



**MAJOR PROJECT ASSESSMENT:
CONSTRUCTION OF COMMERCIAL
OFFICE BUILDING AT
LOT 60 DP 786296 & PT LOT 50 DP
1045522
OLYMPIC BOULEVARD, SYDNEY
OLYMPIC PARK
Proposed by BOVIS LEND LEASE**

Director-General's
Environmental Assessment Report
Section 75I of the
Environmental Planning and Assessment Act 1979

October 2007



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1 EXECUTIVE SUMMARY

This is a report on a project application seeking approval for the development of a commercial office building at Sydney Olympic Park (SOP). Bovis Lend Lease (the Proponent) is proposing to develop a 7-storey commercial office building at Site 4B, corner of Olympic Boulevard and Herb Elliott Avenue, SOP (the proposal).

The proposal consists of:

- 5 basement car park levels with 369 car parking spaces;
- Ground floor comprising café, retail/commercial space, lobby and loading dock;
- 6 levels of commercial office space with a gross floor area of 24,143m² (equating to a net lettable area of approximately 22,000m²);
- Double-height colonnade to the Olympic Boulevard elevation at street level;
- Landscape treatment of the public domain between the subject site and the Site 4A Sofitel Building (under construction); and
- Removal of 22 trees.

The estimated project cost of the development is \$76.9 million. The proposal will create 300 full time equivalent construction jobs and 2000 full time equivalent operational jobs.

The proposal was exhibited from 18 April 2007 for 31 days until 18 May 2007 and was published in the Auburn Review Pictorial and the Sydney Morning Herald. The Environmental Assessment was made available to the public in the Department's Information Centre and at Auburn Council.

During the exhibition period, the Department received a total of 9 submissions comprising 6 submissions from public authorities being Sydney Olympic Park Authority, Auburn Council, RailCorp, Roads and Traffic Authority, NSW Heritage Office and Sydney Water; and 3 public submissions.

Issues raised in the submissions are summarised below, and have been addressed in the Preferred Project Report:

- Built form, urban design and landscaping;
- The public domain;
- Views and visual impact;
- Heritage;
- Ecologically Sustainable Development;
- Overshadowing
- Traffic, access and parking;
- Wind impacts;
- Geotechnical assessment;
- Section 94 Contributions;
- Construction impacts; and
- Public Interest

Preferred Project Report

A Preferred Project was submitted on 16 July 2007, responding to the submissions and proposing a number of minor amendments to the proposed commercial office building, summarised below:

- Additional retail space on Olympic Boulevard frontage;
- Amended public domain design; and
- Elevational changes.

The Preferred Project Report provided an amended Statement of Commitments. These amendments are aimed at enhancing the quality of the pedestrian experience within the new areas of public domain, providing activation for the building at ground level, and further articulating the building elevations, and form the basis of the following assessment report.

The Department has assessed the merits of the project and is satisfied that the impacts of the proposed development have been addressed via the Proponent's Statement of Commitments and the Department's recommended conditions of approval, and can be suitably mitigated and/or managed to ensure a satisfactory level of environmental performance.

On these grounds, the Department is satisfied that the site is suitable for the proposed development and that the project will provide environmental, social and economic benefits to the region. All statutory requirements have been met.

The Department recommends that the project be approved, subject to conditions.

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2 BACKGROUND

2.1 THE SITE

Site context and location

Site 4 is a corner site at Olympic Boulevard and Herb Elliott Avenue, within SOP (Lot 60 in DP 786296). It is divided into 2 triangular sections, named Site 4A and Site 4B respectively.

The subject site is known as Site 4B. It occupies the eastern side of Site 4 and is under the ownership of the Sydney Olympic Park Authority (SOPA). Site 4B has street frontages to both Herb Elliott Avenue and Olympic Boulevard, with Site 4A occupying the corner.

Site 4B is currently utilised as a 98-space public car park within walking distance of sporting and recreational facilities, the Abattoir Heritage Precinct, and the Olympic Park Railway Station. There are also a number of bus stops on Olympic Boulevard and Herb Elliott Avenue.

Site 4B is within the Town Centre Precinct of both the Sydney Olympic Park Master Plan 2002 (Master Plan 2002) and the Sydney Olympic Park Draft Master Plan 2025 (Master Plan 2025). On 31 July 2006, the Minister granted approval for the 18-storey Sofitel Hotel (MP05-0056) at Site 4A, directly adjacent to the subject site.

Existing site features

Site 4B has an area of 5,310m², and features a slight gradient to the north-west.

At present, the main portion of the site consists of hard stand utilised for car-parking, whilst the surrounding area is turfed and contains a number of trees, including numerous Brush Box trees which, although not subject to a statutory heritage listing, do require permission for their removal.

Surrounding development

Neighbouring development includes:

- The 18-storey Sofitel hotel at Site 4A (approved by the Department on 31 July 2006) and currently under construction, directly adjacent to Site 4B;
- The Ibis and Novotel hotels, and the Heritage Listed Vernon Buildings, located to the north-west of Site 4B, on the opposite side of Herb Elliott Avenue;
- The SOPA administration building is sited to the immediate south-east of (behind) Site 4B at No.7 Figtree Drive;
- No.8 Herb Elliott Avenue, to the north- east of Site 4B, is utilised for light industrial purposes; and
- The Sydney International Aquatic Centre is to the south-west of the site, on the opposite side of Olympic Boulevard.

Zoning

The site is situated in SOP and is subject to the controls of *Sydney Regional Environmental Plan No. 24 – Homebush Bay Area* (SREP 24) and the Master Plan 2002. A range of uses are permissible on the site, subject to compliance with any one or more of the planning objectives for the Homebush Bay area, listed in Clause 12 of the SREP.

2.2 SITE HISTORY

Site history

Photographic material from the early 1950s until the present day shows little change in the site's current status as a cleared site, other than the emergence of some on-site parking during the mid-1980s.

Previous applications

There is no record of any prior planning applications on the site. As previously stated the immediately adjoining Site 4A was the subject of a Part 3A approval in July 2006.

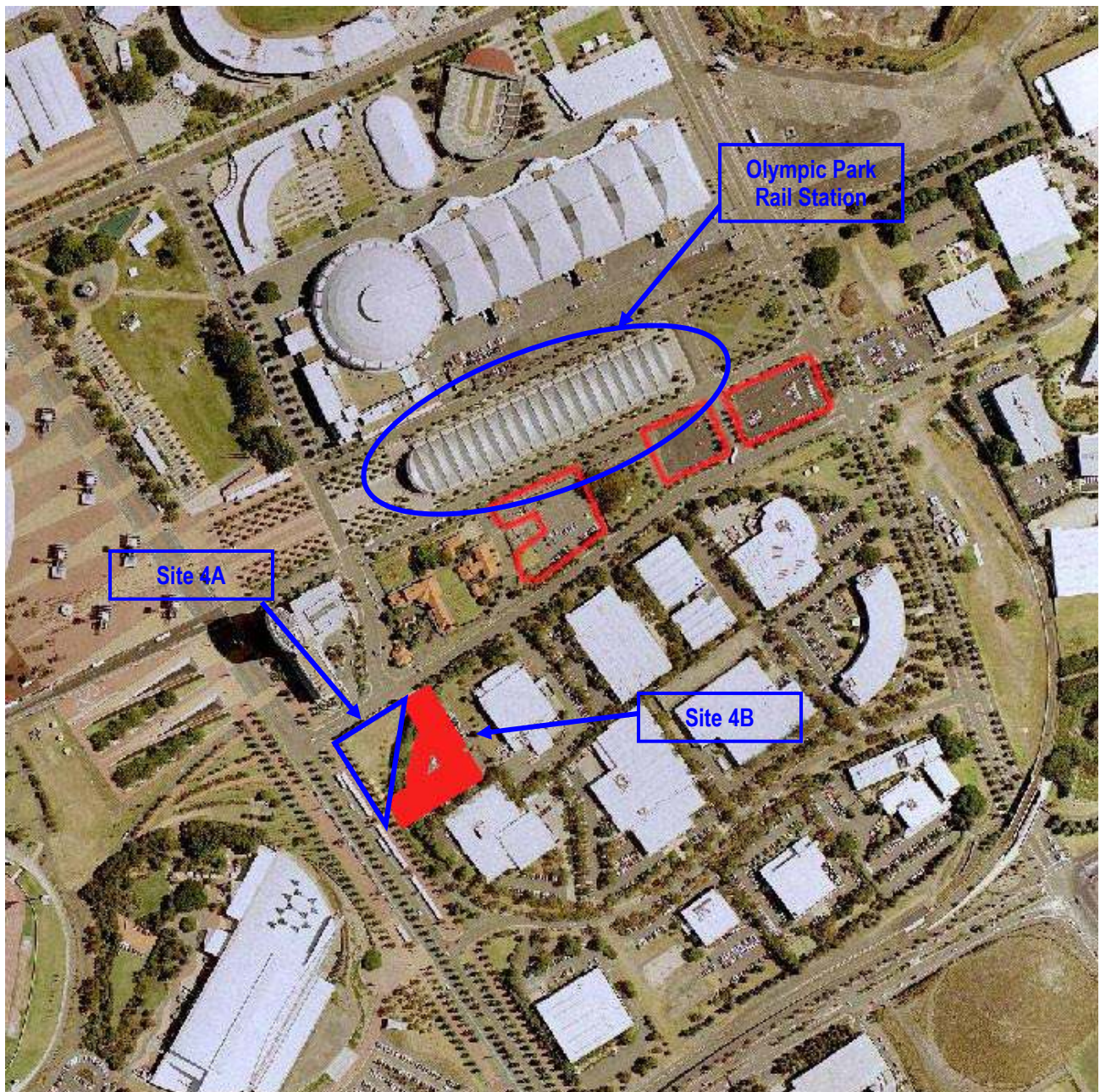


Figure 1 – Aerial view of Sydney Olympic Park

3 THE PROPOSED DEVELOPMENT

3.1 THE PROPOSED DEVELOPMENT

The proposed development comprises a 7 storey, 34.5m high commercial office building, to be sited on the eastern portion of Site 4, with frontages onto Olympic Boulevard and Herb Elliott Avenue.

The proposal consists of a total 12 levels of building, which includes:

- A Gross Floor Area (GFA) of 24,143m²;
- 5 Basement car parking levels containing 369 car parking spaces;
- Ground floor containing retail, commercial lobby and loading;
- 6 levels of commercial office space.

Ground Floor

The Ground Floor of the proposed development accommodates reception and loading facilities, and a small café with a frontage onto Herb Elliott Avenue, and a dual-use retail/commercial unit fronting Olympic Boulevard. These will provide a degree of street-level activity on Herb Elliott Avenue. The ground floor layout of the proposal is shown in Figure 2.

Basements

There are 5 basement levels proposed, containing 369 car parking spaces including 5 disabled spaces; 76 bicycle spaces; changing rooms for 148 staff; and various plant-related elements. A temporary vehicular access is proposed from a 6-metre wide access driveway off Herb Elliott Avenue on the eastern side of the site. In the long term SOPA intends to delineate Site 4B by two new public roads – one to be constructed along the southern boundary and one along the eastern boundary of the site.

Landscaping

It is proposed that 22 of the 26 existing Brush Box trees be removed, and replaced with 4 mature Brush Box trees (*Lophstemon confertus*), and 6 *Toona sinensis* (Chinese Toona). This is intended to form an 'umbrella' canopy, permitting filtered shade in summer and views along the through site link. Both existing and new trees and garden beds will be set back from the proposed new building, and will form a clearly defined through site link. The proposed landscaping treatment also involves the removal of 4 existing *Corymbia maculata* (Spotted Gum) trees on Herb Elliott Avenue, and their replacement with 3 mature Spotted Gum trees in an alternate location.

Public Domain Works

The public domain area (1677m²) is located in the western section of Site 4B and will be landscaped to accommodate pedestrian movement, shading, external seating, and an integrated public art program. This area is long and narrow in dimension, ranging in width from 22m at its widest point and 16m at its narrowest point, and approximately 92m in length when measured from Herb Elliott Ave to Olympic Boulevard. There will be a new public route through the site, providing a north-south pedestrian connection between Olympic Boulevard and Herb Elliott Avenue. The thoroughfare will feature trees, both existing and newly planted, and external seating area.

Materials and Finishes

The proposal will have a high quality, contemporary appearance commensurate with a major commercial operation of the type proposed. External elevations will utilise a range of materials that seek to provide articulation to the building, whilst enhancing the thermal performance of the building.

The majority of the external elevations of the building will consist of double-glazed units with green tints to the exterior. These will be combined with silver and black anodised aluminium sunshades, alongside ebony-coloured terracotta sun screens and cladding. The ground floor commercial and café units will be fully glazed, with aluminium framing, whilst vehicular access and plant space will be clad in powdercoated aluminium louvres. The 'hub' spaces and connecting spaces will be glazed with vision glass, which will offer a visual contrast to the rest of the elevational glazing.

Development Data

	Proposed	SOP Master Plan 2002	Compliance
Development Lot size	5,310m ²	N/A	N/A
Storeys	7 storeys	8 storeys 7 storeys (Vision 2025 and Draft Master Plan 2025)	Yes
Height	34.5m (37.9m with lift over-run)	N/A	N/A
GFA	Site 4B = 24,143m ² commercial floor space.	24,000m ² (indicative) commercial floor space for Site 4.	No ¹
FSR	4.5:1	N/A – no FSR control. 6.3:1 (Vision 2025)	N/A
Car parking	369 car parking spaces on 5 basement levels	No maximum or minimum rate.	N/A ²
Minimum Floor Heights	<ul style="list-style-type: none"> 4.5m Ground Floor 2.8m above Ground Floor 	<ul style="list-style-type: none"> 3.3m Ground Floor 2.7m above Ground Floor 	Yes
Built Form	<ul style="list-style-type: none"> Ground Floor colonnade; Glazed elevations; 	<ul style="list-style-type: none"> Colonnade along Olympic Boulevard and Herb Elliott Avenue street edge for pedestrian amenity is to be provided; Ground Floor levels should be visually permeable. 	Yes Yes

1. The proposal does not comply with the indicative GFA as set out in Master Plan 2002, which allocates 24,000m² commercial floor space to Site 4. The proposal consists of 24,143m² of commercial floor space and is therefore only slightly in excess of the provisions. It is of note that the GFA set out in the Master Plan 2002 is only indicative, and that actual allocations for floor space are to be confirmed through detailed design and development approval process. In this regard, the proposal is considered to be a suitable design, form, bulk, scale and use of Site 4B, and is supported by the Department. The Sofitel building approved by the Department at Site 4A consists of 18,769m² hotel floor space. Hotel floor space has a separate allocation within the Master Plan 2002 and therefore the approved building does not impact upon the commercial floor space allocation for Site 4.
2. The Master Plan 2025 controls limit the maximum number of car parking spaces for the development to 439 (at rate of 1 space/55m²). However the rate provided is a maximum rate of car parking to be provided, based on traffic modelling and projections for the future transport uses for the area. In this regard, given the close proximity to the railway station and other public transport links, and the proposal's consistency with Master Plan 2002, it is considered that the 369 car parking spaces proposed are adequate for a development of this nature.

