



NSW GOVERNMENT  
**Department of Planning**

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Our ref: MP 09\_0078  
File: S09/00634-1

Mr Michael Goldrick  
Project Director  
Frasers Broadway Pty Ltd  
Level 11, 488 Kent Street  
SYDNEY NSW 2000

Dear Mr Goldrick,

**Revised Director-General's Requirements for the Construction of a Residential Building with Ancillary Uses on Block 2, Frasers Broadway (MP 09\_0078)**


I refer to your request to amend your project and subsequent revision of the Director-General's Requirements (DGRs) that were issued on 18 May 2009 for the above project. The Department has reviewed and updated the DGRs, pursuant to section 75F(3) of the *Environmental Planning and Assessment Act, 1979* (the Act).

The updated DGRs are attached to this correspondence as **Attachment 1**.

Prior to exhibiting the Environmental Assessment, the Department will review the document to determine if it adequately addresses the DGRs. If the Director-General considers that the Environmental Assessment does not adequately address the DGRs, the Director-General may require the proponent to revise the Environmental Assessment to address the matters notified to the proponent. Following this review period the Environmental Assessment will be made publicly available for a minimum period of 30 days.

If you have any enquiries about these requirements, please contact Anthony Witherdin on 02 9228 6173 or via e-mail at [anthony.witherdin@planning.nsw.gov.au](mailto:anthony.witherdin@planning.nsw.gov.au).

Yours sincerely

 10.8.09

Chris Wilson  
Executive Director  
(as delegate for the Director-General)

## Director-General's Requirements

Section 75F of the *Environmental Planning and Assessment Act 1979*

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| Application number | MP 09_0078   |
| Project            | Project Application for the construction of a residential building with ancillary uses on Block 2, including residential, retail and commercial floor space; terraces which rise from the plaza to the podium levels; construction of the surrounding public domain; and stratum subdivision.  |
| Location           | 26 Broadway, Chippendale - Block 2 of Frasers Broadway site.   |
| Proponent          | Frasers Broadway Pty Ltd   |
| Date issued        | 10/8/2009  |
| Expiry date        | If the environmental assessment is not exhibited within 2 years after this date, the applicant must consult further with the Director-General in relation to the preparation of the environmental assessment.  |
| Key issues (Core)  | <p>The Environmental Assessment (EA) must address the following key issues:</p> <ol style="list-style-type: none"> <li> <b>1. Relevant EPI's policies and Guidelines to be Addressed</b><br/> Planning provisions applying to the site, including permissibility and the provisions of all plans and policies including: <ul style="list-style-type: none"> <li>• Objects of the EP&amp;A Act</li> <li>• SEPP (Major Projects) 2005</li> <li>• SEPP 55 – Remediation of Land</li> <li>• SEPP 65 – Design Quality of Residential Flat Development</li> <li>• Sydney Local Environmental Plan 2005</li> <li>• Nature and extent of any non-compliance with relevant environmental planning instruments, plans and guidelines and justification for any non-compliance</li> </ul> </li> <li> <b>2. Concept Plan</b><br/> The EA shall demonstrate consistency with the terms of approval of Concept Plan MP 06_0171 MOD 2, dated 05 February 2009 (including relevant modifications) and justification for any areas of inconsistency. </li> <li> <b>3. Built Form and Urban Design</b> <ul style="list-style-type: none"> <li>• The EA shall address the height, bulk and scale of the proposed development.</li> <li>• The EA shall address the design quality with specific consideration of the façade, massing, street sections, setbacks, building articulation, use of appropriate colours, materials/finishes and landscaping.</li> <li>• The EA shall provide details of the solar reflector and ensure it meets its design objective of illuminating overshadowed areas of the public domain.</li> <li>• The EA shall address Crime Prevention Through Environmental Design (CPTED) and provide safety management plans.</li> </ul> </li> <li> <b>4. Environmental and Residential Amenity and Noise Impacts</b><br/> The EA shall address SEPP 65 requirements for residential amenity including - solar access, acoustic privacy, visual privacy, view loss and wind impacts and achieve a high level of environmental and residential amenity to surrounding residents and future residents within the site. </li> <li> <b>5. Landscaping and Public Domain Management</b> <ul style="list-style-type: none"> <li>• The EA shall provide details on landscaping and public domain works along, but not limited to, Broadway, Balfour Street, Tooth Lane and the land adjoining the Main Park.</li> <li>• The EA shall provide details of the landscaping located on the elevated green walls and the manner in which the plantings on the building are managed after completion.</li> <li>• The EA shall address public access, linkages to other public domain spaces and provide details of</li> </ul> </li> </ol> |

