



## Planning

### ***SECTION 75W MODIFICATION APPLICATION***

***Commercial Office Building  
Site 8A Murray Rose Avenue  
Sydney Olympic Park***

***Proposed by Claude Neon Pty Ltd***

**MP 06\_0175 (MOD 4)**

Modification of Minister's Approval under section 75W  
of the *Environmental Planning and Assessment Act*  
1979

July 2010

© Crown Copyright July 2010  
NSW Department of Planning  
[www.planning.nsw.gov.au](http://www.planning.nsw.gov.au)

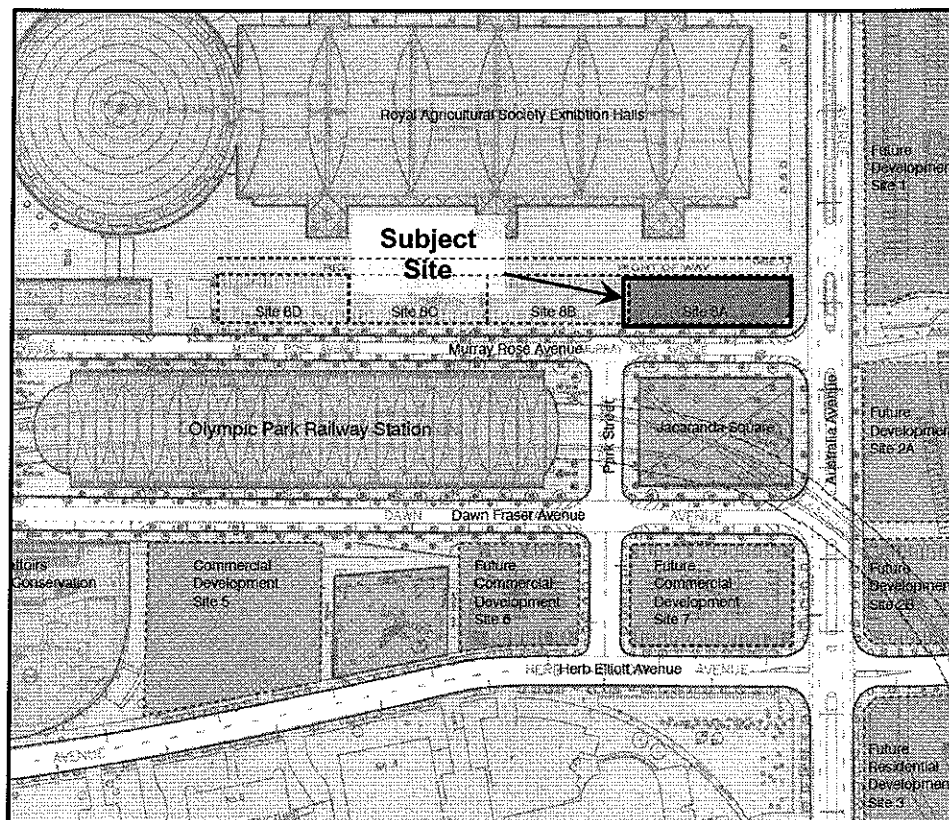
**Disclaimer:**

While every reasonable effort has been made to ensure that this document is correct at the time of publication, the State of New South Wales, its agents and employees, disclaim any and all liability to any person in respect of anything or the consequences of anything done or omitted to be done in reliance upon the whole or any part of this document.

## 1. INTRODUCTION

This is a report on an application seeking to modify the Project Approval for the construction of a commercial office building at Site 8A, Murray Rose Avenue, Sydney Olympic Park. The modification is seeking consent to replace "WATPAC" illuminated business signs on the north, south and east elevations of the building with "FUJITSU" signs.

Site 8A is bound by the Royal Agricultural Society Exhibition Halls to the north, Australia Avenue to the east, Murray Rose Avenue to the south, and a car park to the west which has been identified as Sites 8B, 8C and 8D (see **Figure 1**).



**Figure 1.** The subject site

Project Application MP 06\_0175 was approved by the Minister for Planning on 26 May 2008, and comprised the following:

- Construction of a six (6) storey commercial office building with a gross floor area (GFA) of 7,311m<sup>2</sup>, including ground floor retail units and a café, plus associated rooftop plant equipment;
- Construction of two (2) basement car park levels consisting of 89 car spaces and at grade parking for 12 car spaces, totalling 101 spaces and 31 bicycle spaces;
- Provision of a designated loading area off the rear service lane and a restricted loading bay within the rear service lane;
- Erection of four (4) business identification signs located on the southern, northern and eastern buildings facades, and at ground level to Murray Rose Avenue; and
- Removal of six (6) street trees and retention of five (5) street trees along Murray Rose Avenue.

MP 06\_0175 MOD 1 was approved under delegation on 24 October 2008, to allow an additional 16 stacked car spaces in the basement car park and removed the requirement to relocate the Energy Australia substation.

