

Subject	Commitments	Timing
<b>Design Excellence</b>	<ol style="list-style-type: none"> <li>1. The Land Owner and the Department of Planning, the City of Sydney, community representatives and other stakeholders have been in discussions over the last few months regarding the construction and implementation of a robust process to achieve design excellence in the architecture that is developed on the site. As a result of those discussions the Land Owner commits to the following processes on the site</li> <li>2. The following is the list of architects agreed with the Department of Planning to be appointed for each of the nominated blocks on the site. <ul style="list-style-type: none"> <li>▪ Block 1 and 4a - Foster and Associates in conjunction with Peddle Thorpe &amp; Walker</li> <li>Block 2 - Atelier Jean Nouvel in conjunction with Johnson Pilton Walker</li> <li>▪ Blocks 5a &amp; 5b - Johnson Pilton Walker</li> <li>▪ Block 4b (Brewery Yard) - Tzannes Associates</li> <li>▪ Blocks 3a, 3b, 3c, 6, 7 &amp; 10 (Kensington Street Precinct) - Tonkin Zulaika Greer</li> <li>▪ Block 9 – Architect yet to be nominated but the appointment is subject to the approval of the Department of Planning</li> </ul> </li> <li>3. For the above Blocks the Department of Planning will appoint a Design Integrity Panel (DIP) to oversee the development of each of the appointed architects' proposals. The DIP will meet with the appointed architects for those blocks and precincts on a number of occasions whilst the schemes are being developed and then progressively through the design development and documentation phases of the projects to ensure the architects design intent is carried through to construction.</li> </ol>	Throughout the duration of the project development phase.
	<ol style="list-style-type: none"> <li>4. The following is the agreed process to be adopted by the Land Owner for Blocks 8 &amp; 11 on the site</li> <li>5. For these blocks three (3) Australian architectural firms will be appointed to each prepare a scheme in accordance with a design brief prepared by the Land Owner. The Land Owner will review the schemes presented and will select the most suitable to be developed as a Project Application for the site. As part of the Project Application all schemes submitted to the Land Owner will be summarised and presented to the Department of Planning along with a report</li> </ol>	



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	<p>12. <b>Site 5 Wellington Street Park.</b> A park will be designed and constructed within Block 11, located adjacent to Wellington Street generally in accordance with the Public Domain Plan A-1254. This park will be constructed and embellished to a value of \$560.00 per sq.m. This area will be privately owned and made publicly accessible via an appropriate s88B instrument to be drafted to provide for public recreation and possibly a form of "publicly accessible areas management plan". Upon completion of construction, an appropriate covenant that ensures public accessibility will be registered for this area.</p> <p>13. <b>Sites 7 and 8. Brewery Yard and Brewery Forecourt</b> As part of the development of Block 4 a privately owned but publicly accessible square shall be provided generally in accordance with Sites 7 and 8 shown on the Public Domain Plan A-1254. Upon completion of construction, an appropriate covenant that ensures public accessibility will be registered for these areas.</p>	<p>Detailed design for this public open space will be submitted as part of the project application for Block 11.</p> <p>Details of the design of the Brewery Square will be submitted with the Project Application for Block 4.</p>
<b>Landscaping</b>	<p>14. <b>Sites 1, 2, 14 and 15.</b> The design process for the public open space in sites 1,2,14 and 15 will incorporate a community &amp; stakeholder process. The City of Sydney is a key stakeholder where it is the owner of land to be embellished or has agreed to accept ownership and control of embellished land. The final designs will be subject to a final CPTED review, to be undertaken to future owner's satisfaction prior to lodgement.</p>	<p>The land will be remediated and embellished to practical completion such that it is capable of being used as public open space and the ownership and control transferred to the relevant entity, prior to an occupation certificate being issued for any new building within the Block.</p>
<b>Community Benefits</b>	<p><b>Pedestrian Crossings</b></p> <p>15. Subject to the approval of the RTA and any other public authorities, the landowner will provide signalised pedestrian crossings of City Rd at Myrtle Street to Victoria Park and at Regent Street to facilitate access to Price Alfred Park.</p>	<p>These pedestrian crossings will be constructed at a time as set out in the draft Voluntary Planning Agreement.</p>
<b>Community Facility Payment</b>	<p>16. The landowner will make a payment of \$2.725 million, indexed, towards the provision of, or upgrade to, a community centre or other similar community facility in the suburb of Chippendale. Alternately, the land owner will construct works in kind or provide premises, up to \$2. 725 million, on site, in a location and manner to be determined, in conjunction with the City of Sydney.</p>	<p>The payment will be made at a time as set out in the draft Voluntary Planning Agreement.</p>

