and workplace travel plans containing specific measures to increase public transport and cycling trips.”

Noted, a commitment to this effect has been made at **Section 4** of this report.

3.5 RailCorp

“Prior to the commencement of works the applicant shall undertake a services search to establish the existence and location of any rail services. Persons performing the service search shall use equipment that will not have any impact on rail services and signalling. Should rail services be identified within the subject development site the Applicant must discuss with the Rail Authority as to whether these services are to be relocated or incorporated within the development site.”

Frasers have already undertaken a search of services on the site and there are no known RailCorp services on the site. This suggested condition is not necessary.

“An acoustic assessment is to be submitted to Council prior to the issue of a construction certificate demonstrating how the proposed development will comply with the Department of Planning's document titled “Development Near Rail Corridors and Busy Roads – Interim Guidelines.”

An acoustic impact assessment was submitted with the Project Application which outlines internal noise criteria targets for the proposed development. Information outlining compliance with these targets will be submitted to the Principal Certifier prior to issue of a construction certificate. A commitment to this effect is made at **Section 4** of this report.

"Prior to the issue of a Construction Certificate the Applicant is to engage an Electrolysis Expert to prepare a report on the Electrolysis Risk to the development from stray currents. The Applicant must incorporate in the development all measures recommended in the report to control that risk. A copy of the report is to be provided to the Principal Certifying Authority with the application for a Construction Certificate."

An electrolysis assessment was undertaken in 2007 which established that the site is outside of the declared railway corridor with a surface distance of some 100m from the actual rails. As such a condition requiring further investigation is not necessary.

"RailCorp believes that the 2,754 car parking spaces proposed for the site is excessive given the excellent access to public transport that the site enjoys. RailCorp encourages the Department to consider a substantial reduction of car parking spaces for this particular development in order to meet Priority S6 of the State Plan."

As per condition B5 of the modified Concept Plan, the site is restricted to a maximum of 2,000 parking spaces or compliance with the Sydney LEP 2005 car parking rates, whichever is the lesser. The above reduction occurred as part of the modifications to the approved Concept Plan and further reductions are not considered warranted.

"Accessibility

Large scale developments need to provide safe and convenient access to railway stations for pedestrians. RailCorp notes that documents accompanying the concept plan depict a pedestrian route between the site and Central Station / the Railway Square bus interchange along Broadway. RailCorp suggests that a secondary pedestrian route is likely to occur along Regent Street / Outram Street and Lee Street, and is particularly likely to be utilised by workers and residents in the south-east of the site, where the distance to Central is shorter than that via Broadway.

The streetscape along this route is currently uninviting and could create a perception of safety risks. As such, the lack of a direct and pleasant secondary pedestrian route has the potential to discourage pedestrian use to and from the site.

RailCorp recommends that streetscape improvements take place along this route, and that developer contributions be utilised for this purpose."

Developer contributions for the site were established within the Modified Concept Plan application. This includes the installation of new traffic signals at the intersection of Kent Road and Regent Street. Contributions over and above that already agreed are not considered warranted given that the proposed residential building is located on Broadway and is substantially in accordance with the modified Concept Plan approval.

3.6 RTA

"The proposed dual right turn ingress/egress, to/from O'Connor Street is unacceptable. The NSW Road Rules restricts a driver of a vehicle travelling on a multi-lane road to turn left from the kerbside lane only, unless the outside lane is marked with turning arrows. In this regard it is inappropriate (due to the tidal lane proposal) to restrict the kerbside lane of O'Connor Street to left turn movements only."

This issue was responded to within the Preferred Project Report for the Basement Project Application (MP09_0042).

"The proposed traffic signals at the intersections of Abercrombie Street / O'Connor Street, Broadway/Balfour Street and Kensington/Regent Street are to be constructed prior to the commencement of construction activities to provide safe ingress and egress for construction vehicles and maintain road network efficiency during construction. It should be noted that the proposed closure of Jones Street (necessary for the signalisation of the intersection of Broadway/Balfour Street) has not yet been approved."

It has been demonstrated that construction activities can occur safely on the site despite the fact that signalling has not been installed at the three locations nominated above. It is therefore suggested that the following condition of consent be imposed in lieu of that provided by the RTA:

"Prior to commencement of works related to new buildings and the public domain, the Applicant shall submit a traffic management plan to ensure safe access for construction vehicles, maintain road network efficiency and minimise traffic on local roads. The traffic management plan shall adopt the following intersection arrangements until such time as signals are installed at the relevant locations:

- *Broadway / Balfour Street – left turn in / left turn out*
- *Abercrombie Street / Irving Street – right turn in / right turn out*
- *Abercrombie Street / O'Connor Street – right turn in / right turn out*
- *Kent Street / Kensington Street / Regent Street – Left turn in off Regent Street / left turn out to Regent Street"*

3.7 Sydney Water

"Hughes Trueman has previously liaised with Sydney Water's Stormwater Management Group regarding the water quantity and flood management aspects of the development and no objections were raised. There are however some issues with regard to the Stormwater Management Plan – May 2009 prepared by Lincolne Scott Australia Pty Ltd in terms of the water quality treatment system. MUSIC model (section 5.6 of the report). On the basis of the information provided the model does not include large areas of the roadway and pavement hardstand throughout the site. The inclusions of the areas would significantly alter the quoted system performance outcomes.