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|                              | <p>on street activation.</p> <ul style="list-style-type: none"> <li>• The EA shall address the provision of a cohesive public domain within the area of the cantilevered platforms and the lower ground floor level.</li> </ul> <p><b>6. Transport and Accessibility (Construction and Operational)</b></p> <ul style="list-style-type: none"> <li>• The EA shall provide details on any required road / intersection upgrades including kerbs and guttering, pavement treatments, light, power and other utilities, planting and street furniture, access, loading dock(s), car parking arrangements, pedestrian and bicycle linkages associated with the proposed works.</li> <li>• Details of on-site car parking provision for Block 2 having regard to the overall car parking numbers to be provided for the whole site.</li> </ul> <p><b>7. Ecologically Sustainable Development (ESD)</b></p> <ul style="list-style-type: none"> <li>• The EA shall detail how the buildings will incorporate ESD principles in the design, construction and ongoing operation phases of the proposed works.</li> <li>• Details of Star ratings for all residential and retail development linked to ESD and Water Sensitive Urban Design (WSUD) measures.</li> <li>• The EA shall demonstrate that the development is also capable of achieving the requirements of the NSW Government Building Sustainability Index, BASIX.</li> </ul> <p><b>8. Drainage and Flooding</b></p> <p>The EA shall address drainage or flooding issues associated with the development, including: stormwater, drainage infrastructure and incorporation of WSUD measures.</p> <p><b>9. Contributions</b></p> <p>The EA shall demonstrate the modified Planning Agreement with the Minister for Planning will be executed (prior to Project Application approval) in accordance with the terms of approval of Concept Plan Modification MP 06_0171 MOD 2.</p> <p><b>10. Utilities and Infrastructure Provision</b></p> <p>In consultation with relevant agencies, the EA shall address the existing capacity and requirements of the development for the provision of utilities including staging of infrastructure works.</p> <p><b>11. Heritage</b></p> <p>The EA shall provide an interpretation plan for heritage and archaeology and incorporate the city datum line.</p> <p><b>12. Environmental and Construction Management Plan</b></p> <p>The EA shall provide an Environmental and Construction Management Plan for the proposed works and address the impact of the proposal upon:</p> <ul style="list-style-type: none"> <li>• Noise and vibration impacts on and off site</li> <li>• Air quality impacts on the neighbourhood</li> <li>• Water quality management for the site</li> <li>• Waste and chemical management</li> </ul> <p><b>13. Contamination</b></p> <p>The EA is to demonstrate compliance that the site is suitable for the proposed use in accordance with SEPP 55 and has regard to the Remediation and Transitional Works approval MP 07_0163 dated 18 August 2008 (including relevant modifications).</p> <p><b>14. Consultation</b></p> <p>Undertake an appropriate and justified level of consultation in accordance with the Department's <i>Major Project Community Consultation Guidelines October 2007</i>.</p> |
| <b>Deemed refusal period</b> | 60 days   |