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<b>Affordable Housing</b>	<p>17. The land owner entered into a Voluntary Planning Agreement with the Redfern Waterloo Authority in June 2007. This agreement required the land owner to provide a contribution to be paid to the RWA. The landowner has proposed several amendments to the VPA . These amendments are aimed at providing the land owner and the RWA with greater certainty as regards the amount of the payment, providing exemption for costs incurred in and the timing of the payment</p> <p>18. In the event that a condition is imposed upon a Project Approval requiring the payment of an affordable housing contribution outside the terms of the Planning Agreement then such contribution will be reimbursed to the person required to make the payment.</p>	Payment of contribution will be made upon the issue of the relevant Occupation Certificate.
<b>Community Engagement</b>	19. Community Consultation will be undertaken in accordance with statutory requirements and in accordance with the Community Action Plan prepared by Elton Consulting.	Throughout the redevelopment of the Frasers Broadway site on a regular basis and as required.
<b>Heritage</b>	20. Landowner will ensure that any project applications or other applications will have regard to the Heritage Council endorsed Conservation Management Plan, prepared by Noel Bell Ridley Smith and Partners with Executive Report and Heritage Impact Statements by Godden Mackay Logan and the Expert Advisory Panels Report released on the 30 August 2006.	To be addresses by the proponent at the Project Application Stage.
	21. Any proposal involving the adaptive re-use of a heritage building will be in accordance with the recommendations of a suitably qualified heritage architect.	To be addresses by the proponent at the relevant Project Application Stage.
<b>Archaeology</b>	22. Any impacts on items or places of archaeological significance will be managed under the relevant legislation and the Archaeological Assessment and Research Design Report prepared by Golden MacKay Logan. If any archaeological relics are discovered during construction, the proponent will cease work on that part of the site and the Heritage Council will be notified in accordance with section 146 of the Heritage Act. If required by the Heritage Council, the remains will be recorded by a suitable qualified archaeologist prior to the recommencement of works.	To be addresses by the proponent at the Project Application Stage
<b>Land Use Integration</b>	23. The land owner will promote development of the site in a manner that encourages a vibrant mixed use community that integrates with the City and the community of Chippendale by providing, through an amendment to the SEPP (Major Projects) 2005, a land use mix that will ensure the minimum proportion of both commercial or residential development within the site will be 30%.	Addressed as part of the relevant Project Applications.