There may also need to be some further consideration given to the ongoing management of the site stormwater quality system. The report indicates that the roads will be dedicated to the Council after construction, this raises implications in terms of mixed maintenance obligations for Council and/or the property owner.

Sydney Water recommends that the MUSIC model for the site should be peer reviewed independently in detail before the proposed water quality stormwater management strategy is accepted."

WSP Lincolne Scott has confirmed that the simplified MUSIC model provided does include all areas of the site, including all roofs, roads and hard standing. WSP Lincolne Scott is happy to provide the model for a peer review if this is deemed necessary.

3.8 State Transit (Sydney Buses)

"There is currently an existing bus stop (200813 – Broadway, nr Balfour Street) on the frontage of Block 2 between Balfour Street and Kent Road. After assessing all plans, no evidence of the bus stop was found, STA does not support the removal of this bus stop along Broadway and will object to the proposal if the stop is to be removed.

State Transit asks the Department of Planning to clarify if this bus stop is to be removed, or is the stop was overlooked during the design process. For an approval to be given, STA will need to see revised plans, showing the location of the bus stop and its interaction with the proposed Building Block 2. I can be contacted to discuss design details if this is required."

It was never the intention of Frasers to remove this bus stop from Broadway. The public domain plans have been amended which show that the bus stop will be retained in its current position (**Appendix O**)

"As stated in previous comments to the DoP, STA is seeking information regarding the closure of Jones Street and timing of the required works to allow bus movements in Wattle and Thomas Street."

The closure of Jones Street has been endorsed by the UTS and advertised by the City of Sydney. It is expected that the proposed closure will be reported to the City's Traffic Committee and Council early in 2010.

3.9 TransGrid

"... The location of this development proposal is considered to be sufficiently remote enough from this U/G cable to have no impact on the stability or the continued safe operation of the cable. Therefore, TransGrid will have no objections to this proposed development."

Noted.

3.10 Public Submission

"Mr R.J. Offner

- (a) the proposal is contrary to the aims and objectives of Section 79C(1)(a)(a)(i) of the Environmental Planning and Assessment Act, 1979, as amended, ("the Act") as the proposed development is inconsistent with the desired future character of the Chippendale Precinct and is out of context with the prevailing development of that area;*
- (b) Pursuant to Section 79C(b) of the Act, the proposed development would impact on the adjoining development, propensity for overlooking, inadequate landscaping and minimal distance of separation and acoustic impact, particularly caused by the proposed vehicular access driveway, and that of the surrounding development.*
- (c) Pursuant to Section 79C(c) of the Act, the proposed development is not suitable for the topography of site and surrounds, being of such over development.*
- (d) The proposal will have an undue impact on available views from all properties."*

Section 79C of the EP&A Act relates to Part 4 applications and not Part 3A Major Projects. Notwithstanding this, the proposed development is generally consistent with the approved Modified Concept Plan which establishes general characteristics of future development on the site. The proposed development is also considered to be in the public interest in that the redevelopment of the Frasers Broadway site will result in the following public benefits:

- New housing, jobs and infrastructure as per the aims of the Sydney Metropolitan Strategy;
- A greater amount of public domain area for the new and existing communities, including a new public park with an area of over 6,000m²;
- New pedestrian and cycle links through a site which was previously inaccessible to the general public; and
- Substantial contributions towards the provision of new affordable housing.

Block 2 in particular will see the delivery of:

- a new iconic building which exhibits design excellence;
- 593 new dwellings with a high level of residential amenity;
- New supermarket and retail facilities; and
- Creation of new construction and operational jobs.

4.0 Revised Statement of Commitments

Following the above comments, Fraser's Broadway Pty Ltd has revised the commitments relating to the project as outlined in **Table 2**.

Table 1 – Revised Statement of Commitments

Key Issue	No.	Commitment	Timing
Design	1.	The proposed development will be constructed in accordance with the plans and documentation submitted with the Project Application.	Ongoing.
ESD	2.	The proposed development will achieve a 5 Star Green Star rating (Multi residential PILOT tool unless superseded by an operational tool).	Prior to occupation of the building.
Public Domain	3.	Proof shall be submitted demonstrating that Public Right of Way easements have been created on the land title	Prior to an occupation certificate being issued.
	4.	A Publicly Accessible Areas Management Plan will be entered into by the building management	Prior to the occupation of the building
Retail premises	5.	Separate Project Applications / Development Applications (dependent on cost of works) will be lodged for each of the ground floor retail tenancies.	N/A.
Childcare	6.	29 Childcare spaces for the proposed development will be provided on Blocks 1 and 4. The addition 21 spaces generated by the Block 2 development will be provided within the development on Blocks 8 or 11.	Ongoing.
Construction Management	7.	A detailed Construction Management Plan will be prepared by the building contractor.	Prior to the issue of a construction certificate.
	8.	Management of noise, vibration, dust, soil and erosion arising from the construction of the building will be undertaken in accordance with the Construction Management Plan (CMP) for the development.	Throughout the duration of construction works.
	9.	A sign will be erected on the boundary fence of the development which will advise of the following: <ul style="list-style-type: none"> ▪ Contractor details ▪ 24 hour emergency contact details 	Throughout the duration of construction works.
	10.	Construction work will be carried out at the following times: <ul style="list-style-type: none"> ▪ Monday to Friday: 7.30am to 5.30pm ▪ Saturday: 7.30am to 3.30pm ▪ Sunday and Public Holidays: No work to be undertaken 	Throughout the duration of construction works.