3.2 PROJECT CHRONOLOGY

- On 20 September 2006 , a request for a Clause 6 opinion was lodged with the Department
- On 6 October 2006, the Director-General, as delegate for the Minister formed the opinion that the proposal is a Major Project and that Part 3A of the Act applies
- On 9 January 2007, the Director- General's Environmental Assessment Requirements (DGRs) are signed by the Director- General's Delegate and provided to the proponent.
- On 22 February 2007, an Environmental Assessment (EA) is lodged with the Department. This EA was deemed to have inadequately addressed the DGR's.
- On 21 March 2007, a revised EA is lodged with the Department. This EA is deemed adequate.
- On 18 April 2007, the EA is placed on public exhibition.
- On 30 May 2007, a summary of submissions received is provided to the proponent along with issues from the Department.
- On 16 July 2007, a Preferred Project Report was submitted, addressing the issues raised by the Department and in public submissions.



Figure 2 – Ground Floor Plan

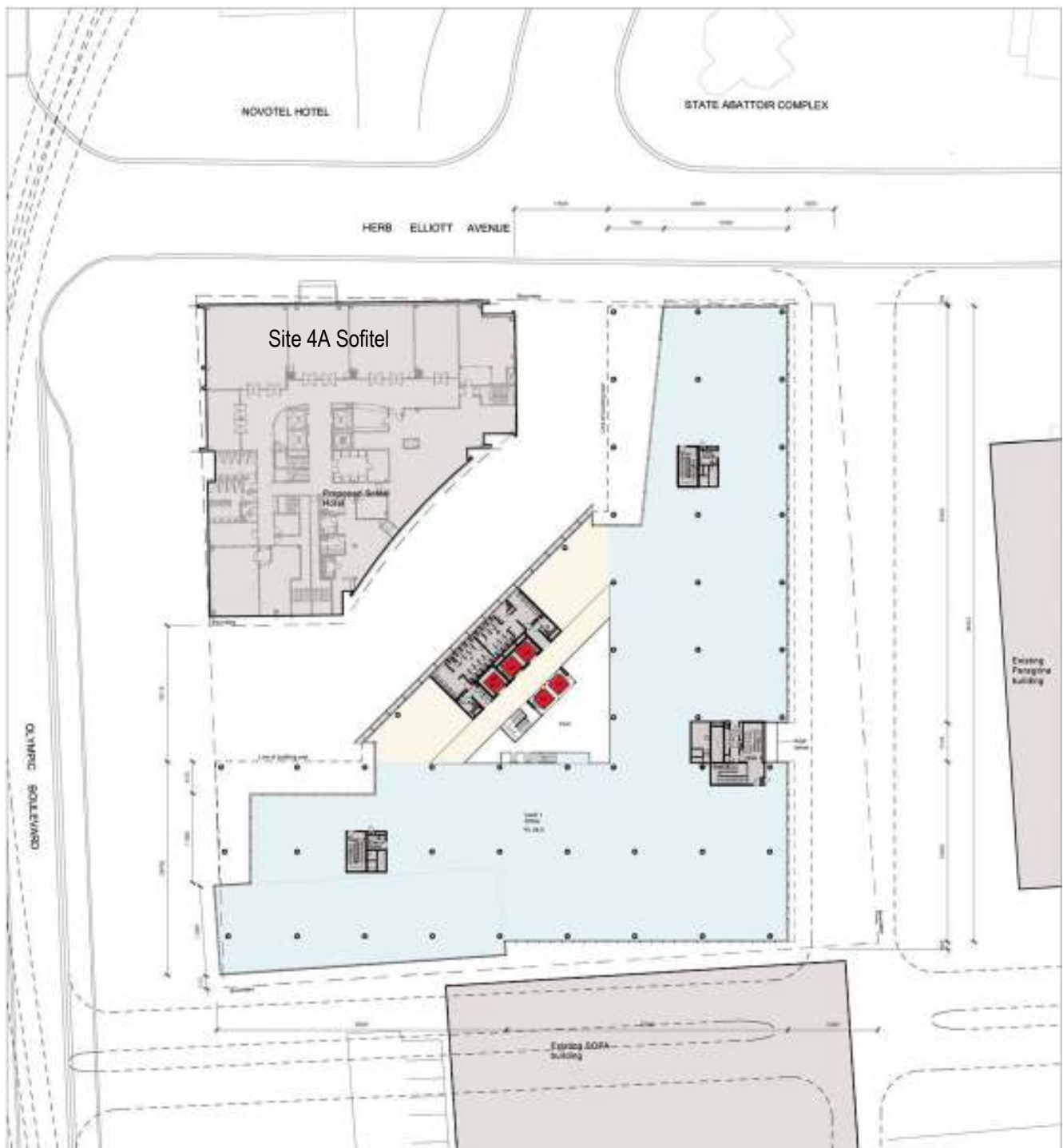


Figure 3 – Typical Upper Floor Plan

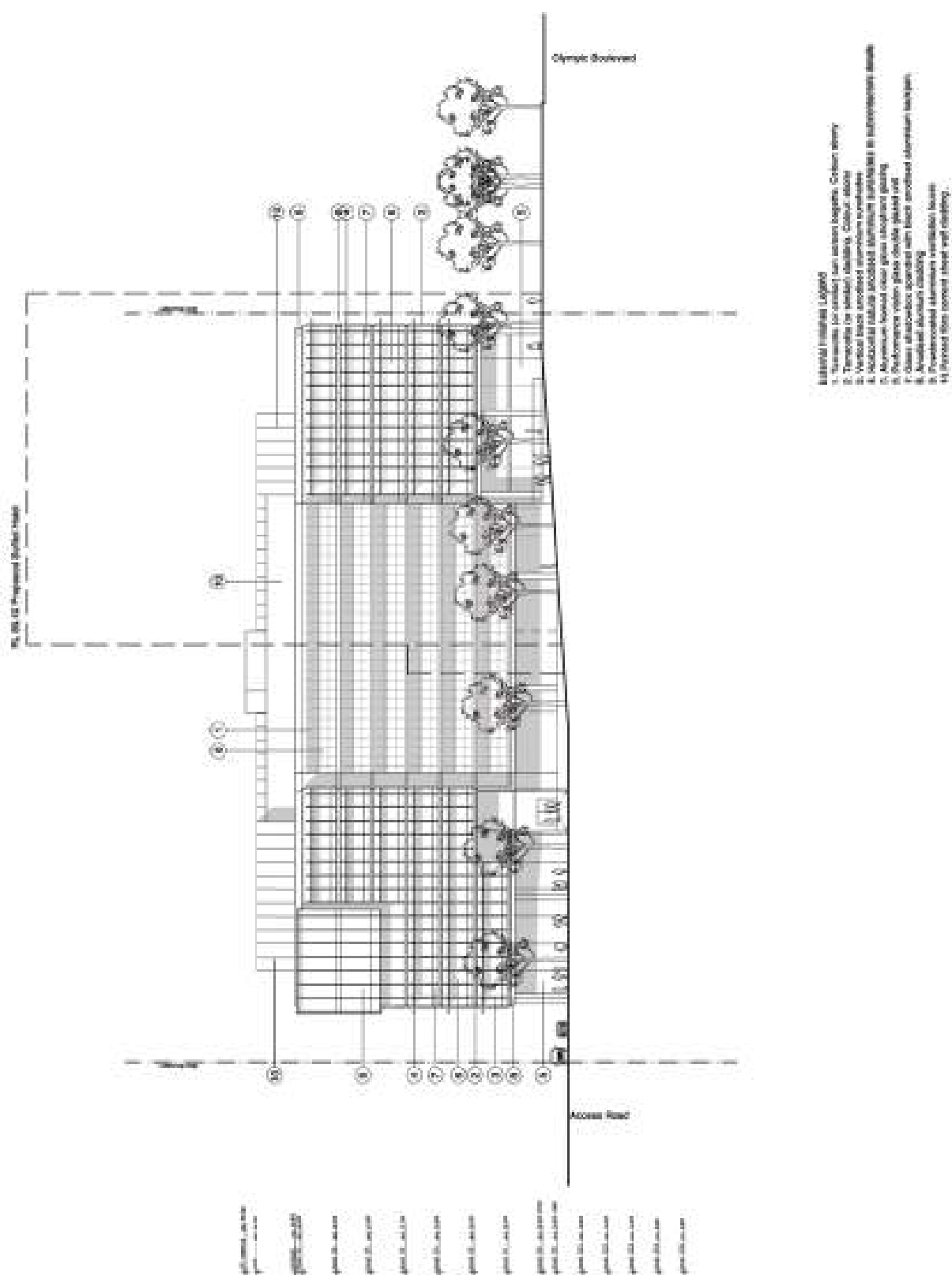


Figure 4: Northern Elevation



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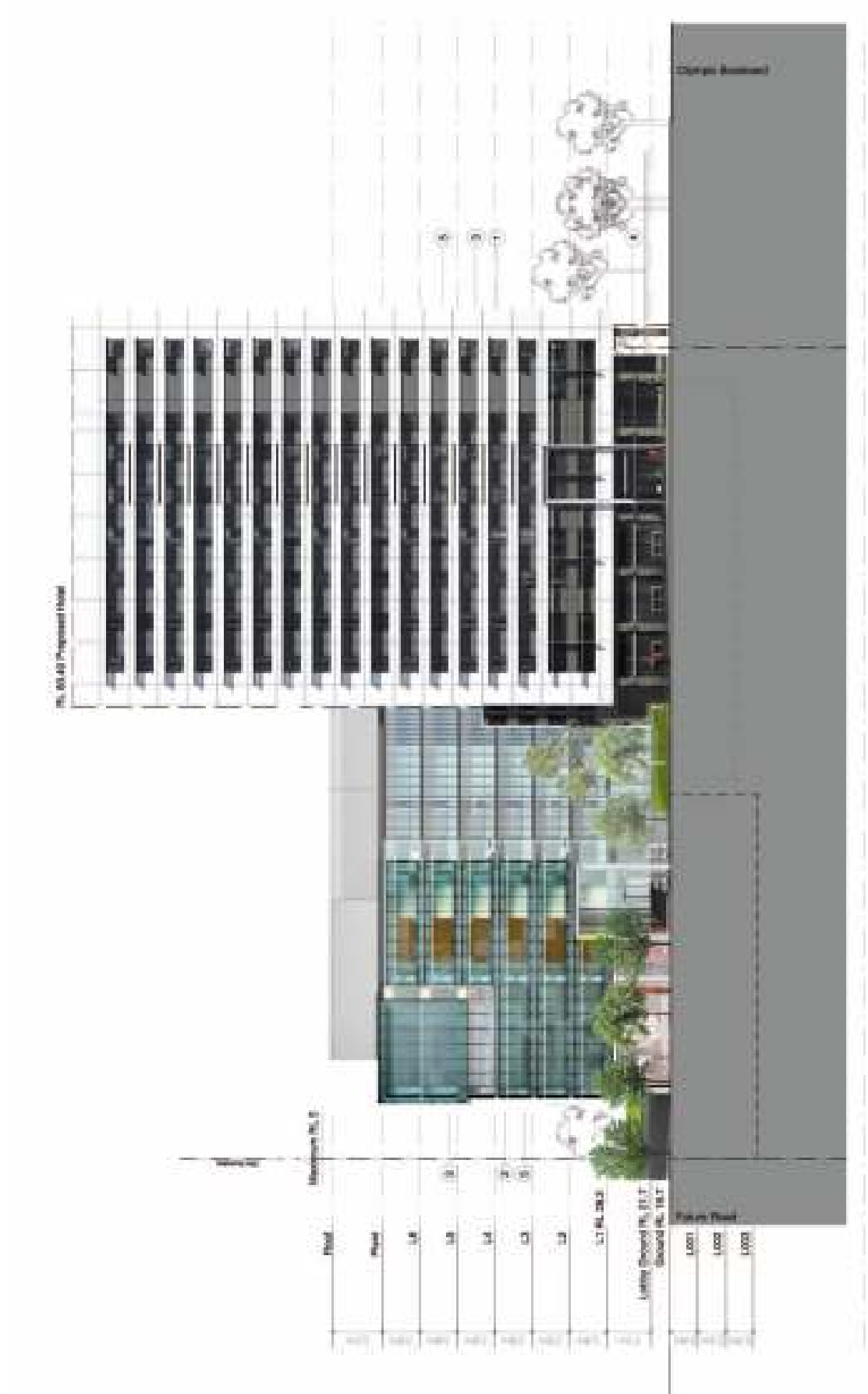


Figure 7: Northern Perspective

4 STATUTORY CONTEXT

4.1 MAJOR PROJECT DECLARATION

The project is a Major Project under *State Environmental Planning Policy (Major Projects) 2005* (MP SEPP) being within Sydney Olympic Park (SOP) and with a capital investment value in excess of \$5 million (Schedule 2, Clause 14). This opinion was formed by the Director-General as delegate for the Minister for Planning on 10 October 2006.

4.2 PERMISSIBILITY

The site is located within SOP and is subject to the controls of the Sydney Regional Environmental Plan No. 24 – Homebush Bay Area (SREP 24) and the Sydney Olympic Park Master Plan 2002 (Master Plan 2002) and Draft Master Plan 2025 (Master Plan 2025).

