

1.0 Revised Final Statement of Commitments (17 September 2012)

In accordance with Part 3A of the *Environmental Planning and Assessment Act 1979*, the following are the commitments made by AMP Capital Investors and Mirvac to manage and minimise potential impacts arising from the proposal. These commitments have been refined after extensive input from the consultant team to address relevant matters raised during the exhibition of the Concept Plan. These final commitments replace the draft commitments included with the EAR and the final commitment in the Response to Submissions document dated May 2012.

It should be noted that this application relates to a Concept Plan, with further and more detailed commitments to be made in relation to the future application for development.

1.1 Public Domain

During the detailed design of the project and prior to the submission of the future application for development, the proponent will work with key public authority stakeholders to agree on appropriate design principles of the public domain and through-site link. The design process will be undertaken with the involvement of the proponent and its design team, the City of Sydney and the Sydney Harbour Foreshore Authority. The design principles will seek to achieve and demonstrate design excellence.

1.2 Design Principles

The following design principles will be applied to the detailed design of the project.

Urban Design Principles

- Complete the vision of the East Circular Quay precinct;
- Remove vehicle traffic from the East Circular Quay promenade;
- Revitalise and activate the unsightly south-east corner of Circular Quay and create a new and usable public domain;
- Complete the colonnade and activate the ground plane;
- Provide a continuous pedestrian experience along the Circular Quay promenade;
- Maintain critical view lines across public spaces and from relevant neighbouring residential properties; and
- Create enhanced connectivity by a through site pedestrian link to the Royal Botanic Gardens and Macquarie Street.

Architectural Design Principles

- Integrate the built form with the massing and design of the adjacent East Circular Quay buildings;
- Strengthen the transition in building scale between Circular Quay and the CBD;
- Extend built form to the west over a portion of the Council roadway, and integrate with the existing colonnade;
- Unify the harbour-front built edge created by the surrounding buildings to complete the East Circular Quay vision;
- Maintain the existing building height with no additional overshadowing to adjacent Royal Botanic Gardens;
- Provide a mix of residential and serviced apartment uses that are consistent with East Circular Quay providing 24 hour activation; and
- Achieve design excellence and enhanced environmental performance.

Public Domain Principles

- The proposed integrated development provides the opportunity to complete the East Circular Quay vision and create a new and revitalised harbour-front public domain;

- Completion of the colonnade and harbour front promenade by providing a continuous pedestrian experience and weather protection along East Circular Quay ensuring the quality and proportions of the colonnade are continued;
- The removal of vehicular traffic from the pedestrian promenade and clear separation of vehicles and pedestrian circulation will allow for the creation of a larger and more usable harbour-front public space;
- Activation of the ground plane with high quality retail edges will define the public domain with opportunities for both cultural and restaurant uses with outdoor alfresco dining;
- A seamless continuation of the promenade and ground surface materials throughout the new larger public space will create consistency through the Circular Quay promenade; and
- The Cahill Expressway undercroft will be flanked with an active retail edge and canopy protection to continue the pedestrian experience and conceal the Cahill Expressway undercroft and vehicle loading areas beyond.

Through-Site Link Principles

- The through-site link will create an important pedestrian link connecting Circular Quay to Macquarie Street and the Royal Botanic Gardens;
- The link (depending on its location) has the potential to become an actively used public and event space and a destination in its own right, with opportunities for cafes, public seating and performance spaces along the stair route with informal platforms and elevated spaces to dwell adding further vibrancy to the public domain;
- Explore providing a line of sight between Circular Quay and the Royal Botanic Gardens, seeking to make the link easy to identify and negotiate;
- The visual connection will link different quadrants of the city and activate movement and permeability between them;
- The through-site link will act as an appropriate end point for the colonnade and create a feature point to terminate views;
- Possibility for integration of the through-site link with public artworks and temporary installations; and
- Creation of a safe and secure public space by ensuring there are no unsafe corners, appropriate lighting is provided at night, and ownership and management of the different spaces are clearly defined.

1.3 Future Access Provision

The proponent commits to investigating (in consultation with relevant authorities, including the City of Sydney) a long term strategy for revisions to the location and configuration of the vehicle access to the basement and the internal layout of the car park to ensure an appropriate design outcome for the site and immediate surrounds in the event that the Cahill Expressway viaduct is removed.