## Plans and Documents to accompany the Application

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| <p><u>General</u></p>             | <p>The Environmental Assessment (EA) must include:</p> <ol style="list-style-type: none"> <li>1. An executive summary;</li> <li>2. A thorough site analysis including site plans, areal photographs and a description of the existing and surrounding environment;</li> <li>3. A thorough description of the proposed development;</li> <li>4. An assessment of the key issues specified above (including an appropriate summary of the findings found in all appended reports/studies) and a table outlining how these key issues have been addressed;</li> <li>5. An assessment of the potential impacts of the project and a draft Statement of Commitments, outlining environmental management, mitigation and monitoring measures to be implemented to minimise any potential impacts of the project;</li> <li>6. The plans and documents outlined below;</li> <li>7. A signed statement from the author of the Environmental Assessment certifying that the information contained in the report is neither false nor misleading;</li> <li>8. A Quantity Surveyor's Certificate of Cost to verify the capital investment value of the project (in accordance with the definition contained in the Major Projects SEPP); and</li> <li>9. A conclusion justifying the project, taking into consideration the environmental impacts of the proposal, the suitability of the site, and whether or not the project is in the public interest.</li> </ol>   |
| <p><u>Plans and Documents</u></p> | <p>The following plans, architectural drawings, diagrams and relevant documentation shall be submitted:</p> <ol style="list-style-type: none"> <li>1. An <b>existing site survey plan</b> drawn at an appropriate scale illustrating: <ul style="list-style-type: none"> <li>• the location of the land, boundary measurements, area (sq.m) and north point;</li> <li>• the existing levels of the land in relation to buildings and roads;</li> <li>• location and height of existing structures on the site;</li> <li>• location and height of adjacent buildings and private open space, and</li> <li>• all levels to be to Australian Height Datum.</li> </ul> </li> <li>2. A <b>Site Analysis Plan</b> must be provided which identifies existing natural elements of the site (including all hazards and constraints), existing vegetation, footpath crossing levels and alignments, existing pedestrian and vehicular access points and other facilities, slope and topography, utility services, boundaries, orientation, view corridors and all structures on neighbouring properties where relevant to the application (including windows, driveways, private open space etc).</li> <li>3. A <b>locality/context plan</b> drawn at an appropriate scale should be submitted indicating: <ul style="list-style-type: none"> <li>• significant local features such as parks, community facilities and open space and heritage items;</li> <li>• the location and uses of existing buildings, shopping and employment areas; and</li> <li>• traffic and road patterns, pedestrian routes and public transport nodes.</li> </ul> </li> <li>4. <b>Architectural drawings</b> at an appropriate scale illustrating: <ul style="list-style-type: none"> <li>• the location of any existing building envelopes or structures on the land in relation to the boundaries of the land and any development on adjoining land;</li> <li>• detailed floor plans, sections and elevations of the proposed buildings;</li> <li>• elevation plans providing details of external building materials and colours proposed;</li> <li>• fenestrations, balconies and other features;</li> <li>• accessibility requirements of the Building Code of Australia and the Disability Discrimination Act;</li> <li>• the height (AHD) of the proposed development in relation to the land;</li> <li>• the level of the lowest floor, the level of any unbuilt area and the level of the ground; and</li> <li>• any changes that will be made to the level of the land by excavation, filling or otherwise.</li> </ul> </li> <li>5. <b>Other plans</b> (to be required where relevant): <ul style="list-style-type: none"> <li>• <b>Stormwater Concept Plan</b> - illustrating the concept for stormwater management;</li> </ul> </li> </ol> |

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|                                  | <ul style="list-style-type: none"> <li>• <b>Erosion and Sediment Control Plan</b> – plan or drawing that shows the nature and location of all erosion and sedimentation control measures to be utilised on the site;</li> <li>• <b>Geotechnical Report</b> – prepared by a recognised professional which assesses the risk of Geotechnical failure on the site and identifies design solutions and works to be carried out to ensure the stability of the land and structures and safety of persons;</li> <li>• <b>View Analysis</b> - Visual aids such as a photomontage must be used to demonstrate visual impacts of the proposed building envelopes in particular having regard to the siting, bulk and scale relationships from key areas;</li> <li>• <b>Landscape plan</b> - illustrating treatment of open space areas on the site, screen planting along common boundaries and tree protection measures both on and off the site;</li> <li>• <b>Shadow diagrams</b> showing solar access to the site and adjacent properties at summer solstice (Dec 21), winter solstice (June 21) and the equinox (March 21 and September 21) at 9.00 am, 12.00 midday and 3.00 pm. Where relevant, provide shadow diagrams of the existing buildings on site for comparison;</li> <li>• <b>Energy Savings Action Plan</b> - Demonstrate that the development is capable of achieving the requirements of BASIX and what (if any) commitments will be made on other environmental rating tools such as Greenstar and the Australian Building Rating Scheme. Prepare an Energy Savings Action Plan in accordance with the requirements of the DWE and the Guidelines for Energy Savings Action Plans, DEUS 2005; and</li> <li>• <b>Subdivision Plan</b> – plan illustrating the subdivision of the development as proposed under the stratum subdivision.</li> </ul> |
| <u>Documents to be submitted</u> | <ul style="list-style-type: none"> <li>• 1 copy of the EA, plans and documentation for the Test of Adequacy;</li> <li>• 12 hard copies of the EA (once the EA has been determined adequate);</li> <li>• 12 sets of architectural and landscape plans to scale, including one (1) set at A3 size (to scale); and</li> <li>• 12 copies of the Environmental Assessment and plans on CD-ROM (PDF format), not exceeding 5Mb in size. . Take note of the Departmental Guideline 'Website Protocol for Proponents' (available at <a href="http://www.planning.nsw.gov.au/environmentalassessment/mpguidelines.asp">http://www.planning.nsw.gov.au/environmentalassessment/mpguidelines.asp</a>)</li> </ul>   |