Clause 11 of SREP 24 states that development of land within the Homebush Bay Area may be carried out for any purpose that the consent authority considers to be consistent with any one or more of the planning objectives for the Homebush Bay Area set out in Clause 12.

Site 4B is within the Town Centre Precinct, as defined by the Master Plan 2002. This area is described as '*the urban heart of Sydney Olympic Park*', capable of accommodating '*dense and urban development comprising commercial office space, exhibition and entertainment uses and visitor support services (that) will intensify activity and use around the Town Centre*'. In terms of this specific site, suitable land uses are specified as '*commercial, entertainment, hospitality, and leisure, with the opportunity for a café or minor retail at ground level*'.

The Preferred Land Uses plan within the Master Plan 2002 allocates Commercial/Business uses to the site, and provides an indicative Preferred Height for the site of 6-8 storeys.

The proposal is consistent with Clause 12 of SREP 24 and the permitted uses of the Town Centre Precinct within the Master Plan 2002, and is therefore permissible subject to the Minister's approval.

4.3 MINISTER'S POWER TO APPROVE

The Department has exhibited the Environmental Assessment (EA) in accordance with section 75H(3) of the *Environmental Planning and Assessment Act 1979*. The project is permissible and meets the requirements of the MP SEPP.

Therefore, the Department has met its legal obligations and the Minister has the power to determine this project.

4.4 DIRECTOR-GENERAL'S ENVIRONMENTAL ASSESSMENT REQUIREMENTS (DGRS)

The DGRs were issued on 9 January 2007 and required the following key issues to be addressed:

- Relevant EPIs and guidelines;
- Built form, urban design, and landscaping;
- Heritage;
- Traffic, access, and parking;
- Noise, vibration, and geotechnical;
- Public domain, pedestrians, and public art;
- Potential contamination on site; and
- Ecologically Sustainable Development (ESD).

The Department is satisfied that the DGRs have been adequately and satisfactorily addressed by the Proponent's Environmental Assessment. The DGRs are contained in **Appendix A**.

4.5 OBJECTS OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

The objects of any statute provide an overarching framework that informs the purpose and intent of the legislation and gives guidance to its operation. The Minister's consideration and determination of a project application under Part 3A must be informed by the relevant provisions of the Act, consistent with the backdrops of the objects of the Act.

The objects of the Act in section 5 are as follows:

- (a) To encourage:
 - (i) the proper management, development and conservation of natural and artificial resources, including agricultural land, natural areas, forests, minerals, water, cities, towns and villages for the purpose of promoting the social and economic welfare of the community and a better environment,
 - (ii) the promotion and co-ordination of the orderly and economic use and development of land,
 - (iii) the protection, provision and co-ordination of communication and utility services,
 - (iv) the provision of land for public purposes,
 - (v) the provision and co-ordination of community services and facilities, and
 - (vi) the protection of the environment, including the protection and conservation of native animals and plants, including threatened species, populations and ecological communities, and their habitats, and
 - (vii) ecologically sustainable development, and
 - (viii) the provision and maintenance of affordable housing, and
- (b) To promote the sharing of the responsibility for environmental planning between the different levels of government in the State, and
- (c) To provide increased opportunity for public involvement and participation in environmental planning and assessment.

Of particular relevance to the assessment of the subject application is consideration of the Objects under section 5(a). Relevantly, the Objects stipulated under section 5(a) (i), (ii), (v), (vii) and (viii) are significant factors informing the determination of the application. The project does not raise significant issues with regards to (iii), (iv) or (vi).

With respect to ESD, the Act adopts the definition in the *Protection of the Environment Administration Act 1991* including the precautionary principle, the principle of inter-generational equity, the principle of conservation of biological diversity and ecological integrity, and the principle of improved valuation, pricing and incentive mechanisms. The development represents the orderly and economic use and development of land.

The Department has considered the Objects of the Act, including the encouragement of ESD in the assessment of the project application. The balancing of the project in relation to the Objects is provided in Section 5.

ESD Principles

There are five accepted ESD principles:

- (a) decision-making processes should effectively integrate both long-term and short-term economic, environmental, social and equitable considerations (the integration principle);
- (b) if there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation (the precautionary principle);
- (c) the principle of inter-generational equity - that the present generation should ensure that the health, diversity and productivity of the environment is maintained or enhanced for the benefit of future generations (the inter-generational principle);
- (d) the conservation of biological diversity and ecological integrity should be a fundamental consideration in decision-making (the biodiversity principle); and
- (e) improved valuation, pricing and incentive mechanisms should be promoted (the valuation principle).

The Department has considered the redevelopment in relation to the ESD principles and has made the following conclusions:

Integration Principle

The social and economic benefits of the proposal are well documented. The environmental impacts of the development are appropriately mitigated as discussed in this report. The Department's assessment has duly considered all issues raised by public authorities. The proposal as recommended for approval does not compromise a particular stakeholder or hinder the opportunities of others.

Precautionary Principle

Following an assessment of the proponent's EA it is considered with certainty that there is no threat of serious or irreversible environmental damage as a result of the proposal. The site is the subject of a Master Plan which envisages extensive development and the site has a low level of environmental sensitivity. Vegetation on the site is limited to Brush Box trees, which are of varying degrees of health. The site does not contain any threatened or vulnerable species, populations, communities or significant habitats.

Inter-Generational Principle

It is considered that the proposed development represents a sustainable use of a site which provides commercial development and employment opportunities for Sydney. The proposed development will primarily utilise existing infrastructure already established for the purpose of development within SOP. It is considered that the redevelopment of this site will have positive social, economic and environmental impacts and as a result will maintain the environment for the benefit of future generations.

Biodiversity Principle

Following an assessment of the proponent's EA it is considered with certainty that there is no threat of serious or irreversible environmental damage as a result of the proposal. The development site has been cleared for a significant period of time, and has a low level of environmental sensitivity. Whilst the broader SOP contains significant natural vegetation, the proposed development does not significantly impact upon this vegetation. Though the redevelopment will involve the removal of some existing Brush Box trees, the proposal will not impact upon the conservation of biological diversity or ecological integrity.

Valuation Principle

The approach taken for this project has been to assess the environmental impacts of the proposal and identify appropriate safeguards to mitigate adverse environmental effects. The mitigation measures include the cost of implementing these safeguards in the total project cost.

The proponent is committed to ESD principles and has reinforced this through the Statement of Commitments and the Environmental Assessment which explores key ESD opportunities, including mechanical, electrical and hydraulic systems as well as an architectural design to ensure that a high level of environmental performance is delivered. The Proponent has included a commitment to construct and operate the commercial office building in accordance with the recommendations of the ESD Report prepared by Bovis Lend Lease, dated 6 October 2006, as part of the Statement of Commitments.

A condition is also included to ensure that these commitments are adhered to, and a minimum 4.5 star Australian Building Greenhouse Rating (AGBR) is achieved.

4.6 SECTION 75I(2) OF THE ACT

Section 75I(2) of the EP&A Act and Clause 8B of the EP&A Regulation 2000 provides that the Director-General's report is to include a number of requirements, set out as follows:

Section 75I(2) criteria	Response
Copy of the Proponent's environmental assessment and any preferred project report	The Proponent's EA and Preferred Project Report is located on the attached assessment file.
Any advice provided by public authorities on the project	All advice provided by public authorities on the project for the Minister's consideration is set out at Appendix C of this report.
Copy of any report of a panel constituted under Section 75G in respect of the project.	No statutory independent hearing and assessment panel was undertaken in respect of this project.

Copy of or reference to the provisions of any State Environmental Planning Policy that substantially govern the carrying out of the project.	Each relevant SEPP that substantially governs the carrying out of the project is identified and assessed immediately below.
Except in the case of a critical infrastructure project - a copy of or reference to the provisions of any environmental planning instrument that would (but for this part) substantially govern the carrying out of the project and that have been taken into consideration in the environmental assessment of the project under this Division.	An assessment of the development relative to all environmental planning instruments is provided in Section 4.7 of this report.
Any environmental assessment undertaken by the Director General or other matter the Director General considers appropriate.	The environmental assessment of the project application is this report in its entirety.
Clause 8B Matters for Consideration:	Response
(a) an assessment of the environmental impact of the project.	An assessment of environmental impacts of the project is found in Part 5 of this report.
(b) any aspect of the public interest that the Director-General considers relevant to the project.	The public interest is considered in Section 5.14 of this report.
(c) the suitability of the site for the project.	A description of the site and its suitability to the project is included in Part 2 of this report.
(d) copies of submissions received by the Director-General in connection with public consultation under section 75H or a summary of the issues raised in those submissions.	A summary of the issues raised in public submissions is included as Appendix C of this report.

4.7 ENVIRONMENTAL PLANNING INSTRUMENTS (EPIs)

4.7.1 Application of EPIs to Part 3A projects

To satisfy the requirements of section 75I(2)(d) and (e) of the Act, this report includes references to the provisions of the environmental planning instruments that govern the carrying out of the project and have been taken into consideration in the environmental assessment of the project. An assessment of compliance with the relevant EPIs is immediately below which concludes that the proposal complies with these documents.

The primary controls guiding the assessment of the proposal are:

- State Environmental Planning Policy (Major Projects) 2005;
- State Environmental Planning Policy No. 55 – Remediation of Land;
- Sydney Regional Environmental Plan No. 24 – Homebush Bay Area;
- Sydney Olympic Park Master Plan 2002; and
- State Environmental Planning Policy No. 11 – Traffic Generating Development.

Other controls and non-statutory documents to be considered in the assessment of the proposal are:

- Draft State Environmental Planning Policy No. 66 – Integration of Land Use and Transport;
- Sydney Olympic Park Draft Master Plan 2025; and
- Sydney Olympic Park Vision 2025.

The provisions, including development standards of local environmental plans, and development control plans are not required to be strictly applied in the assessment and determination of major projects under Section 75R(1) Part 3A of the Act. Notwithstanding, these standards and provisions are relevant considerations for this application as the DGRs and Section 75I(2)(e) of the *Environmental Planning and Assessment Act, 1979* require the proponent to address such standards and provisions and the Department to duly consider such standards and provisions. Accordingly the objectives of a number of EPIs and other plans and policies that govern the carrying out of the project are appropriate for consideration in this assessment as follows.

4.8 PRIMARY CONTROLS

4.8.1 State Environmental Planning Policy (Major Projects) 2005

The site's compliance under the MP SEPP is considered under section 4.1 above. The proposed development is located within SOP and has a capital investment value of \$79.6 million. This is well in excess of the criteria established by Schedule 2 Clause 14 of the MP SEPP. Therefore the Minister is the consent authority for this application.

4.8.2 State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55)

Under Clause 7(1) of SEPP 55, the Consent Authority must not consent to any development without having consideration for any potential contamination of the land. Should contamination be detected, the Consent Authority must be satisfied that the land is suitable in its current state, or can and will be remediated to be made suitable for the proposed development.

The Department initially raised concern regarding contamination issues when the Environmental Site Assessment Report (prepared by Coffey Geotechnics Pty Ltd) concluded that 'the site is likely to be suitable, with respect to contamination, for the proposed commercial/industrial landuse', as it is 'unlikely' that contaminated material is present beneath the site.

The Department considered that this report was insufficient for use as evidence to prove the site's compliance with SEPP 55, and a statement conclusively confirming the site's suitability for the intended use was therefore requested.

An additional Environmental Site Assessment was submitted with the Preferred Project Report on 19 July 2007. The report concluded that the site 'is suitable with respect to soil contamination for the proposed commercial landuse', and is considered by the Department as satisfactory evidence of the site's suitability in terms of site contamination. This issue is addressed further in section 5.10.

4.8.3 State Regional Environmental Plan No.24 – Homebush Bay (SREP 24)

SREP 24 provides a planning framework to guide and coordinate the continued renewal of the Homebush Bay area, including the facilities planned for SOP, within an area bounded by Parramatta River, Homebush Bay Drive, the M4, and Silverwater industrial area. SREP 24 contains controls in relation to permissibility, planning objectives, relevant issues when determining planning applications, flooding, heritage, development within environmental conservation areas, land contamination, acid sulphate soils, and those requirements for future local Master Plans.

The proposal is consistent with 3 of SREP 24's planning objectives contained within Clause 12, being c, g & h, and is therefore permissible under Clause 11 with the Minister's Consent. Clause 13 details a number of matters for consideration, and the Department is satisfied that these matters have been addressed in detail in the Environmental Assessment, as set out in the detailed assessment.

The proposed commercial office building is an appropriate use for the site, which successfully achieves the planning objectives for the area. The proposal does not raise any issues with regards to floodprone land, or development in an environmental conservation area. The submission of a Contamination Report confirms that the site is suitable for commercial development of this nature.

The standard of architectural and urban design proposed by the project will ensure a high quality working environment, an effective and pleasant new pedestrian route between Herb Elliott Avenue and Olympic Boulevard, and a positive addition to the wider SOP environment.

The proposal is considered to satisfy the objectives and controls contained within SREP 24.

4.8.4 Sydney Olympic Park Master Plan 2002

The Sydney Olympic Park Master Plan 2002 (Master Plan 2002) was adopted on 31 May 2002 to provide a framework for the ongoing development of SOP, following the successful Olympic and Paralympic Games of 2000. The Master Plan 2002 was prepared pursuant to clause 16 of SREP 24 and clause 18 of the Sydney Olympic Park Authority Act 2001.

Clause 16 of SREP 24 states that development consent must not be granted for development within Homebush Bay unless there is a Master Plan for the subject land. Though this requirement does not strictly apply to a project

pursuant to Part 3A of the Act, the department has taken the Master Plan 2002 into consideration, and believes that the development is consistent with this document.

The Master Plan 2002 divides SOP into 8 precincts, each having its own development provisions. Site 4B is located within the Town Centre Precinct, and is provided with site-specific guidelines, including the development of a well designed commercial building in possession of active frontages onto Herb Elliott Avenue and Olympic Boulevard, and introducing a new through-block pedestrian route.

The guidelines concern constraints, the desired site character, land uses, wider precinct objectives, height, built form, parking provision, access, landscaping, and noise considerations. In addition, Section 6 of the Master Plan 2002 sets out general design guidelines, including the character of the public domain, general building form and character, and environmental considerations.