MP 06\_0175 MOD 2 was approved on 3 April 2009, and modified the size and design of the plant area; increased the size of the loading zone located on the right of way/service lane; deleted the second loading area located at the rear of the building within the site; and modified the number of car spaces allocated to retail tenancies.

MP 06\_0175 MOD 3 was approved on 3 December 2009, to amend conditions that restrict parking to building tenants and occupants only and to allow parking to be allocated to other Sydney Olympic Park tenants and residents.

## **2. PROPOSED MODIFICATION**

MP 06\_0175 MOD 4 was submitted on 10 June 2010 seeking amendment of the business identification signage approved for the north, south and east elevations of the commercial office building constructed at Site 8A, Sydney Olympic Park, as the major tenant of the building has changed from WATPAC to Fujitsu.

Signage was fully incorporated into the original design and approval for the north, south and eastern facades of the building. WATPAC remain tenants of the building, however, Fujitsu is now the primary tenant and requires business identification signage to replace the WATPAC signage.

The three proposed Fujitsu signs will be illuminated red and are all the same size – i.e. 1550(H) x 3190(W) x 150(D). Whilst the height of the proposed signs is slightly larger in dimension, the width and depth are significantly less than that of the approved WATPAC signs (with the biggest WATPAC sign approved for the southern façade measuring 1300 x 6400 x 300).

## **3. STATUTORY CONTEXT**

### **3.1 MODIFICATION OF A MINISTER'S APPROVAL**

Section 75W(2) of the EP&A Act provides that a proponent may request the Minister to modify the approval of a project. The Minister's approval is not required if the project as modified will be consistent with the original approval. As the subject modification seeks to change the terms of the Minister's determination through amending the conditions of approval, the modification requires approval.

### **3.2 ENVIRONMENTAL ASSESSMENT REQUIREMENTS (DGRs)**

Section 75W(3) of the EP&A Act provides the Director General with scope to issue environmental assessment requirements (DGRs) that must be addressed with respect to the proposed modification. As the modification application relates to only minor amendments to the original approval, the Department considered it unnecessary to re-issue the DGRs.

### **3.3 CONSULTATION AND EXHIBITION**

While section 75W of the EP&A Act does not require a modification application to be publicly exhibited, the application was placed on the Department's website in accordance with section 75X(2)(f) of the EP&A Act and clause 8G of the Environmental Planning and Assessment Regulation 2000.

The Sydney Olympic Park Authority has provided land owners consent for the proposed modification.

## **4. CONSIDERATION OF PROPOSED MODIFICATIONS**

The proponent is seeking to amend Condition A2 to replace the approved signage plans with the proposed Fujitsu signage plans prepared by Claude Neon.

The proposed modifications are minor and do not result in significant changes to the overall development. The modification does not alter the nature or justification of the approved project. The proposed signs are consistent with the "SOPA Guidelines for Outdoor Advertising Identification and Promotional Signage 2002" and the requirements of SEPP 64. The signage is considered to be compatible with the commercial character of the Town Centre precinct of Sydney Olympic Park and the signs will not detract from the amenity or visual quality of any environmentally sensitive areas, residential area or items of heritage significance. The signs will not detract from any existing views and will be consistent in scale, proportion and from of other nearby business identification signage. An automatic time clock will extinguish illumination at 11pm.

Accordingly, the modification is considered to be acceptable. Condition A2 will be modified as follows:

**1. Condition A2**

In the table delete reference to 'Signage Plans' dated June 2007 and replace with the following:

Business identification signage plans prepared by Claude Neon:			
Drawing No.	Job No.	Name of Plan	Date
53062	52863	3 SETS OF INT-ILL FABRICATED LTRS	25.02.2010
53062	52863	SOUTH ELEVATION	25.02.2010
53062	52863	EAST ELEVATION	25.02.2010
53062	52863	NORTH ELEVATION	25.02.2010
53062	52863	SITE MAP	25.02.2010

**5. CONCLUSION**

The Department considers that the proposed signs are acceptable in the context of the built form character of the area and would not result in any significant adverse impacts. As such the proposed modifications are supported.

**6. DELEGATION**

Under the Instrument of Delegation dated 25 January 2010, the Minister has delegated his functions under section 75W of the EP&A Act relating to modifying Part 3A approvals to the Director, Government Land and Social Projects, where there are less than 10 public submissions objecting to the subject application. Therefore, the Modification can be determined under delegation.

**7. RECOMMENDATION**

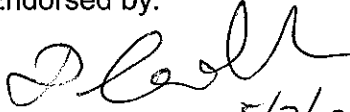
It is recommended that the Acting Director Government Land and Social Projects, as delegate of the Minister for Planning:

- (a) **Consider** the findings and recommendations of this report; and
- (b) **Approve** the modification, subject to conditions, under section 75W of the *Environmental Planning and Assessment Act, 1979*; and
- (c) **Sign** the attached Instrument of Modification Approval (**Tag A**).

Prepared by:

  
David Gibson 2/7/10  
Senior Planner

Endorsed by:

  
Daniel Cavallo 5/7/10  
A/Director, Government Land & Social Projects