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<b>Environmentally Sustainable Development</b>	Residential 24. Residential development will need to meet the BASIX energy consumption benchmark with an aim of achieving a 5 star Green Star rating.	Addressed as part of the relevant Project Applications.
	Commercial 25. Buildings should achieve a minimum 5 star Green Star rating (refer to commitment number 26).	Addressed as part of the relevant Project Applications.
	Precinct 26. There does not currently exist a Green Star Precinct tool and as such the required initiatives of a 6 Star Green Star rating are unknown. It is anticipated that the tool will require the generation of greenhouse efficient energy and the treatment and reuse of wastewater. Frasers have committed to using trigeneration, sewer mining and onsite water reuse with the intent to position Frasers to have the ability to achieve a 6 Star Green Star Precinct rating. These initiatives are also subject to authority approvals and overcoming regulatory barriers.	Ongoing
	Retail 27. Retail development should achieve a minimum 5 star Green Star Shopping Centre rating (refer to commitment number 26)	Addressed as part of the relevant Project Applications.
	Urban Development 28. All refrigerants and insulation should be specified to have an ODP of zero. 29. Any external lighting should not be directed beyond the site boundary or upwards without falling on a surface with a clear purpose of illuminating that surface.	Addressed as part of the relevant Project Applications.
<b>Crime Prevention through Environmental Design (CPTED)</b>	30. A Safety Management Strategy will be prepared and provide guidelines for the application of CPTED principles and Safer by Design best practice models. 31. Safety Management Plans will be submitted with each project application which address issues relating to building design and parking structures design, vandal proof finishes and graffiti proof finishes, lighting, conveniences location and other design considerations. The Safety Management Plans will also incorporate the performance criteria and compliance checklist addressing the guidelines outlined in the Department of Urban Affairs and Planning (now the Department of Planning DoP) Crime Prevention and the Assessment of Development Applications Guidelines under Section 79C of the Environmental Planning and Assessment Act 1979.) 32. The NSW Police will be consulted throughout the CPTED assessments of all applications for the CUB site.	Addressed as part of each Project Applications.

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<b>Water Sensitive Urban Design</b>	<p>Stormwater Quantity Management (Detention and Retention System)</p> <p>33. The design, construction, harvested detention and storage and reuse system will be in accordance with “Managing Urban Stormwater, Harvesting and Reuse DEC April 2006” and water quality standards for the system will be at levels stipulated in table 6.4 of the document.</p> <p>Detention</p> <p>34. Detention volume is advised by Sydney Water of 20m<sup>3</sup> for every 1,000m<sup>2</sup> of development site area. Formal approval of Sydney Water to the final design proposal and management of the detention system and connection into the Sydney Water mains will be obtained. Additional detention storage shall be considered to provide for flows currently detained in street sag depression areas within the site area. These areas shall be preserved or catered for in the proposed public domain areas.</p>	<p>Details of the design of this system will be submitted with a project application for construction of the public domain and in the absence of such an application with the project application for the first precinct.</p>
	<p>Retention</p> <p>35. The opportunity to harvest stormwater will be considered during project development. Retention tanks on discrete development sites may be considered and these shall be incorporated into building design to retain rainwater collected from building roofs. Underground stormwater retention storage tanks shall also be considered in the public domain to collect from the public domain open space and road system. The need for these shall be considered in an integrated way with the provision of other water management systems (eg recycled water from an external source, recycled water generated from sewer mining etc.)</p>	<p>Details of the design of this system will be submitted with a project application for construction of the public domain and in the absence of such an application with the project application for the first precinct.</p>

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	<p>Stormwater Quality Objectives</p> <p>36. Consideration will be given to whether the level of treatment as defined by both the NSW Department of Environment and Conservation and the National Engineers WSUD manual – <i>Australian Runoff Quality</i> - are suitable for the Frasers Broadway site. The level of treatment shall be considered and agreed with the relevant government stakeholders.</p> <p>37. Further investigation will be undertaken to establish the need for and level of water quality for the site as part of project development. Investigation, discussion and negotiation with relevant government stakeholders will be undertaken to define agreed performance targets for the site recognising the geographic, topographic setting and the need for practical, achievable water quality measures that are acceptable to the management authority.</p>	<p>Addressed as part of the relevant Project Applications.</p>
	<p>Public Domain Measures</p> <p>38. Management measures to control quality of stormwater runoff from public domain areas will be developed with a view to meeting the agreed set of objectives in a practical and economic way.</p>	<p>Addressed as part of the relevant Project Applications.</p>
	<p>Private Site Measures</p> <p>39. Management measures to control the quality of stormwater runoff from each private development site will be investigated with a view to meeting the agreed set of objectives that are practical, economic and manageable.</p>	<p>Addressed as part of the relevant Project Applications.</p>
	<p>Water Conservation Targets</p> <p>40. A public domain objective shall be to provide Eighty percent (80%) of the irrigation demand of the public open space from on-site collection from stormwater harvesting and/or from recycled water obtained by other measures (recycled water reticulation from offsite – eg SWC reticulated recycled water; sewer mining)</p>	<p>Addressed as part of the relevant Project Applications.</p>
<b>Public Art</b>	<p>Public Art Strategy</p> <p>41. A public art strategy for the whole site will be prepared by a public art consultant with reference to the City of Sydney Public Art Policy and Public Art Developer Guidelines and may form part of the Heritage Interpretive Strategy.</p> <p>42. A Public Art Plan shall be prepared by a public art consultant having regard to the Public Art Strategy.</p> <p>43. The Public Art Strategy and any subsequent Public Art Plan will have consideration of the Salvage Survey prepared by Godden Mackay Logan.</p>	<p>The strategy will be submitted with the first project application for construction of the public domain or building.</p>