The guidelines contained within the Master Plan 2002 envisage Site 4B accommodating a commercial land-use, built to a maximum of 8 storeys, with basement car parking provision. Any proposed development should present active frontages to both Olympic Boulevard and Herb Elliott Avenue, and accommodate a public thoroughfare across the site. The pedestrian environment should be further enhanced by colonnades at ground floor level, and the use of glazing to create visually permeable elevations.

The proposal therefore complies with the Master Plan 2002, with the minor non-compliance in relation to GFA discussed in Section 3.1.

4.8.5 State Environmental Planning Policy No. 11 – Traffic Generating Development (SEPP 11)

The objective of SEPP 11 is to ensure that the Roads and Traffic Authority (RTA) is made aware of and given an opportunity to make representations in respect of a number of development types, including the erection of a building for the purposes of shops and commercial premises where the GFA of the building is or exceeds 4 000m². The GFA of the commercial building proposed for Site 4B is 24,143 m² and therefore SEPP 11 is applicable. The RTA were notified of the Major Project Application for Site 4B on 17 November 2006, and were invited to provide details of key issues and assessment requirements in order to assist in the formulation of the DGR's. A response from the RTA was received on 12 March 2007 which missed the DGR submission period, however, a copy of the letter was provided to the Proponent and a response required via the PPR.

The RTA required the following issues to be addressed:

1. Daily and peak traffic movements generated by the proposed development on surrounding roads and intersections, and any need for funding for upgrading works;
2. Management of car parking spaces;
3. Proposed access and adequacy of parking provisions associated with the proposed development;
4. Loading and servicing facilities;
5. Public transport accessibility; and
6. Provision of appropriate pedestrian facilities and links serving the site.

It is considered that the Traffic and Parking Assessment, prepared by Colston Budd Hunt & Kafes and dated November 2006, satisfactorily addresses the RTA's requirements. The report finds that the proposal would strengthen demand for existing public transport services in the area, and that access, servicing and layout of the proposed parking are considered appropriate. In addition, the existing road network will be able to cater for the traffic generated by the proposed development. A discussion of the parking access and provisions, loading facilities, and pedestrian links serving the site is contained within Section 5 of this report.

4.9 OTHER CONTROLS

4.9.1 Draft State Environmental Planning Policy No. 66 – Integration of Land Use and Transport (Draft SEPP 66)

The proposed development is located in close proximity to the SOP Railway Station and provides 369 car parking spaces, in accordance with the provisions for the site in the Master Plan 2002, and the inclusion of 76 bicycle spaces. The proposal complies with the terms of Draft SEPP 66.

4.9.2 Sydney Olympic Park Vision 2025

In May 2004 a new strategy entitled *Sydney Olympic Park Vision 2025-Urban Design Strategy* was released but has not been publicly exhibited. This document is aimed at developing a long-term vision for SOP, and in broad terms looks towards a higher density future for SOP with a revised mix of uses.

Though the 2025 strategy has not been publicly exhibited, it is regarded as a working document, and has been considered during this assessment. The site-specific requirements for Site 4B are virtually identical to those contained within the Master Plan 2002, with the site still allocated a 7-storey commercial development as part of a new commercial hub along Herb Elliott Avenue, with retail uses at ground floor level.

4.9.3 Sydney Olympic Park Master Plan 2025 (Master Plan 2025)

The Master Plan 2025 is a 20-year vision for the sustainable development of SOP which builds on the Vision 2025 document, described above. Though this document has also not been publicly exhibited, it is regarded as a working document, and has been considered during this assessment.

The site-specific requirements for Site 4B are in accordance with those contained within the Master Plan 2002, with the site allocated a 7-storey commercial development as part of a new commercial hub along Herb Elliott Avenue, with retail uses at ground floor level. This plan also sets a FSR of 6.3:1 for Site 4B, with the proposed development being clearly within this limit with a FSR of 4.5:1.

5 ASSESSMENT OF ENVIRONMENTAL IMPACTS

Key issues considered in the Department's assessment of the Environmental Assessment include:

- Built form, urban design and landscaping;
- The public domain;
- Traffic, access and parking;
- Ecologically Sustainable Development;
- Solar access and overshadowing;
- Heritage;
- Section 94 Contributions;
- Construction impacts; and
- Public Interest

5.1 BUILT FORM AND URBAN DESIGN

The proposed development should make a positive contribution to the emerging character of the Town Centre Precinct, and the wider SOP. Specific consideration should be given to urban and architectural design solutions, density, height, views, and building articulation.

5.1.1 Design

The detailed design of the proposal was developed in dialogue with the SOPA Design Review Panel, in recognition of the central importance of the Town Centre Precinct to the SOP as a whole. The panel supported the overall clarity and logic of the site planning and building layout, whilst providing input to ensure improvements to the public domain.

The design solution represents a logical response to a difficult site. The proposal successfully acknowledges the various constraints on the site, including the need to establish a relationship between the required area of public domain and the proposed building's internal spaces, the generation of a high quality pedestrian experience, and the integration of passive solar design as a central aspect of the building concept.

The use of glazing around the majority of the ground floor of the building, and the inclusion of publicly accessible land uses, creates active frontages along both Herb Elliott Avenue and Olympic Boulevard, and places the building within its wider context. This is an important achievement for new development within the Town Centre Precinct of SOP, and conforms to the vision contained within the Master Plan 2002.

The PPR made minor adjustments to the layout of the basement car park, and incorporated retail areas in the ground floor of the development, in order to aid in the activation of the building at this level as discussed above.

The Department regards the proposal as acceptable in terms of its central design concept and relationship with its surrounding context.

5.1.2 Height and Density

The proposed 7 storey building will be 34.5m high (37.9m with lift over-run), with floor to ceiling heights of 4.5m on the ground floor and 2.8m on all other floors. The Master Plan 2002 requires that new development on Site 4B not exceed 8 storeys, and the proposal complies with this requirement. The proposal is in keeping with the high-density character envisaged for the Town Centre Precinct under both the Master Plan 2002 and Master Plan 2025 documents.

The Master Plan 2002 provides an *indicative* commercial floor space allocation for Site 4 of 24,000m², and states that '*actual floor space allocations will be confirmed through detailed design and development processes*'. The approved Sofitel Hotel building (under construction) at Site 4A has a GFA of 18,769m². The Master Plan 2002 provides a separate indicative gross floor space for Hotels of 24,000m² and the approved building for Site 4A has drawn from this allocation and not from the commercial floor space allocation for Site 4.

The proposed development at Site 4B has a commercial GFA of 24,143m², which exceeds the indicative commercial GFA for Site 4 by 143m².

Given that the non-compliance is minimal, that the development complies with the maximum number of storeys for Site 4B, is of an appropriate bulk and scale and relates well to the public domain and is consistent with the general design guidelines for buildings within the Town Centre Precinct, it is considered that the proposed GFA is consistent with the Master Plan 2002 and the minor non-compliance is negligible and will not be discernible. The development also provides public domain area, a café and retail uses on the ground floor level. On this basis the proposal is acceptable.

5.1.3 Views

The proposal will partially occupy sightlines from Olympic Boulevard towards the Abattoir Heritage Precinct, though it should be noted that the approved Sofitel Hotel already occupies the most significant views from the corner of Herb Elliott Avenue and Olympic Boulevard. The primary views in and around the site are identified as along Olympic Boulevard (the 'Olympic Axis'), and the oblique view from Olympic Boulevard across sites 4A and 4B towards the Abattoir Heritage Precinct.

The proposal will not significantly impact either of these views. In terms of Olympic Boulevard, the proposed building will not extend onto the thoroughfare to any significant degree, and will therefore leave views unaffected. The proposed development will also work towards preserving some views across the site due to the design of the new area of public domain.

As the proposed development follows the parameters for development of the site as laid out in the Master Plan 2002, including with regards to height, it will not have any significant negative impact on key views within SOP.

5.2 TRAFFIC, VEHICULAR ACCESS AND PARKING

5.2.1 Traffic

A Traffic and Parking Assessment was prepared by Colston Budd Hunt & Kafes in November 2006. The report assessed the degree of traffic generation likely to result from the development of Site 4B, and concluded that traffic flows on Herb Elliott Avenue would increase by some 65-155 vehicles per hour two-way during the morning and afternoon peak hours. The impact on Olympic Boulevard and Australia Avenue would be lower at 15 to 105 vehicles per hour two-way.

The intersection at Australia Avenue, Herb Elliott Avenue, and Parkview Drive would operate with average delays of less than 25 seconds per vehicle during morning and afternoon peak hours. This would equate to a level of service B, a 'good' level of service. The intersection of Olympic Boulevard with Herb Elliott Avenue would continue to operate at the existing A/B 'good' level of service, with average delays of less than 15 seconds per vehicle during peak periods.

The Department accepts the conclusions contained within the traffic study, and also concludes that the road network has sufficient capacity to absorb the additional traffic that the proposed development will create, with no upgrades to existing intersections required as a result of this proposal.

It is therefore considered that the Traffic and Parking Assessment satisfactorily addresses the RTA's requirements as discussed in Section 4.8.5.

5.2.2 Access

The site has frontages to both Herb Elliott Avenue and Olympic Boulevard. All vehicular access to the car park which presently operates on the site is via Herb Elliott Avenue. Footpaths are located along the Boulevard and Herb Elliott Avenue. Informal pedestrian access is also available between Sites 4A (Sofitel) and 4B, with a continuous accessible path of travel with Herb Elliott Avenue, Olympic Boulevard and the Site 4B building entry. The proposed external public domain for Site 4B has utilised AS1428 Part 2 and SOP Access Guidelines to provide adequate access for people with disabilities.

In accordance with the Master Plan 2002, all parking provision for the site is accommodated at basement level. This ensures that pedestrian access between parking spaces and the building above is safe and secure.

Vehicular access to the basement level parking within the proposed development will be via a new access road in the short-term. It is SOPA's intention that in the longer term Site 4B will be delineated by two new public roads – one to be constructed along the southern boundary and one along the eastern boundary of the site by SOPA.

The Project Application seeks approval for the construction of a 6 metre wide driveway along the eastern property boundary from Herb Elliott Avenue which will be kerbed and guttered and which will satisfy the access needs of the proposed development. This arrangement ensures that the safe and efficient movement of vehicles in and out of the proposed development is in no way dependent on the construction of the future road.

5.3 PUBLIC DOMAIN AND PEDESTRIAN ACCESS

5.3.1 Public Domain

The Master Plan 2002 requires that new developments contribute to an exceptionally high quality of public domain and pedestrian experience, through the inclusion of devices such as awnings, outdoor seating and lighting, successful integration of vehicular access, appropriate siting of buildings and through-block connections.

The proposal will provide a new public domain area, of approximately 1676.5m², between the new building and the approved Sofitel Hotel. Due to the design challenges posed by the site constraints of Site 4B, this area is long and narrow in dimension, ranging in width from 22m at its widest point and 16m at its narrowest point, and approximately 92m in length when measured from Herb Elliott Ave to Olympic Boulevard.

The public domain area provides a pedestrian path between Olympic Boulevard and Herb Elliott Avenue, and contains sculptural benches, digital art and a significant amount of new planting and has been designed in direct consultation with SOPA's design panel. The public domain will be dedicated back to SOPA after it is completed.

The ground floor level of the building has a direct relationship with the new public domain area. This connection is achieved through the inclusion of reception, café, and informal meeting facilities at ground floor level, which provide active frontages, and areas of seating which extend from the café onto the public domain. The 'hub' spaces and connecting spaces will be glazed with vision glass, which will further enhance the connectivity of the public domain area to the ground floor of the building.

Public submissions were received expressing concern about the quality of the new area of public domain across the site, and in particular the blank façade that the Sofitel presents to the space, and the degree to which the space will be over-shadowed during winter months.

The proposal will soften the impact of the Sofitel building on the public domain through a number of features. A large sculptural bench proposed opposite the rear elevation of the Sofitel, whilst an element of the digital art installation will be located in close proximity. The impact of the rear elevation of the Sofitel will be further minimised by the overall landscape treatment, which will include planting beds and mature trees.

The shadow modelling submitted by the Proponent shows that 100% of the public domain will be shaded at 9am throughout the year, with approximately 50% of the area in shade at 12pm in the winter months and less than 25% of this space shaded during the summer months at midday. Approximately 80% of the public domain area will be shaded by 3pm in winter months, compared to approximately 60% of the area being shaded at this time during the summer months.

The majority of the shadow cast is from the existing approved Sofitel Hotel. However, the space will have access to adequate levels of sunlight during the middle portion of the day, throughout the year. This is significant as this is when the space is most likely to be used by commercial office workers and the general public.

It should also be noted that a shaded area of public domain will be a useful asset during summer months, and will increase the appeal of the space to users of the proposed building and passers-by alike.

The proposed public domain area provides a positive design response to the site constraints (in particular the approved Sofitel building at Site 4A) and will result in a quality public space.

5.3.2 Removal and Retention of Trees

The proposed landscape strategy includes the removal of 22 of 26 existing Brush Box trees (*Lophstemon confertus*) currently on the site, and also the removal of 4 existing Spotted Gum (*Corymbia maculata*) trees on Herb Elliott Avenue, to allow pedestrian access into the new area of public domain. The majority of Brush Box trees currently on the site would have to be removed to allow for the construction of the proposed development, as they are located above the proposed basement, within the proposed building envelope, excavation zone, and approach to the building.

The Master Plan 2002 requires that '*as many of the double row of Brush Box trees should be retained as feasible*' on Site 4B. The retention of these trees is regarded as important as they represent a physical connection with the history of SOP, having formed part of the formal gateway to the Abattoir Heritage Precinct.

An Arboricultural Impact Assessment for Site 4B was prepared by Urban Tree Management in November 2006, and was submitted with the Major Project application. This examines the condition of the 6 Brush Box trees that could potentially be retained, and concludes that the subject trees are in a fair to low condition, primarily as a result of drought. As a consequence, the removal of existing trees is a less serious issue than if the subject trees were healthy subjects.