Key Issue	No.	Commitment	Timing
Traffic Management	11.	A construction traffic management plan will be prepared and submitted to the certifier.	Prior to the issue of a Construction Certificate.
	12.	Works will be carried out in accordance with the construction traffic management plan.	Throughout the duration of construction works.
Parking	13.	Commercial, retail and residential parking spaces will be managed in accordance with a car park management plan will be prepared by the building manager.	Prior to Occupation of the building.
Accessibility	14.	All publicly accessible areas of the building will be designed to equitable access for the mobility impaired.	Prior to issue of a Construction Certificate.
Waste Management	15.	A commercial contractor will be engaged to remove waste and recycling from the building in accordance with the Waste Management Plan for the project.	Prior to occupation of the building.
Residential Amenity	16.	Mitigation measures outlined in the detailed CMP will be implemented so as to minimise impacts on the surrounding community.	Throughout the construction of the building.
	17.	The plant selected for the building will be acoustically treated so as to meet the acoustic goals set in the Noise Assessment prepared by Acoustic Logic.	Prior to occupation of the building.
	18.	The acoustic treatments proposed to the achieve the noise goals set for the internal amenity of the proposed units will be certified by an appropriately qualified acoustic consultant.	Prior to the issue of a construction certificate.
Heritage	19.	The proposed works will be carried out in accordance with the recommendations of the Heritage Impact Statement prepared by Urbis Pty Ltd.	Throughout the duration of the construction works.
	20.	Construction works will be overseen by a qualified heritage consultant when in close proximity to the heritage gate.	As relevant
	21.	The recommendations of the nominated site archaeologists will be carried out.	Prior to work commencing in the relevant areas.
	22.	Temporary and permanent interpretive elements will be incorporated into the design of the proposed building	During the construction phase and design development

Key Issue	No.	Commitment	Timing
			phase.
Wind	23.	The wind amelioration treatments recommended by CPP will be incorporated into the design of the proposed building	Prior to the issue of a Construction Certificate.
Reflectivity	24.	The façade of the building will be constructed so as to meet the recommendations made by CPP in relation to reflectivity.	Prior to issue of a Construction Certificate.
Consultation	25.	Fraser's will regularly update local residents on construction work and the progress of the development via their community liaison officer, website and newsletter.	Ongoing
Public Transport	26.	Transport access guides and Workplace Travel Plans containing specific measures to increase public transport and cycling trips will be prepared for the proposed building.	Prior to the issue of an Occupational Certificate.
Acoustic Amenity	27.	Information will be submitted to the PCA demonstrating that the proposed design will meet the internal noise criteria as outlined in the Acoustic Assessment.	Prior to the issue of a CC.
Strata Subdivision	28.	The 2 key apartments will be located on a single strata lot so as to ensure each unit remains in single ownership.	Prior to the issue of an OC.
Public Art	29.	Public art will be installed in the atrium of the Block 2 building.	Details to be provided prior to the issue of a CC.
Remediation	30.	Site Audit Statements will be issued confirming that the site has been made suitable or that sufficient management measures are in place so as to ensure that the site is suitable for the proposed use.	Prior to issue of an OC.

5.0 Conclusion

This application seeks consent for:

- Construction of a new mixed use retail, commercial and residential building (66,698m² GFA) with ancillary retail uses on Block 2, accommodating:
 - 46,939m² of residential floor space comprising 593 residential apartments;
 - 15,481m² retail floor space comprising a food court, speciality retail and a supermarket; and
 - 4,278m² of commercial floorspace.
- Construction of terraces (landscaped platforms) which rise from the plaza to the podium level 2 of the new building on Block 2;
- Installation of a heliostat (consisting of mirrors which are orientated to focus sunlight onto the landscaped platforms);
- Construction of the surrounding public domain; and
- Stratum subdivision of Super Lot 3 in Lot 1 of DP1131320

This Preferred Project Report has been submitted in response to the issues raised by the Department of Planning, City of Sydney and public authority submissions. It provides further details in relation to compliance with SEPP 65, the sustainability aspects of the development, heritage and public domain elements.

The Environmental Assessment Report submitted to the Department of Planning demonstrated that the proposed development is generally in accordance with approved modified Concept Plan and will not generate any adverse environmental impacts.

The proposed development will deliver a new landmark building exhibiting design excellence, 593 new residential dwellings which have a high level of residential amenity and are of a sustainable design and new retail facilities. With this in mind, and in the absence of any adverse environmental impacts the application is recommended for approval.