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<b>Child Care Facilities</b>	44. Child Care will be provided at the current rate consistent with the City of Sydney Child Care DCP.	The issue will be addressed in each Project Application involving new building(s)
<b>Transport and Traffic</b>	<p>The Public Domain</p> <p><b>Abercrombie Street Footpath dedication (Site 12 Public Domain Plan A-1254 )</b></p> <p>45. The area adjacent to Abercrombie Street as generally shown on the Public Domain Plan as Site 12 will be remediated, if required, embellished and the ownership and control will be transferred to the City of Sydney as an additional footpath area.</p>	Details of the design will be submitted with the project application for Block 4 and the works executed as part of that stage. The ownership and control of Site 12 will be transferred to the City of Sydney upon practical completion and prior to the issue of the final occupation certificate for any buildings fronting Site 12. Site 12 will be limited in height and created in stratum before the ownership and control is transferred to the City of Sydney.
	<p><b>Abercrombie Street Footpath embellishment ( Site 11 – Public Domain Plan A-1254)</b></p> <p>46. The adjoining land owner will embellish the area shown on the Public Domain Plan as Site 11 as an enhanced footpath and landscaped strip subject to the consent of Sydney City Council as owner of that land.</p>	Details of the design will be submitted with the project applications for the respective Blocks 4 and 8 and the works executed as part of that stage. The works will be completed prior to the issue of the final occupation certificate for any buildings fronting Site 11.
	<p><b>Wellington Street Footpath dedication ( Site 6 – Public Domain Plan A-1254)</b></p> <p>47. A new footpath shall be constructed and the ownership and control of that land will be transferred to the City of Sydney as Public Road in Wellington Street generally in accordance with the Public Domain Plan A-1254</p>	Details of the design will be submitted with the project application for Block 11 and works executed as part of that stage.
	<p><b>Privately owned, publicly accessible throughways</b></p> <p>48. Privately owned, publicly accessible throughways will be constructed, as indicated as Sites, 10, 16, 17, 18, 19 and 20 on the Public Domain Plan A-254. Upon completion of construction, a covenant that ensures public accessibility will be registered for these areas.</p>	Details of the design of these throughways will be submitted with the project application for the respective blocks.



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	<p><b>Public Roads</b></p> <p>49. The Land Owner will remediate (if necessary)) and construct and transfer the ownership of control to the City of Sydney, as public roads , including kerb, guttering, pavement treatment, light, power, and other utilities, planting and street furniture those roads identified by the colour (dark) grey on the Public Domain Plan A-1254. If the City of Sydney agrees to accept the ownership and control of the roads, provision will be made for :</p> <ul style="list-style-type: none"> <li>▪ City approval of design prior to construction;</li> <li>▪ City approval of completed works; and</li> <li>▪ The City to have the benefit of reasonable warranties and security following completion.</li> </ul>	<p>These roads will be constructed and ownership and control will be progressively transferred as identified in subsequent project applications.</p> <p>There will be 2 main types of roads:</p> <ul style="list-style-type: none"> <li>▪ public street reservation coloured dark grey on the revised Concept Plan; and</li> <li>▪ publicly accessible and privately owned roads coloured light grey on the revised Concept Plan.</li> </ul>
	<p><b>Publicly Owned ( in stratum) Shared Zones</b></p> <p>50. See point 48 above. These are now publicly accessible throughways being Sites 10, 16, 17, 18, 19 and 20 on the Public Domain Plan A-1254.</p>	
<b>Accessibility</b>	<p>51. An Access Strategy will be prepared for the site and will provide guidelines for future development.</p> <p>52. Project Applications will be subject to design review by an accredited Access Consultant for compliance with the approved Access Strategy.</p> <p>53. Access throughout the site must be provided in accordance with Disability Discrimination Act 1992 (DDA) and DDA Advisory Notes on Access to Premises – HREOC, June 1997.</p>	Addressed as part of the relevant Project Applications
<b>Infrastructure and Services</b>	<p>54. Where required service infrastructure will be updated to meet the demands of the maximum projected use of the site. All infrastructure planning and design will be undertaken in consultation with the relevant authorities. Permission must be obtained before building over any Sydney Water or other authority services, regardless of whether or not the services are contained within easements.</p>	Addressed as part of relevant Project Applications.