The Department regards the proposed landscape strategy as acceptable for the following reasons:

- The existing Brush Box trees currently on the site are in relatively poor condition;
- The historic role of the Brush Box trees, as a ceremonial gateway to the Abattoir Heritage Precinct, has become diluted over time due to incremental development around the heritage items and the introduction of new routes in the Town Centre Precinct. As a consequence, the remaining Brush Box trees have become an isolated element as opposed to a part of a much longer network.
- Removal of certain Brush Box trees is necessary to allow for the construction of the proposed building.
- The proposed landscape strategy is an effective and attractive design solution, replacing some of the trees to be removed, which will play a major role in enhancing the pedestrian environment and encouraging workers and passers-by to stop and utilise the space. This will generate much-needed animation for the public domain and the wider Town Centre Precinct.

5.4 ECOLOGICALLY SUSTAINABLE DEVELOPMENT (ESD)

The Master Plan 2002 requires new developments to adopt the highest standards of best practice, to ensure the optimal environmental performance of the building and its surrounds. The proposed development has been considered with regard to the five ESD principles detailed in Section 4.5 of this report.

The proposed development achieves:

- 4.5 stars Australian Building Greenhouse Rating (ABGR) with target of 5 stars. ABGR encourages best practice in the design, operation and maintenance of commercial buildings to minimise greenhouse emissions; and
- 4 star Greenstar rating with target of 5 stars. Greenstar is a rating system for the environmental design, efficiency and performance of Australian buildings.

The following initiatives have been incorporated into the building to enable it to achieve a 4.5 star ABGR:

- An efficient building façade featuring 'low e' double glazing and extensive horizontal and vertical external shading mechanisms, capable of responding to the orientation of the building;
- A high-efficiency VAV system which retains the potential for upgrade to a chilled beam system;
- Swirl diffusers with increased fresh air delivery;
- High efficiency plant equipment; and
- T5 lighting within office areas.

In addition to this, the Proponent commits to appointing an ESD Consultant to the project team in a core role, and to the preparation of both a Construction Environmental Management Plan (cEMP) and an Operational Environmental Management Plan (oEMP).

SOPA raised concern during the submission period regarding the Proponent's references to possible achievement of a 5 Star ABGR level whilst lacking any firm commitments in order to achieve this outcome. Section 6.3.4 of the Master Plan 2002 requires that all commercial and residential buildings in SOP attain a minimum 4.5 star ABGR rating. Therefore, a condition of approval will be imposed, requiring achievement of a minimum 4.5 star ABGR rating. This provides a definitive response to SOPA concerns about the Proponent's level of commitment to achieving a high level of ESD on Site 4B.

5.4.1 Water

The development will be connected to the SOP Water Reclamation and Management Scheme (WRAMS), and will result in an increase in the impervious site area of some 15%, and will require decommissioning of the existing storm water systems. The piped storm water system is to discharge into the existing system within Herb Elliott Avenue. The proposed storm water system is to be configured to facilitate a future road proposed by SOPA along (and partly within) the eastern side of the site.

In regards to water use resulting from the proposed development, the Proponent indicates that water consumption will be 50% less than in comparable buildings. This will be achieved through the following efficiency measures:

- Water minimisation and re-use, achieved through the use of AAAA-rated high efficiency fixtures and fittings, including 4.5/3L dual-flush WCs using recycled water, waterless urinals, and 5A tapware;
- Efficient landscape irrigation;
- Water efficient cooling tower strategies; and
- A reduction in the consumption of potable water through the installation of a Water Reclamation and Management Scheme (WRAMS) system, which will provide recycled water for toilet flushing, irrigation, cooling tower supply, and operational wash-down activities.

The Proponent's use of water efficiency measures are in accordance with the sustainability principles that underpin the envisaged development of SOP.

5.4.2 Waste Management

A Waste Management Plan was included in the Construction Management Plan. This details the measures the Proponent will undertake to ensure a minimum of 80% of all Hard Waste Material, and Soft Waste Material generated during construction, is re-used or recycled, thereby achieving up to an 80% reduction/avoidance in waste to landfill.

5.4.3 Materials

The Master Plan 2002 requires that building materials are compatible with the character of the site, and support environmental sustainability. The Proponent has made the following commitments with regards to the manner in which proposed materials will contribute to ESD principles:

- The concrete and steel utilized will contain a proportion of post-consumer recycled materials;
- The use of PVC will be minimized throughout the design process;
- Timber from forests with identified sustainable management practices shall be used throughout;
- Low VOC products will be used where practical, and in particular within carpet and paint to ensure a healthy working environment;
- Zero ozone depleting substances will be used for building fabric insulation, and all refrigerants; and
- Less than 20% of all waste generated during construction will be sent to landfill, and at least 80% will be recycled or reused.

The Department regards the commitments made with regards to the sustainability of the proposed materials to be acceptable.

5.5 NOISE AND VIBRATION

The potential sources of noise during construction are vehicle movements, generators, heavy machinery, and hand-held machinery and tools. The Noise & Vibration Study submitted with the EA, as undertaken by Renzo Tonin & Associates in December 2006, identified potential management issues in relation to noise and vibration during construction and demolition works affecting nearby properties; and vibration generated during construction and demolition works affecting surrounding structures/infrastructure.

In order to mitigate these impacts, a condition of approval will be included, restricting hours of construction work to between 7am-6pm, Monday to Friday, and 8am-1pm on Saturday. No works will be permitted during Sundays and public holidays.

In addition, the Statement of Commitments proposes the following to ensure potentially negative impacts are mitigated:

- Traffic access to the construction site will be via designated entry/exit points at Herb Elliott Avenue and Olympic Boulevard ;
- Mufflers will be fitted onto construction and earth moving equipment as required;
- A vibration monitoring system will be implemented to monitor vibration levels on the adjoining rail corridor for the duration of the works;
- Routine inspections of plant and equipment will include reference to acoustic performance, and subcontractors will provide details of acoustic performance of plant and equipment on site; and
- Additional noise monitoring will be undertaken if complaints regarding construction are received.
- Submit a revised Noise and Vibration Plan which will address the impact of construction on neighbouring land uses prior to the issue of a Construction Certificate.

The Proponent's commitment to closely monitoring noise and vibration levels throughout construction is seen as a suitable course of action with regards to preserving local amenity.

5.6 SOLAR ACCESS

5.6.1 Impacts on Surrounding Properties

The shadow cast by the building falls across Olympic Boulevard and 7 Figtree Drive. In Winter, the 9am shadow will be cast over Olympic Boulevard, and a small portion of the north-western corner of the site at 7 Figtree Drive. At noon the shadows will extend to the south and south west, to Olympic Boulevard, and across approximately 25% of 7 Figtree Drive. By 3pm the shadow will fall in a southerly direction, across the adjacent building and Site 27. It is noted that the adjacent site at 7 Figtree Drive will have direct solar access between 9am and 12pm in midwinter. At the Summer solstice and the Autumn and Spring equinoxes, the proposed development presents negligible overshadowing impacts for surrounding properties with the exception of the public roadway, Olympic Boulevard.

The solar modeling submitted with the application therefore illustrates that the shadows cast by the new development will be largely confined to the lot boundaries and the surrounding road network, though there will be some overshadowing to the commercial building at 7 Figtree Drive during mid-winter. With the exception of 7 Figtree Drive, surrounding development will be largely unaffected by overshadowing from the proposed development.

On this basis, the proposal is acceptable.

5.7 REFLECTIVITY

In accordance with the Master Plan 2002, the materials selected for the proposal will minimize glare reflectivity impacts on the public domain, occupants of neighbouring buildings, and users of the local road network.

5.8 WIND IMPACTS

The overall massing and design of the building must minimize wind impacts on the pedestrian environment. A Wind Environment Statement, prepared by Windtech in February 2007, was submitted by the Proponent.

The report concludes that 'wind conditions within and around the ground level areas of the proposed development are expected to be acceptable for their intended uses with the implementation of a tree planting scheme similar to the one detailed in the report'.

In order to ensure this, the report made the following recommendations, which are recommended as conditions of approval:

- Some trees should be densely foliated so as to provide sufficient protection from the wind;
- The species of trees should be of an evergreen variety to ensure effectiveness during Winter months;
- Proposed development is not expected to produce any adverse effects to surrounding streets and buildings within the local area.

A revised Landscape Design Statement prepared by ASPECT Studios, dated July 2007, was submitted with the Preferred Project Report, proposing the planting of a number of trees in the location recommended in the Wind Environment Statement as a means of providing some wind amelioration to the public domain area of the site. The proposed tree species to be provided in these areas are Chinese Toona and Brush Box, with the retention of 4 existing Brush Box trees. These are both evergreen tree species as recommended in the report. These measures are considered to be acceptable in mitigating wind impacts on the proposed development and public domain area.

5.9 EUROPEAN CULTURAL HERITAGE

The proposed development has the potential to impact on 2 key aspects of European cultural heritage, namely the neighbouring Abattoir Heritage Precinct and the existing arrangement of Brush Box trees on the site. Under SREP No.24, Site 4B is not located within any Heritage Conservation Areas, nor does it incorporate any heritage listed items.

Graham Brooks & Associates prepared a Heritage Impact Statement, dated 19 January 2007, to accompany the submission. The report addresses the following issues:

5.9.1 Abattoir Heritage Precinct

The Abattoir Heritage Precinct is located opposite the proposed development on Herb Elliott Avenue, and features a central arrangement of administrative, ancillary, and gatehouse buildings designed by Walter Liberty Vernon set within picturesque gardens designed by Joseph Maiden. The role and status of the heritage items within SOP has changed over time as the Town Centre Precinct has become established and new buildings have been constructed in close proximity to the heritage items.

The Abattoir Heritage Precinct and Site 4B are historically connected by the perimeter route around Homebush Bay, which was established in 1916 and marked by the double-row of Brush Box trees. The two sites are also marked by their relative proximity, which allows for views from the south towards the Abattoir buildings. This relationship between the sites is referenced within the Master Plan 2002, which states that Site 4B '*requires sensitive development due to the existing Brush Box trees and its proximity relative to Olympic Boulevard, (and) Vernon Buildings*'.

The relationship between Site 4B and the Abattoir Heritage Precinct will be relatively unaffected as the proposed development is separated from the heritage items by a roadway, and is not of a scale where it would overshadow or overscale the heritage buildings, or detract from their significance. Further to this, the Vernon buildings themselves are set within extensive grounds and are of a robust design, which will not be compromised by the new development.

5.9.2 Brush Box trees

As discussed in Section 5.3.3, there are currently 26 Brush Box trees on Site 4B. These were established as part of the development of a grand entrance to the Abattoir buildings in 1916.

Since the demise of the original Abattoir land use, the arrangement of Brush Box trees has undergone significant change. This has left the specimens on Site 4B as an isolated segment of the original landscaping treatment, with significantly less of a physical connection with the heritage items.

The proposed landscaping treatment will retain 4 Brush Box trees, and proposes to replant 2 additional mature replacement Brush Box trees on the site, alongside other new species of trees. In addition, it is proposed that,

in accordance with the DA, measures will be taken during construction to protect all trees on site that are not approved for removal, including the retained Brush Box trees.

5.9.3 Conclusion

Though the proposal seeks to remove the existing Brush Box trees, the replacement landscaping works must be seen in the context of the wider development at Site 4B and in the immediate surrounds, and in light of the Proponent's commitment to introduce both mature Brush Box trees alongside new complementary species, which will help to activate the new area of public domain.

The new landscaped area will reinforce the original 'entrance' line to the Abattoir Heritage Precinct between Olympic Boulevard and Herb Elliott Avenue, and the proposal will make a major contribution to the generation of a high quality public domain within the Town Centre Precinct and the SOP as a whole.

Further to this, the new planting scheme will lend longevity to the public domain as the replacement trees will be in good condition, and will be managed to ensure adequate maintenance is undertaken. As a consequence, they will enhance the original landscaping treatment, and will not detrimentally impact on the surrounding scheduled heritage items.

5.10 CONTAMINATION AND REMEDIATION

As previously discussed in Section 4.9.1 of this report, an Environmental Site Assessment undertaken by Coffey Geotechnics Pty Ltd on 13 January 2007 was initially submitted by the Proponent as part of the initial Project application.

In response to concerns that this assessment was insufficiently conclusive about the suitability of Site 4B for commercial development, an additional Environmental Site Assessment, produced by Coffey Geotechnics on 30 May 2007, was submitted on 16 July 2007. The additional Environmental Site Assessment concludes that the site is suitable with respect to soil contamination for the proposed commercial land use and therefore satisfies the requirements of SEPP 55, however conditions will need to be implemented to ensure that appropriate remediation works are undertaken should the need arise during excavation.

The assessment ultimately concludes that the site is '*suitable with respect to soil contamination for the proposed commercial land use*'. However, the report does consider further investigation necessary to adequately assess the contamination status of groundwater at the site.

In light of this additional report, and the fact that Site 4B is within an area of no environmental risk under the Acid Sulphate Soil Risk Map 1997, the site is seen as an appropriate location, in terms of levels of contamination, for a commercial land use as proposed. It is recommended that a condition of approval be included adopting the recommendations of the Environmental Site Assessment.

5.11 SECTION 94 AND OTHER CONTRIBUTIONS

Contributions are to be levied in accordance with the provisions of the Sydney Olympic Park Development Contributions Strategy created under Section 23 of the Sydney Olympic Park Authority Act, which gives the Minister the power to prepare and approve a S94 Contributions Plan for SOP. The Contributions Strategy provides for open space, sport and recreation facilities, community facilities, community services, movement systems, and public domain works.

A contribution is calculated at a rate (indexed to May 2007) of \$3657 per 100 m² of the Gross Floor Area (GFA) of the development. The proposal has a GFA of 24,143m² and therefore generates a contribution requirement of \$882,909.51. The following table represents the following contribution sub-categories:

Element	Rate (\$ per 100m ²)	Contribution (\$)
Childcare	573	138,339.39
Public Transport – Railway Station	1,445	348,866.35
Public Transport – Transitway	362	87,397.66
Roads & Traffic Management	1,152	278,127.36

Workplace Travel Plans	28	6,760.04
Streetscapes	97	23,418.71
TOTAL		\$882,909.51

A condition of approval is imposed requiring payment of all Section 94 contributions to be levied to SOPA prior to issue of the Construction Certificate.