1.4 Detailed Investigations

During the detailed design of the project and prior to the submission of a future application for development, the proponent will undertake detailed investigations in relation to the following:

- heritage;
- wind;
- reflectivity;
- noise and vibration;
- transport, traffic and access;
- tree planting on Macquarie Street;
- contamination;
- geotechnics;
- electrolysis;
- location and maintenance of relevant RailCorp assets and services;

- infrastructure; and
- water quality management.

1.5 Bennelong Drain

During the detailed design of the project and prior to the submission of the future Development Application, the proponent commits to working with Sydney Water to investigate potential solutions to ensure Sydney Water access to the Sydney Water's state heritage listed Bennelong Point Oviform Stormwater Channel SWC 29 is not limited.

The proponent commits to engaging appropriate consultants to undertake relevant investigations to confirm the location and condition of the Stormwater Channel SWC 29. The proponent will assess all feasible opportunities to ensure that the structure of the future building will not compromise the condition of the channel or accessibility to the channel.

The proponent commits to ensuring the scope of building structures is confined to underneath the stormwater channel, more than 1 metre horizontally away from the outside edge of the stormwater channel, but not above the stormwater channel, unless the building structure is outside a zone of vertical clearance not less than 2.7m (via the cantilevering of the structure above) to ensure Sydney Water retain unobstructed access for maintenance and/or future capital works.

1.6 Soil and Water

During the detailed design of the project and prior to the submission of a future application for development, the proponent will prepare a stormwater management plan which considers the drainage and stormwater management issues, including on-site detention of stormwater, water sensitive urban design and drainage infrastructure, particularly in relation to the rail corridor and Cahill Expressway.

1.7 Derailment Protection

During the detailed design of the project and prior to the submission of a future application for development, the proponent will prepare a derailment protection risk assessment in accordance with AS5100 for new structures located within 25 metres of the rail corridor. The assessment will address the additional built form proposed as part of the Concept Plan.

1.8 Integrated Water Management

During the detailed design of the project and prior to the submission of a future application for development, the proponent will prepare an integrated water management plan to address water supply, proposed end uses of potable and non-potable water, demonstration of water sensitive urban design and any water conservation measures.

1.9 Ecologically Sustainable Development

The detailed design of the project will include investigation of the application of suitable ESD rating tools and targets to ensure the future building on the site is innovative, appropriate and feasible in terms of energy use.

1.10 Quay Grand Amenity

The detailed design of the project will incorporate appropriate consideration at the north western corner to ensure that amenity of the neighbouring Quay Grand apartments and communal recreation area is reasonably preserved.

1.11 Climate Change and Sea Level Rise

During the detailed design of the project and prior to the submission of the future application for development, the proponent will consider the following recommendations in relation to climate change and sea level rise.

- Make a specific allowance for sea level rise during the engineering design for the development, particularly in the design of the basement and buried services.
- Locate critical infrastructure (e.g. power generators, data storage) at elevated locations above the 100 year ARI tide-surge level with sea level rise allowance.

- Provide for safe exit routes above storm flood height levels.
- Incorporate appropriate surface drainage along the public domain promenade to allow overtopped wave discharge and run-up during storms to be readily removed.
- For structures susceptible to flood inundation or wave splash, select materials with high durability properties to minimise long-term degradation.
- Consider the incorporation of permanent or removable flood barriers at critical points around the site (e.g. entrance to basement).

1.12 Planning Agreements

The proponent commits to entering into a VPA with the Council of the City of Sydney (the Council).

The VPA will provide for the following public domain works and embellishments: the through-site link, completion of the colonnade, demolition, public domain refurbishments and upgrades (such as paving, landscaping, new awning, street furniture and other fixtures and the like) and public art at Council's discretion.

Any works must be consistent with Appendix A "Public Domain Improvements Plan" of Council's submission on the exhibited Concept Plan dated 29th February 2012.

These works will be provided in lieu of (and as a partial offset to) payment to Council for the land transfer.

The VPA will be entered into prior to the determination of applications for further stages of the development.

The final form of the public domain works and embellishments will be subject to the outcomes of the design competition, detailed development documentation process and consultation with the Council.

The VPA will also address other matters such as the timing and method of calculation of the contributions (including indexation, GST etc), and form of security.