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	<p>Stormwater</p> <p>55. A stormwater management plan will be prepared prior to construction. The plan will address:</p> <p>1) Stormwater Quantity Management</p> <ul style="list-style-type: none"> <li>▪ Design criteria established and agreed in consultation with Council and Sydney Water</li> <li>▪ Site flooding and safety issues</li> <li>▪ Overland flow management and safety issues</li> <li>▪ Site piped reticulation – retention of existing mains and provision of new mains</li> <li>▪ Site detention</li> </ul> <p>2) Stormwater Recycling/Harvesting</p> <ul style="list-style-type: none"> <li>▪ Agreed criteria/objectives</li> <li>▪ Proposed methods for retention/recycling of water to achieve the objectives</li> </ul> <p>3) Stormwater Quality Management</p> <ul style="list-style-type: none"> <li>▪ Agreed criteria/objectives for the site</li> <li>▪ During Construction Measures</li> <li>▪ Post Construction Measures</li> </ul>	<p>Addressed as part of relevant Project Applications.</p>

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	<p>Sewer</p> <p>56. All works on public mains will be undertaken in accordance with Sydney Water requirements and with the approval of Sydney Water to all works on public mains. This will include</p> <ul style="list-style-type: none"> <li>▪ Maintenance of existing through site flows from upstream</li> <li>▪ Installation and connection of a new gravity public sewer system to the existing system where required through the development site to manage design flows from the proposed developments</li> <li>▪ The upgrade existing mains where required to provide for the increase flows from the development</li> <li>▪ Relocation of existing reticulation across the site where required to provide for the proposed development</li> <li>▪ Handover ownership of the public mains system to Sydney Water on completion</li> <li>▪ Remove all sewer connections into the existing stormwater drainage system (A Sydney Water requirement provided in the "Notice of Requirements"). This relates specifically to the Tooths Brewery Branch which was a combined stormwater/sewer.</li> </ul>	
	<p>Combined Potable and Fire Water Supply System</p> <p>57. A combined potable water reticulation system and fire main is proposed to service the buildings and public domain areas developed on the site. The main will be designed in accordance with the requirements of Sydney Water. This main shall be handed over to Sydney Water on completion. The following will be considered:</p> <ul style="list-style-type: none"> <li>▪ managing and maintaining the existing cross site water mains through the site</li> <li>▪ providing an extension to the existing water main system where required through the development site to supply the proposed building developments and to provide for fire fighting requirements.</li> <li>▪ upgrading existing mains where required to provide for the increased flows required by the development</li> <li>▪ relocating existing reticulation across the site where required to provide for the proposed development</li> </ul>	