5.12 PUBLIC SERVICES AND INFRASTRUCTURE

5.12.1 RailCorp Infrastructure

RailCorp have raised concern relating to the Construction Noise and Vibration Management Plan prepared by Renzo Tonin and Associates Pty Ltd and its failure to investigate the likely effect of rail-related noise and vibration upon the proposed development. RailCorp is also concerned that the report does not make any mention of possible effects of the proposed development on the nearby rail corridor. Consequently, the following conditions, suggested by RailCorp, will be included as conditions of approval:

- A further acoustic assessment demonstrating compliance with RailCorp guidelines on dealing with rail noise and vibration within the rail corridor;
- Employment of electrolysis mitigation measures contained within the Corrosion Control Engineering Report dated 21 December 2006;
- Further geotechnical report to assess impact of proposed development on existing rail tunnel beneath the site; and
- Prior to the commencement of works, prior to the issue of an Occupation Certificate, and following occupation, a joint inspection of the rail infrastructure and property in the vicinity of the project should be undertaken by representatives from RailCorp and the proponent.

A Corrosion Control Report, prepared by Corrosion Control Engineering, was submitted following discussions with RailCorp. The report concluded that the small magnitude of recorded stray traction current would not be sufficient to represent a significant corrosion hazard to proposed building foundations or in-ground metallic structures on the site.

However, as a preventative measure the report recommends that plastic sheeting be installed below the concrete slab and footings, and where possible limiting the below ground steel rebar and other metallic structures to relatively small lengths. This is included as a condition of approval.

The proponent has responded to RailCorp's concerns in their Statement of Commitments, about the likely impact of construction related noise and vibration on existing rail infrastructure, and similarly the potential impact of existing rail infrastructure on the proposed development in its operational phase.

The Proponent commits to:

- The preparation of a revised Noise and Vibration Management Plan prior to the issue of a Construction Certificate;
- A joint inspection of the rail infrastructure and property in the vicinity of the proposal by representatives from RailCorp and the Proponent, with a view to establishing the extent of any existing damage and enabling the observation of any deterioration during and after construction;
- Submitting to RailCorp a Risk Assessment/Management Plan and detailed Safe Work Method Statements for the proposed development prior to the commencement of works, with a willingness to allow RailCorp to impose conditions on working methods, and require the provision of on-site Safe Working supervision;
- Limit excavation and boring to within 2.0m of high voltage underground cable, and 1.0m of low voltage cable;
- Provide RailCorp with details of any proposed piling, batter, and anchors, for review and comment prior to the commencement of any works.

These commitments satisfy RailCorp's concerns and requirements. The proposal is therefore seen as adequate with regards to impacts from and to RailCorp infrastructure.

5.13 CONSTRUCTION IMPACTS

The adjoining landowner has raised concern about the impact of construction on the operation of the approved Sofitel Hotel.

The submitted EA envisages a 93 week construction program, with the following working hours:

- Mon-Fri: 6am-6pm (early works); 7am-6pm (general construction)
- Sat: 6am-4pm (early works); 7am-1pm (general construction); and
- Sun/Holiday: Nil

Concern has been raised about:

- The potential impact of construction related vibration and the timing of construction works on sensitive neighbouring business activities;
- How site anchors and hoardings will be implemented without having a negative impact on neighbouring sites; and
- The impact of construction on neighbouring sites, with regards to the handling of materials, and the operation of machinery including cranes.

SOPA's standard construction hours are 7am-6pm (Monday –Friday) and 8am-1pm (Saturday) and these are consistent with other approvals within SOP. A condition will be imposed requiring that construction hours be consistent with SOPA's standard hours for both early and general construction stages of the works.

The Proponent's Statement of Commitments addresses these concerns in the following ways:

- A revised Noise and Vibration Management Plan will be prepared by a suitably qualified consultant and will be submitted to and approved by the PCA prior to the Construction Certificate being issued.
- The Proponent (or its representatives) will maintain regular communications with SOPA, adjoining landowners and other stakeholders throughout the construction phase to ensure that the impacts to the surrounding area associated with construction activities on Site 4B are minimised.

In addition a condition of approval will be imposed, requiring a revised Noise and Vibration Management Plan to be submitted to the Department prior to issue of a Construction Certificate.

In light of these measures to ensure that the local amenity to the surrounding business activities is minimised, it is considered that the construction impacts on neighbouring properties will be effectively mitigated.

5.14 PUBLIC INTEREST

The proposed development is in the public interest for the following reasons:

- The proposal is consistent with the existing statutory planning controls relating to Site 4B;
- The proposal is in accordance with the type of development envisaged for the site under SREP 24 and the Master Plan 2002, and will make a significant economic contribution to the Town Centre Precinct and the wider SOP.
- The new area of public domain will constitute a valuable local resource and meets the environmental, social, and economic considerations for the Town Centre Precinct. The proposal represents an economic use of existing infrastructure at SOP, thereby contributing to the overall commercial viability of the area; and
- The proposal will add to the diversity of activities and uses at SOP, thereby potentially increasing visitor numbers.

6 CONSULTATION AND ISSUES RAISED

6.1 PUBLIC EXHIBITION DETAILS

The major project application was exhibited from 18 April 2007 for 30 days and was published on the Department of Planning website. The EA was made available to the public in the Department's Information Centre, Auburn Council and SOPA offices.

A Preferred Project Report was lodged on 16 July 2007 and as the changes to the project were not significant, it was not re-exhibited but was placed on the Department's website, in accordance with S75 of the Act.

6.2 SUBMISSIONS RECEIVED ON ENVIRONMENTAL ASSESSMENT AND PREFERRED PROJECT REPORT

The Department received a total of 9 submissions comprising 6 submissions from public authorities, and 3 submissions from the public. The public authority submissions raised the following concerns:

- Contamination report lacked conclusive confirmation that site is suitable for the use;
- Lack of activation of ground floor level of building/public domain area;
- Lack of information regarding rail vibration and noise impacts and potential impact of proposed development on existing rail tunnel;
- The removal of 22 of 26 existing Brush Box trees; and
- External vehicular access.

The public submissions raised concerns regarding amenity impacts during construction, loss of car parking area, lack of community facilities, lack of connection and diversity of design, lack of consultation with adjoining land owners, floor space allocation inequality between SOP sites and poor public domain space.

A summary of all submissions received can be found in **Appendix C**. The proponent responded to these submissions on 17 July 2007 and the proponent's response to these submissions is in **Appendix D**.

These submissions are discussed below.

6.3 PUBLIC SUBMISSIONS

A detailed discussion of the issues raised in submissions is in **Section 5** of this report, where it is concluded that, subject to conditions, the proposal is acceptable and the issues raised in the submissions can be adequately addressed and mitigated.

Key issues raised in the submissions are assessed immediately below.

6.3.1 Lack of consultation with neighbouring land owners

The application was publicly exhibited for 30 days and surrounding land owners were notified of the proposal. In addition, the Statement of Commitments for this Project has been amended to include an undertaking to maintain regular communications with adjoining landowners / other stakeholders throughout the construction phase to ensure that the impacts to the surrounding area associated with construction activities on Site 4B are minimised.

6.3.2 Floor space allocation

- *Proposed floor space exceeds the floor space allocation within the 2002 SOP Master Plan.*

The Master Plan 2002 provides for a total 24,000m² of **commercial** floor space on Site 4. The proposed development comprises 24,143m² of GFA which, when combined with the GFA for the approved Sofitel hotel on site 4A, equates to a total GFA of 39,800m² for Site 4. However, only the commercial floor space is relevant to the calculation of this 24,000m² allocation, as the Site 4A GFA has drawn from the Hotel floor space allocation set out in the Master Plan 2002.

Therefore, the proposed development at Site 4B will only exceed the commercial GFA for this site by 143m². In this regard, the Master Plan 2002 states that the floor space allocation is only indicative and that "actual floor space allocations will be confirmed through detailed design and development approval processes". As the proposed development is considered to be a suitable use of the site and meets the design criteria set out by the Master Plan 2002, it is considered that the GFA proposed is suitable for the site and the surrounding growth area.

- *Inequality of floor space allocation to adjoining landowners.*

With respect to the floor space allocation in Master Plan 2002, the proposal is not considered to result in an inequity in the allocation of floor space to adjoining landowners as it is in line with what was envisaged for commercial development on this site within the Master Plan. It is also noted that the GFA allocations within the Master Plan are indicative and subject to detailed design resolution.

This objection also relates to the proposed allocation of GFA within the proposed Master Plan 2025 which has not yet been exhibited. This issue is a matter to resolve during the preparation of the proposed Master Plan 2025 and is not relevant to the current proposal.

6.3.3 Construction impacts on adjacent construction site and neighbouring business amenity

- *Impact of construction-related vibration on sensitive neighbouring business activities.*

The proponent is prepared to accept a condition of approval which requires the submission, prior to commencement of works, of an additional Vibration Impact Assessment that addresses the impact of construction-related vibration on adjoining properties.

- *Proposed position of Site 4B luffing crane may interfere with Site 4A crane movements.*

The crane plan has been reviewed and the Construction Management Plan (CMP) has been revised to include one luffing crane that will be working within the Site 4B construction site boundaries. The Site 4B crane will be installed 4 months into the construction program. It has been advised by the SOPA that Practical Completion for the Sofitel development is scheduled for May 2008.

Despite the proposal to utilize one crane for the Site 4B development and with a consideration of the program for the two parties, there may be a conflict for the utilisation of the Site 4A and Site 4B cranes. It will then be the responsibility of Site 4A operators to ensure the Site 4A crane does not encroach upon the Site 4B boundary. The exact measures proposed to mitigate the conflict between the Site 4A and Site 4B cranes will be the subject of separate discussions between the construction managers of each site and will be agreed before the commencement of construction.

- *Proposed position of "A" class hoarding against Site 4A could restrict site access, existing materials storage facilities and site egress.*

The Site 4B construction site cannot be utilized for the Site 4A team for site accommodation and materials handling. The 'Indicative Site Establishment Plan' issued as part of the Agreement for Lease documentation, in consultation and in agreement with SOPA does not indicate special use of the 4B site by the Site 4A team. 'A' Class Hoarding is required around the perimeter of the 4B site however it will be located to allow egress from Site 4A.

- *Construction on Site 4B would impact upon the use of temporary site anchors for Site 4A.*

The Site 4A anchors are to be de-stressed in September 2007 and given this time frame there will not be a conflict. In addition, the Site 4B basement design will use temporary anchors located wholly within the 4B boundary for the construction of the basement parking.

- *The CMP indicates in excess of 1000 truck deliveries are planned immediately adjacent to the operating hotel's entry and pedestrian crossing.*

As part of the Agreement for Lease process between the Proponent and SOPA, it has been agreed that Herb Elliott Avenue will be utilised as the construction zone. SOPA have advised that the construction zone cannot be relocated to Olympic Boulevard and it is not possible to use the side lane for construction access as it is too narrow to allow for the manoeuvring of semi-trailers. It should be noted however, that as soon as the basement levels are clear (within first year of construction) all non-craneable deliveries will be unloaded from the loading

dock on the eastern side of the site. This will considerably reduce the number of vehicles unloading from the street.

- *The ability to utilise Lot 60 car park for heavy lifting of precast panels for Site 4A.*

For safety reasons, the Site 4B construction site must be secure. Upon commencement of works, Site 4A construction methodology will not be able to utilise the Lot 60 car park.

- *The Noise and Vibration Management Plan does not address the impact of Site 4B construction on the Sofitel site, once the hotel becomes operational.*

The Statement of Commitments includes an undertaking to prepare a revised Noise and Vibration Plan to address the impact of the construction on the Sofitel once it is operational. The revised Plan will be submitted prior to the Construction Certificate being issued. It should be noted however, that by the time Sofitel is in operation, the major works on Site 4B will be complete and the impact on the hotel will be considerably reduced.

- *Application will be made for extended working hours during the construction phase.*

Construction hours will be in accordance with the SOPA Interim Code of Development Construction Practice dated September 2006, as follows:

Mon – Fri	7.00am – 6.00pm
Sat	8.00am – 1.00pm
Sun / Public Hol.	Nil

In accordance with other SOP approvals, any construction outside of these hours will be subject to separate agreement with SOPA. This has been reinforced with a condition.

In addition, the Statement of Commitments has been amended to include an undertaking to maintain regular communications with SOPA / adjoining landowners / other stakeholders throughout the construction phase to ensure that the impacts to the surrounding area associated with construction activities on Site 4B are minimised.

- *Bulk excavation may cause structural distress to Sofitel building and stormwater collection and seepage into Sofitel basement.*

The Additional Geotechnical Investigation Report, submitted with the Preferred Project Report (**Appendix 2**), adequately addresses these issues concerning the increased number of basement levels from 3 levels to 5 levels. It is considered that the information submitted has appropriately addressed these issues.

6.4 SUBMISSIONS FROM PUBLIC AUTHORITIES

The following is a summary of submissions received from public authorities.

6.4.1 Auburn Council

- The failure of the Coffey Geotechnics Report to definitely conclude that the site **is suitable** for the intended use, as opposed to **likely** to be suitable;
- The need to firmly establish a retail use as opposed to a dual office/retail use on the ground floor;
- The building should have a maximum reflectivity of 20% in accordance with the reflectivity report;
- Disabled access should be provided throughout the site and shown clearly on plans; and
- The number of disabled parking spaces should be increased.

The Proponent has satisfactorily responded to these issues within the Preferred Project Report, providing sufficient evidence concerning the suitability of the site, the reflectivity of external materials, and the provisions for disabled access now provided, with the specific issue of contamination and land remediation considered in Section 5.10. The Department is therefore satisfied with the response and that these concerns have been addressed.

6.4.2 RailCorp

- A further acoustic assessment is sought demonstrating compliance with RailCorp guidelines on dealing with rail noise and vibration within the rail corridor;
- Applicant should employ electrolysis mitigation measures contained within the Corrosion Control Engineering Report dated 21 December 2006;
- Further geotechnical report requested to assess impact of proposed development on the existing rail tunnel beneath the site; and
- Prior to the commencement of works, prior to the issue of an Occupation Certificate, and following occupation, a joint inspection of the rail infrastructure and property in the vicinity of the project should be undertaken by representatives from RailCorp and the proponent.

