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10 June 2025

John Martinez
Senior Planning Officer
Department of Planning, Housing and Infrastructure
4 Parramatta Square, 12 Darcy Street
Parramatta NSW 2124

Dear John,

Modification 1 – Basement and Construction Hours – Five Ways, Crows Nest (SSD-66826207-Mod-1)

This letter forms Deicorp's written response to the Department's letter dated 3 June 2025 requesting additional information for the assessment of the above modification application.

A comprehensive response to the specific issues raised by the Department is provided in the table overleaf. This response should be read with the accompanying supporting documentation identified in the table below.

Appendix Number	Document	Author
1	Construction Noise Vibration Management Plan	Acoustic Logic
2	Development Schedule	Turner
3	Updated Section Plans	Turner
4	Updated Stratum Plans	Daw & Walton Consulting Surveyors
5	Updated Swept Paths	JMT Consulting

It is understood that the Department is awaiting advice from Sydney Metro on this modification application. Once this is received, we will endeavour to provide a timely response to any concerns raised.

If you have any further queries or questions regarding this modification application, please do not hesitate to contact me.

Yours sincerely

Poonam Chauhan
Senior Development Manager

Department Comment	Deicorp Response
Construction noise and vibration management plan (CNVMP)	
1. The Department has reviewed the CNVMP and considers this to be insufficient to support the proposed amendments to the construction hours for noisy activities required by condition D6. Consequently, an amended final CNVMP must be provided responding to condition C3 of the development consent and including (but not limited to): • details of the receivers that would be impacted by the noisy activities exceeding 75dBA • detailed mitigation measures to demonstrate how the proposed respite period is managed details of all screening measures at the highly affected receiver boundaries • amended Section 2 to refer to the final development consent conditions.	An updated CNVMP has been prepared by Acoustic Logic (refer to **Appendix 1)**. To address the Department's comments, the CNVMP has been updated as follows: • Section 2 specifies which sections of the report satisfy the various requirements of Condition C3. • The tables in Section 9.2.2 which identify predicted noise impacts to nearby receivers have been updated to confirm which receivers would be impacted by specified noisy activities exceeding 75dBA. • Section 12.2 includes additional noise attenuation methods including: - Use of "inside out" demolition - Crane noise control - Overall site containment - Appropriate plant and equipment used to carry out demolition works - Acoustic treatments where hydraulic hammers are used • Section 12.4 has been updated to reference the proposed five level basement extent. • Section 12.7 includes a summary of the mitigation and management measures to be adopted. In relation to site screening, a Class B hoarding with a minimum height of 2.4m is recommended along the full perimeter of the site. 6m high 'high-bay' barriers are to be constructed in solid form timber ply along Alexander Street to mitigate noise impacts. The mitigation measures also include the introduction of a respite period when works involving a hydraulic hammer, rock saw, concrete pump and concrete vibrators are used.
Residential storage areas	
2. Provide an amended schedule of storage volumes allocated at the basement and internally within each apartment to demonstrate compliance with the recommended criteria in Objective 4G-1 of the Apartment Design Guide (ADG).	An amended development schedule has been prepared by Turner (refer **Appendix 2**) which confirms the storage provision for each apartment both internally and within the basement. The accompanying basement plans (refer **Appendix 3**) identify 188 storage cages with each cage providing 4 cubic metres per apartment. The total volume of storage is compliant with Objective 4G-1 of the ADG.

Department Comment	Deicorp Response
Stormwater pump stations	
3. Amend the architectural plans to depict the extent of the two stormwater pump stations located under Basement 5.	The section plans have been updated to include the stormwater and sewer pump stations and are shown at **Appendix 3**.
Stratum plans	
4. The submitted stratum plans are inconsistent with the architectural plans. For example, the stratum plan for Basement 2 has designated nine retail visitor bike spaces as part of Lot 2 Commercial, and some retail car parking spaces as part of Lot 1 Residential. You must amend the plans (either stratum or the architectural set) to remove all discrepancies.	Updated Stratum Plans are provided at **Appendix 4** which are consistent with the architectural plans.
5. Provide an amended set of Stratum Plans to include the extent of RLs proposed below Basement 5 and ensure all structures below Basement 5 are captured (excluding Sydney Metro corridor).	The Stratum Plans do not include the extent of RLs proposed below Basement 5. The structures below Basement 5 (stormwater pump station and sewer pump station) are located within the residential stratum and these structures will be managed under a Building Management Statement (BMS). There is no utility or purpose in providing an RL for these structures on the stratum plans.
Swept path analysis	
6. Provide B99 swept path analysis for the following Basement 2 car parking spaces: • residential car parking space nos. 4 to 13 • retail car parking space nos. 15, 19, 20 and turning bay adjacent to boom gate.	JMT Consulting has confirmed that the car parking area has been designed in accordance with AS2890.1 with respect to aisle widths and parking space dimensions. In this context, swept path analysis is not typically undertaken for individual car parking bays. Notwithstanding swept path analysis has been completed as per DPHI's request for the identified parking bays confirming that vehicles can appropriately access each of the spaces in question (refer **Appendix 5**). It is noted that the B85 vehicle has been used in the testing in accordance with Clause B2.3 of AS2890.1:2004 which specifies the use of the B85 design vehicle for parking space and aisle design, particularly when considering three-point turns, entry and exit manoeuvres, and swept path simulations. The B99 vehicle, as per Clause B2.2, is to only be used for testing access driveways, ramps and circulation roadways. In relation to residential parking bays 7 & 8 these spaces are fully compliant with AS2890.1 and can be retained as part of the design. While drivers will need to reverse a distance of approximately 15-20m to access these parking bays there is no practical or technical design compliance issue in relation to this. AS2890.1 does not require provision of turning bays for residential car parking areas, these are only required for public parking zones. Residents will be very familiar with the parking arrangements for these spaces and have knowledge as to safely enter and exit. The residential parking areas will have a very low turnover throughout the day and therefore the proposed arrangements are considered acceptable.
7. The Department raises concerns regarding the safety of the car parking layout of Basement 2 as B99 vehicles will need to reverse between 15m-25m to manoeuvre in and out of residential car parking space nos. 4, 5, 7, 8, 9 and 10 (Basement 2). The residential car parking spaces 7 and 8 (including spaces in subsequent basement levels) should be converted to turning bays to allow safe manoeuvring of the vehicles within the above- mentioned parking spaces.	

Department Comment	Deicorp Response
End of trip facilities	
8. Clarify the reasons for the proposed allocation of the end-of-trip facilities for commercial and retail premises and demonstrate that the facilities have appropriate amenity.	In relation to end of trip facilities, the proposed quantum of end of trip facilities is consistent with the requirements of the North Sydney DCP 2013. While the DCP has no effect in the determination of this modification application, the rates provide useful guidance. Strict compliance with the DCP would ncessitate 60 lockers and six showers for the retail uses and 18 lockers and two showers for the commercial uses. The proposed development includes 52 lockers, 5 WCs and 13 showers for the retail uses and 40 lockers, 6 WCs and 13 showers for the commercial uses. The facilities will have a high level of amenity, with generously sized separate male and female facilities provided adjacent to the lifts on basement levels 2, 3 and 4. It is intended that these facilities will promote active commuting, encourage workers to use non-motorised transport and reduce reliance on cars when accessing the site.