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	<p>Recycled Water Supply Public Domain</p> <p>58. A separate water reticulation main will be considered to reticulate recycled water throughout the public domain to assist with public domain irrigation and to service private development sites if this is in the agreed management plan. The source of recycled water will be determined during project development.</p> <p>Private Sites</p> <p>59. A separate mains connection will be considered at all private sites to provide for the connection to a public recycled watermain if this is proposed as part of the water management plan for the site.</p>	
	<p>Electricity</p> <p>60. All overhead power through the site will be removed and replaced with underground cabling.</p>	Addressed as part of relevant Project Applications.
	<p>Waste</p> <p>61. A Waste Management Plan will be prepared prior to construction. The Waste Management Plan will set a target of at least 80% (by weight) recycling or reuse of waste materials.</p>	Addressed as part of relevant Project Applications.
<b>Noise</b>	<p>62. Future Project Applications will address the following noise recommendations:</p> <ol style="list-style-type: none"> <li>1) Mechanical noise criteria established by Heggies Australia Pty Ltd</li> <li>2) Use of improved acoustic glazing and the provision of air-conditioning and mechanical ventilation to those units located on facades predicted to exceed ECRTN criteria</li> <li>3) BCA and City of Sydney sound insulation requirements.</li> </ol>	Addressed as part of relevant Project Applications.
<b>Wind</b>	<p>63. Wind treatments at locations exceeding the 16m/sec walking comfort criterion will be investigated during the detailed design phase of each project application. Amelioration treatments will be refined using more precise environmental wind tunnel test studies to accurately identify wind hot spots and quantify the impact of wind mitigation options.</p>	Addressed as part of relevant Project Applications.
<b>Construction Management</b>	<p>64. The following Management Plans will be prepared prior to any project application that proposes works:</p> <ol style="list-style-type: none"> <li>1) Construction Management Plan</li> <li>2) Soil and Water Management Plan</li> <li>3) Waste Management Plan</li> <li>4) Air Quality Management Plan</li> </ol>	Addressed as part of relevant Project Applications.

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<b>Staging</b>	<p>65. The following criteria are will be used to guide the orderly staging of the development of the site:</p> <ol style="list-style-type: none"> <li>1) Consideration shall be given to the timing of delivery of public benefits, specifically the requirements of Schedule 4 and Schedule 5 of the Voluntary Planning Agreement with the Minister for Planning.</li> <li>2) Consideration shall be given to the requirements for remediation of contaminated soil and/or groundwater, particularly in relation to the timing for delivery of public benefits.</li> <li>3) The first block to be developed should have a frontage to either Broadway, or Abercrombie Street or Wellington Street. The exceptions to this criterion are the blocks east of Kensington Street and north of Outram Street that can be commenced at any time.</li> <li>4) The street network shall be operational to the extent required to provide adequate access to a block under construction and access on completed streets to any block for which an occupation certificate has been issued. This may involve temporary roundabouts and changes in direction etc.</li> <li>5) Consideration shall be given to the provision of services infrastructure to each block. Storm water drainage is required to ensure that all areas of the site are adequately drained at all times.</li> <li>6) Consideration shall be given to pedestrian access through the site and access to the main park upon its completion.</li> <li>7) Stages may be aggregated.</li> <li>8) Stages may proceed concurrently.</li> </ol>	Throughout the development of the Frasers Broadway Site
<b>Site Contamination</b>	66. A site audit statement(s) will be provided, certifying land suitable for the proposed purpose.	Prior to the issuing of final occupation certificate(s)
<b>Planning Agreements</b>	<p>Voluntary Planning Agreements</p> <p>67. The landowner proposes to enter into three modified Voluntary Planning Agreements; one with the Redfern Waterloo Authority (RWA) regarding the provision of a contribution towards affordable housing, one with the Minister for Planning to deliver the public benefits outlined in this report and the third with the City of Sydney outlining Owners Consent.</p>	

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	Indexing 68. Where this Statement of Commitments makes provision for dollar amounts these amounts are to be indexed from the date of approval of the Concept Plan being the increase in the Building Price Index published by the NSW Department of Commerce, or such other index as replaces it, applied as a multiplier where the numerator is the number last published and the denominator is the number published at the date of approval of the Concept Plan.	
<b>Landowners Consent</b>	69. No work will be undertaken on any public land unless owners consent is provided to the Concept Plan application and subsequent project applications.	