The Proponent has included the RailCorp requirements within the Statement of Commitments in the Preferred Project Report to be satisfied at various stages of the work. RailCorp and the Department are satisfied with this response and, where appropriate, conditions of approval will be applied to ensure compliance with RailCorp requests.

6.4.3 Roads and Traffic Authority (RTA)

The RTA required the following issues be addressed:

1. Daily and peak traffic movements generated by the proposed development on surrounding roads and intersections, and any need for funding for upgrading works;
2. Management of car parking spaces;
3. Proposed access and adequacy of parking provisions associated with the proposed development;
4. Loading and servicing facilities;
5. Public transport accessibility; and
6. Provision of appropriate pedestrian facilities and links serving the site.

It is considered that the Traffic and Parking Assessment, prepared by Colston Budd Hunt & Kafes and dated November 2006, satisfactorily addresses RTA requirements. The report finds that the proposal would strengthen demand for existing public transport services in the area, and that access, servicing and layout of the proposed parking are considered appropriate. In addition, the existing road network will be able to cater for the traffic generated by the proposed development. A discussion of the parking access and provisions, loading facilities, and pedestrian links serving the site is contained within Section 5 of this report.

6.4.4 Heritage Council of NSW

The Heritage Council of NSW points to the Proponent's intention to remove all but 4 of the existing Brush Box trees, despite the Master Plan 2002 guidelines that recommend retention of all Brush Box trees. There is also concern about further erosion in the visual relationship between the State Abattoir and Olympic Boulevard. The Heritage Council recommends that the visual relationship and the existing Brush Box trees be retained, with suitable modifications made to the proposed development to achieve this aim. This matter is dealt with in Sections 5.3.3 and 5.9.2.

The revised landscape design treatment contained within the Preferred Project Report is seen as an adequate response to this submission, with the removal of the existing Brush Box trees a necessary aspect of the proposed development. The removal of these trees will be mitigated by the inclusion of 4 additional Brush Box and 6 Chinese Toona trees as part of the revised landscape design treatment.

The Department is therefore satisfied that the Heritage Council's concerns have been adequately addressed by the Proponent in the Preferred Project Report.

6.4.5 Sydney Olympic Park Authority (SOPA)

Despite regarding the project application as '*generally consistent with the SOP Master Plan 2002 and supporting policies*', SOPA raised initial concerns about a number of issues. These included:

- The need for additional information about the proposed public domain treatment and associated landscaping;
- Building alignment and the level of street activation in terms of the draft Master Plan 2025;
- The perceived absence of a strong commitment to achieving a high ESD initiative;
- The nature of external vehicular access to the proposed development;
- The need for a Public Domain Plan to accompany the proposal;
- The removal of existing Brush Box trees; and
- Details of external materials and finishes.

The Proponent has responded to SOPA's comments in their Preferred Project Report. The amendments incorporate retail use at the ground level in order to activate this level of the development. In addition, both SOPA and the Department are now satisfied with the current public domain treatment, external materials and the proposed landscape treatment, in the Preferred Project Report. Vehicular access to and from the site has been clarified and is discussed in Section 5.2.2 of this report. In addition, a condition of approval will be included, requiring that the building achieve a 4.5 Star AGBR rating or higher, in order to address concerns over a lack of commitment to achieving a high ESD initiative.

The Department is satisfied that SOPA's concerns have been adequately addressed in the Preferred Project Report.

6.4.6 Sydney Water

The issues raised in submissions have been considered in the assessment of the proposal. The Proponent has responded to the issues and concerns raised in submissions and the Department is satisfied that the amendments and revisions to the proposal, the Statement of Commitments, and recommended conditions of approval, appropriately address the issues raised in submissions.

7 CONCLUSION

The Department has assessed the EA and the Preferred Project Report, and considered the submissions in response to the proposal. The key issues raised in submissions related to the removal of Brush Box trees, the character of the proposed cross-circulation route across the site, and the impact of construction on neighbouring land uses and infrastructure. The Department has considered these issues and a number of conditions are recommended to ensure they are satisfactorily addressed, with minimal impacts resulting from the proposal.

The proposed development is well considered and appropriately achieves the urban design objectives for Site 4B, in a manner which will contribute positively to the emerging urban form and character of SOP. Furthermore, the project application has largely demonstrated compliance with the existing environmental planning instruments and generally meets the intent of the Master Plan 2002.

On these grounds, the Department considers the site to be suitable for the proposed development and that the project is in the public interest. Consequently, the Department recommends that the project be approved, subject to the conditions of approval.

8 RECOMMENDATION

It is recommended that the Minister:

- (A) consider the findings and recommendations of this Report; and
- (B) **approve** the carrying out of the project, under Section 75J *Environmental Planning and Assessment Act, 1979*; subject to modifications of the project and conditions and sign the Determination of the Major Project (**tag A**).

October 2007

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APPENDIX A DIRECTOR-GENERAL'S ENVIRONMENTAL ASSESSMENT REQUIREMENTS

Application number	MP 06 _0273 – Site 4B, Sydney Olympic Park
Project	A commercial office building consisting of: <ul style="list-style-type: none"> • three basement car park levels with approximately 350 parking spaces; • ground floor comprising retail, lobby and loading; and • six levels of commercial office space with total lettable area of approximately 21,000 m².
Site	Lot 60, DP 786296 and part Lot 50 DP 1045522 (known as Site 4B, Sydney Olympic Park)
Proponent	Bovis Lend Lease
Date of Issue	9 January 2007
Date of Expiration	2 years from date of issue
General Requirements	<p>The Environmental Assessment for the Project Application must include:</p> <ul style="list-style-type: none"> • An executive summary; • An outline of the scope of the project including:- <ul style="list-style-type: none"> (i) any development options; (ii) justification for the project taking into consideration any environmental impacts of the project, the suitability of the site and whether the project is in the public interest; (iii) outline of the staged implementation of the project if applicable; • A thorough site analysis and description of existing environment; • 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; • A signed statement from the author of the Environmental Assessment certifying that the information contained in the report is neither false nor misleading; • An assessment of the key issues specified below and a table outlining how these key issues have been addressed; and • A Quantity Surveyor's Certificate of Cost to verify the capital investment value of the project.
Key Assessment Requirements	<p>1. Relevant EPIs and Guidelines</p> <p>The Environmental Assessment must identify the nature and extent of any non-compliance with relevant environmental planning instruments, plans and guidelines and provide adequate justification for any non-compliance, including:</p> <ul style="list-style-type: none"> • Sydney Olympic Park Master Plan 2002; • Draft Master Plan 2025; • Sydney Regional Environmental Plan 24 – Homebush Bay Area; • State Environmental Planning Policy (SEPP) 55 – Remediation of Land; and • Sydney Olympic Park Master Plan Development Contributions Strategy Briefing Note for Developers (November 2002). <p>2. Built Form, Urban Design and Landscaping – the Environmental Assessment must include, but not be limited to, consideration of the following matters:</p> <ul style="list-style-type: none"> • the design quality of the proposal with specific consideration of the façade presentation, massing, setbacks, proportions to openings, building articulation, legibility and amenity of entrance; • the landscaping around the building and retention of existing significant trees (with justification for any tree removal);

	<ul style="list-style-type: none"> • measures to ensure adequate activation of the ground floor level and the public domain, including consideration of greater activation of the north-east ground level where the street frontage appears largely designed as back of house; • location of roof top plant and its relationship to the bulk and scale of the proposal; • wind impacts; • reflectivity – selection of materials to minimise glare reflectivity impacts; and • signage location. <p>The assessment must also address any comments of the SOPA Design Review Panel.</p> <p>3. Heritage A heritage impact statement of potential heritage impacts of the project, having regard to the Heritage Office's guideline Assessing Heritage Significance. Specifically, the design and form of the proposal needs to respond to, and assess any impacts on, the character of the former State Abattoir buildings. This assessment is to include, but not be limited to views, overshadowing and landscaping.</p> <p>4. Traffic, Access and Parking (i). The Environmental Assessment must include a detailed description and assessment of:</p> <ul style="list-style-type: none"> • proposed vehicular access arrangements for the development, specifically addressing timing of construction of future roads upon which the development relies; • daily and peak traffic movements likely to be generated by the proposed development and the impact on the local traffic network; • impact of the proposed development on the surrounding arterial road network and intersections; • the proposed arrangements for on-site car parking; • proposed road works; • the loss of public parking on-site and identification of any options to provide public access to on-site parking; and • justification for the amount of parking on-site. <p>(ii). A justification for the non-compliance with Section 5.3.6 of the Master Plan 2002, which requires that "public parking relocated from P5 (to be provided underground) where feasible."</p> <p>5. Noise, vibration and geotechnical The Environmental Assessment must assess:</p> <ul style="list-style-type: none"> • any impacts of the proposed development on the rail corridor and associated infrastructure; and • any impacts of the operation of the rail corridor on the proposed development, including noise, vibration and electrolysis. <p>6. Public domain/ pedestrians/ public art The Environmental Assessment is to demonstrate how the proposed building layout, design and treatment of the public domain and open spaces will in the context of the proposed uses:</p> <ul style="list-style-type: none"> • maximise safety and security within the public domain; • maximise surveillance and activity within the public domain; • ensure access for people with disabilities; and
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	<ul style="list-style-type: none"> • minimise potential for vehicle and pedestrian conflicts. <p>Details must also be provided of the Public Art component of the proposal.</p> <p>7. Potential Contamination Onsite The Environmental Assessment must include a comprehensive assessment of potential on-site contamination and include a remediation action plan if contamination is identified, in accordance with the requirements of SEPP 55.</p> <p>8. Sustainability The Environmental Assessment must include, but not be limited to, consideration of best practice measures to improve environmental performance of the building and surrounds. Specific consideration must be given to energy efficiency, water conservation, waste management and the use of SEDA and Greenstar standards.</p> <p>9. Test of adequacy If the Director General considers that the Environmental Assessment for the Project does not adequately address the Environmental Assessment Requirements, the Director General may require the proponent to submit a revised Environmental Assessment to address the matters notified to the proponent. The Director General may modify these requirements by further notice to the proponent.</p>
Deemed refusal period	Under clause 8E(2) of the Environmental Planning and Assessment Regulation 2000, the applicable deemed refusal period is 30 days from the end of the proponent's environmental assessment period for the project.

APPENDIX B COMPLIANCE WITH EPIs INCLUDING STATE ENVIRONMENTAL PLANNING POLICIES THAT SUBSTANTIALLY GOVERN THE CARRYING OUT OF A PROJECT

Environmental Planning Instruments considered in the assessment of the proposal:

Provisions of Environmental Planning Instrument	Consideration
State Environmental Planning Policy (Major Projects) 2005	
<p>The project is a Major Project under State Environmental Planning Policy (Major Projects) 2005 being development with a capital investment value of more than \$5 million on land described in Schedule 1 of the Sydney Olympic Park Authority Act 2001 as a project to which Part 3A of the Environmental Planning & Assessment Act 1979.</p> <p>The opinion was formed by the Director-General as a delegate for the Minister on 6 July 2006.</p>	<p>Identifies the site as an area to which Part 3A of the Act must apply.</p>
Sydney Regional Environmental Plan No. 24 – Homebush Bay Area	
<p>Clause 13 Matters for consideration in determining development applications</p> <p>In determining a development application, the consent authority must (in addition to considering the other matters required to be considered by section 79C of the Act) consider such of the following matters as are of relevance to the development the subject of the application:</p> <ul style="list-style-type: none"> (a) any relevant master plan prepared for the Homebush Bay Area, (b) any development control plans prepared for the land to which the application relates, (b1) to the extent to which it applies to land within Sydney Olympic Park, the "Environmental Guidelines" within the meaning of the <u>Sydney Olympic Park Authority Act 2001</u> and any plan of management referred to in section 34 of that Act, (c) the appearance, from the waterway and the foreshores, of the development, (c1) the impact of the development on significant views, (d) the effect of the development on drainage patterns, ground water, flood patterns and wetland viability, (e) the extent to which the development encompasses the principles of ecologically sustainable development, (f) the impact of carrying out the development on environmental conservation areas and the natural environment, including flora and fauna and the habitats of the species identified in international agreements for the protection of migratory birds, (g) the impact of carrying out the development on heritage 	<p>The proposal has been considered against the matters for consideration under SREP 24 and complies with the relevant criteria. The proposed development will not result in any adverse impacts upon significant views, and is not considered to result in any significant detrimental impacts upon drainage patterns, the natural environment, and heritage items. The proposal encompasses ecologically sustainable principles as discussed in Section 5.5 of this report.</p>

<p>items, heritage conservation areas and potential historical archaeological sites,</p> <p>(h) the views of the public and other authorities which have been consulted by the consent authority under this plan,</p> <p>(i) the issues listed in Schedule 7.</p>	
<p>Clause 18 Services</p> <p>Before granting consent, the consent authority must be satisfied that development will not commence until arrangements, which are satisfactory to servicing agencies it considers relevant, have been made for the supply of services such as water, sewerage, gas, electricity and drainage.</p>	<p>All necessary services have been provided to SOP in anticipation of development. Consultation with service authorities will be required throughout the development process.</p>
<p>Clause 20 Contaminated land</p> <p>Before granting consent to the carrying out of development within the Homebush Bay Area, the consent authority must be satisfied that:</p> <p>(a) adequate steps have been taken to identify whether the land the subject of the development is contaminated and, if so, whether remedial action needs to be taken, and</p> <p>(b) where such action is needed, satisfactory arrangements have been entered into with the Environment Protection Authority to meet any requirements specified by that Authority, and</p> <p>(c) where land to be remediated contains or adjoins land which contains remnants of the natural vegetation, consideration has been given to reinstatement on the land of vegetation of the same kind in a way which will enhance the remaining natural vegetation.</p>	<p>The Preferred Project Report was accompanied by an Additional Environmental Site Assessment carried out by Coffey Geotechnics Pty Ltd, which concluded that 'the site is suitable with respect to soil contamination for the proposed commercial landuse'.</p>
<p>Clause 20A Acid sulfate soils</p> <p>(1) Despite clause 35 of, and Schedule 1 to, the <u>Environmental Planning and Assessment Model Provisions 1980</u> adopted by this plan, development (not being exempt development or complying development) that is likely to result in the disturbance of more than one tonne of soil, or to lower the water table, on land on which acid sulfate soils are present may be carried out only with development consent.</p> <p>(2) Before granting a consent required by this clause, the consent authority must consider:</p> <p>(a) the adequacy of an acid sulfate soils management plan prepared for the proposed development in accordance with the Acid Sulfate Soils Assessment Guidelines, as published by the NSW Acid Sulfate Soils Management Advisory Committee and adopted for the time being</p>	<p>An Acid Sulphate Soil Risk Map was produced by the Olympic Coordination Authority in 1997. This sought to identify the extent of risk from acid sulphate soil across the SOP and surrounding area.</p> <p>Site 4B is located in an area of no environmental risk.</p>

<p>by the Director, and</p> <p>(b) the likelihood of the proposed development resulting in the discharge of acid waters, and</p> <p>(c) any comments received from the Department of Land and Water Conservation within 21 days of the consent authority having sent that Department a copy of the development application and of the related acid sulfate soils management plan.</p> <p>(3) Consent for development referred to in this clause is required despite clause 10 of <u>State Environmental Planning Policy No 4—Development Without Consent and Miscellaneous Complying Development</u>.</p>	
<p>24 Protection of heritage items and heritage conservation areas</p> <p>(6) The minimum number of issues that must be addressed by the heritage impact statement are:</p> <p>(a) for development that would affect a heritage item:</p> <p>(i) the heritage significance of the item as part of the environmental heritage of the Homebush Bay Area, and</p> <p>(ii) the impact that the proposed development will have on the heritage significance of the item and its setting, including any landscape or horticultural features, and</p> <p>(iii) the measures proposed to conserve the heritage significance of the item and its setting, and</p> <p>(iv) whether any archaeological site or potential historical archaeological site would be adversely affected by the proposed development, and</p> <p>(v) the extent to which the carrying out of the proposed development would affect the form of any historic subdivision, and</p>	<p>The proposed development site does not contain any heritage listed items, and is not within a conservation area.</p> <p>However, it is in close proximity to the Abattoir Heritage Precinct, and special attention has been paid to the likely impact of the proposal on views and setting of the heritage items.</p> <p>The proposed development is not seen as a threat to the unique character of the heritage items, and will not unduly impinge on views or the wider setting of the Abattoir Heritage Precinct.</p>
<p>27 Development affecting places or sites of known or potential Aboriginal heritage significance</p> <p>Before granting consent for development that is likely to have an impact on a place of Aboriginal heritage significance or a potential place of Aboriginal heritage significance, or that will be carried out on an archaeological site of a relic that has Aboriginal heritage significance, the consent authority must:</p> <p>(a) consider a heritage impact statement explaining how the proposed development would affect the conservation of the place or site and any relic known or reasonably likely to be located at the place or site, and</p> <p>(b) except where the proposed development is integrated</p>	<p>Site 4B is not recorded as a place of Aboriginal heritage significance.</p>

development, notify the local Aboriginal communities (in such way as it thinks appropriate) and the Director-General of National Parks and Wildlife of its intention to do so and take into consideration any comments received in response within 28 days after the relevant notice is sent.	
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Planning Control	Proposed	Compliance
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Sydney Olympic Park Master Plan 2002		
Building may be built to the corner street alignment provided: - The existing Brush Box trees are predominantly incorporated in the fabric of the development; - The ground levels are visually permeable providing views of the heritage precinct and the Brush Box trees.	New public thoroughfare across site contains existing and replacement Brush Box trees. Ground level is glazed on 3 of 4 elevations. Heritage precinct can be viewed from new area of public domain.	Yes
Maximum potential height of 8 storeys to reflect Ibis Hotel building on the opposite corner	Proposed 6 storeys	Yes
Intensify use and provide an active edge along Olympic Boulevard	A retail/commercial use will front Olympic Boulevard. Access to public domain, including public art, is possible from Olympic Boulevard via double-height colonnade.	Yes
Site 4 has the potential to accommodate a major public artwork	Details of a proposed digital art installation, to occupy several locations within the new area of public domain, will be submitted prior to the issue of a Construction Certificate.	Yes
Potential uses (for Site 4B) include commercial, entertainment, hospitality and leisure with opportunity for café or minor retail at ground level.	Proposed development comprises of a café and retail unit at ground floor level, with commercial uses on upper floors.	Yes
Vehicular and services access should be provided from Herb Elliott Avenue.	Vehicular and services access is from a planned laneway leading off Herb Elliott Avenue.	Yes
Proposed development should maximise opportunity for views to and from the site from the north, east, and west.	Primary views are along Olympic Boulevard and towards the Abbatoir Heritage Precinct. Proposal will not significantly impact either of these views.	Yes
Proposed development should contribute positively to the surrounding public domain by means of high quality architecture.	Vehicular access is provided via a new side street off Australia Avenue.	Yes

A colonnade along Olympic Boulevard and Herb Elliott Avenue street edge for pedestrian amenity is to be provided. The colonnade could provide connection through to the Brush Box trees	Pedestrian colonnades, fronting onto both Olympic Boulevard and Herb Elliott Avenue, are provided in the proposed design.	Yes
Retain and protect as many of the double row of Brush Box trees as feasible. No Brush Box may be removed without the approval of the Authority.	<p>22 of the existing 26 Brush Box trees are scheduled for removal, though 3 mature replacement Brush Box trees are included in the submitted Public Domain Plan.</p> <p>It is necessary to remove the trees as they are within the proposed building and excavation envelope. It is also significant that the Arboricultural Report classifies most of the Brush Box trees on Site 4B as being in fair-low condition, with many suffering from adverse environmental conditions including drought.</p>	Yes

State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55)

Consent Authority must not consent to any development without having consideration for any potential contamination of the land. Should contamination be detected, the Consent Authority must be satisfied that the land is suitable in its current state, or can and will be remediated to be made suitable for the proposed development.	The additional Environmental Site Assessment report concluded that the site 'is suitable with respect to soil contamination for the proposed commercial landuse', and is considered by the Department as satisfactory evidence of the site's suitability in terms of site contamination. This issue is addressed further in section 5.10.	Yes
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State Environmental Planning Policy No.11 – Traffic Generating Development

<p>The Roads and Traffic Authority (RTA) must be made aware of and given an opportunity to make representations in respect of this development.</p> <p>The RTA were notified and a response was received on 12 March 2007, requiring the following issues to be addressed:</p> <ol style="list-style-type: none"> 1. Daily and peak traffic movements generated by the proposed development on surrounding roads and intersections, and any need for funding for upgrading works; 2. Management of car parking spaces; 3. Proposed access and adequacy of 	The Traffic and Parking Assessment, prepared by Colston Budd Hunt & Kafes and dated November 2006, satisfactorily addresses the RTA's requirements. The report finds that the proposal would strengthen demand for existing public transport services in the area, and that access, servicing and layout of the proposed parking are considered appropriate. In addition, the existing road network will be able to cater for the traffic generated by the proposed development. A discussion of the parking access and provisions, loading facilities, and pedestrian links serving the site is contained within	Yes
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<p>parking provisions associated with the proposed development;</p> <p>4. Loading and servicing facilities;</p> <p>5. Public transport accessibility; and</p> <p>6. Provision of appropriate pedestrian facilities and links serving the site.</p>	Section 5 of this report.	
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Sydney Olympic Park Master Plan 2025

<p>Sydney Olympic Park Master Plan 2025 is a 20-year vision for the sustainable development of SOP which builds on SOP Vision 2025 document, described above.</p>	<p>The site-specific requirements for Site 4B are in accordance with those contained within the 2002 SOP Master Plan, with the site allocated for a 7-storey commercial development as part of a new commercial hub along Herb Elliott Avenue, with retail uses at ground floor level. This plan also sets a floor space ratio of 6.3:1 for site 4B, with the proposed development being clearly within this limit with a FSR of 4.5:1.</p>	Yes
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APPENDIX C SUMMARY OF SUBMISSIONS

Site 4B, Sydney Olympic Park MP06_0273

Summary of all submissions received for this application

Date	Stage of Process	Agency Comment
Heritage Council of New South Wales		
16.05.07	Exhibition	Visual relationship between Olympic Boulevard and Abattoir Heritage Precinct should be maintained.
		Existing Brush Box trees on site should be retained, with the design modified to enable this.
		Comments and recommendations contained within the Assessment of Heritage Impact prepared by Graham Brooks & Associates should be implemented, and appropriate conditions placed within conditions of consent.
Auburn Council		
30.05.07	Exhibition	As the amended proposal contains 5 levels of basement parking instead of 3 levels, a revised contamination report which meets the requirements of SEPP 55 should be submitted.
		The Coffey Geotechnics report states that 'the site is likely to be suitable, with respect to contamination, for the proposed commercial/industrial landuse'.
		A Phase 2 Contamination Report should be able to conclude the site is suitable for the intended use. If it cannot be concluded that the site is suitable then a remediation action plan (RAP) should be prepared.
		The Council would prefer to see a retail use in the south western corner of the ground floor rather than an office use.
		The building should have a maximum reflectivity of 20%.
		Disabled access from Olympic Boulevard is not overly clear on the plans. It is requested that disabled access is provided throughout the site and shown clearly on the plans.
		The number of disabled parking places should be increased from 4 spaces (1% of the total parking provision).
RailCorp		
22.05.07	Exhibition	The Construction Noise and Vibration Management Plan submitted with the EA does not appear to contain an investigation to detail the likely effect of rail-related noise and vibration upon the proposed development and accordingly requests that the Department include the following condition, to be satisfied prior to the issue of a Construction Certificate: "A further acoustic assessment is to be submitted to Council prior to the issue of a Construction Certificate demonstrating how the proposed development will comply with RailCorp's Interim Guidelines for Applicants in the consideration of rail noise and vibration from the adjacent rail corridor."
		With regards to the Electrolysis Report submitted with the EA, RailCorp requests that the Department impose the following condition: "The Applicant is to employ the Electrolysis mitigation measures recommended by the Corrosion Control Engineering report of 21 December 2006."
		The Geotechnical Report completed by Coffey Geotechnics does not make mention of the possible effects of the proposed development on the

		<p>nearby rail corridor. RailCorp still needs to be assured that the development has no adverse effects on the geotechnical and structural stability and integrity of RailCorp's facilities. It is requested that the Department impose the following condition of consent, to be satisfied prior to the issue of a Construction Certificate:</p> <p>"A further geotechnical report is needed to evaluate the impact of the development on the rail tunnel below the subject site. The Applicant shall submit a Geotechnical Report that specifically addresses the potential impact of the proposed development upon the rail tunnel for review by RailCorp to ensure that the proposed development is structurally sound and will not jeopardise the structural integrity of the existing rail tunnel."</p> <p>It is imperative that the construction and installation activities do not affect RailCorp's facilities, such as tunnels or embankments, etc. The activities will require full-time monitoring during the course of the works. It is noted that Item 5.4 of the Renzo Tonin Construction Noise and Vibration Management Plan recommends the preparation of a dilapidation report detailing the impact of construction vibration upon the rail tunnels before, during, and after construction. RailCorp requests that the Department impose the following condition of consent:</p> <p>"Prior to the commencement of works, during the works, prior to the issue of the Occupation Certificate, and following occupation, a joint inspection of the rail infrastructure and property in the vicinity of the project is to be carried out by representatives from RailCorp and the Applicant. These dilapidation surveys will establish the extent of any existing damage and enable any deterioration during and after construction to be observed. The timing of the surveys is to be agreed with RailCorp. The submission of a detailed dilapidation report will be required unless otherwise notified by RailCorp."</p> <p>During demolition, excavation, and construction, there is a need to ensure that there will be no adverse impact on the integrity of the RailCorp's facilities, or the operation of the network. It is requested that the Department impose the following condition of consent:</p> <ul style="list-style-type: none"> • A Risk Assessment/Management Plan and detailed Safe Work Method Statements (SWMS) for the proposed works are to be submitted to RailCorp for review and comment prior to the works commencing on site. It should be noted that RailCorp's representative may impose conditions on the methods to be used and require the provision of on-site Safe Working supervision for certain aspects of the works; • No excavation or boring is permitted within 2.0 metres (measured horizontally) of high voltage underground cable and 1.0 metre (measured horizontally) for low voltage cables; • As large-scale excavation is involved, the Applicant is required to put in place a vibration monitoring system to monitor vibration levels on the adjoining rail corridor for the duration of the works. The plan for this is to be submitted to RailCorp for review prior to the commencement of works; • Details of any proposed piling, sheet piling, batter and anchors should be provided to RailCorp for review and comment prior to work commencing. RailCorp may require the removal of such construction aids.
Roads and Traffic Authority		
12.3.07	Exhibition	<p>Daily and peak traffic movements generated by proposal on surrounding roads and intersections; need for funding for upgrading works;</p> <p>Management of car parking spaces.</p>

		Proposed access and adequacy of parking provisions associated with the proposed development.
		Loading and servicing facilities.
		Provision of appropriate pedestrian facilities and links serving the site.
		Public transport accessibility.
Sydney Olympic Park Authority		
31.05.07	Exhibition	Issues including the public domain treatment and associated landscaping, building alignment, and street activation, all require attention in the context of the 2025 Draft Master Plan.
		The lack of a strong commitment to achieving a high ESD initiative is of concern.
		The design of the proposed building, the location of the site, and the existing 'heritage' Brush Box trees require the provision of a more detailed plan.
		Fundamental aspects of public domain planning, such as changes in level, surface, and landscaping treatment are yet to be resolved. The Authority strongly recommends that a Public Domain Plan be finalised prior to the issue of any consent.
		The alignment of the proposed building and the activation issue has not been fully addressed to SOPA's satisfaction. The appearance of the proposed building remains one that does not actively address Olympic Boulevard, nor any other street. Articulation of the ground floor should also be addressed.
		The Department should also be aware that the application's attempt to pass of the proposed building as an environmentally friendly design is not in accordance with where SOPA sees itself as far as ESD initiatives are concerned. Reference is made to possible achievement of a 5-star AGBR level being achieved, yet there is no commitment to this outcome in the documentation.
		It is requested that a materials board be presented to the Design Review Panel prior to a Construction Certificate.
Sydney Water		
19.12.06	Exhibition	A number of recommendations were provided by Sydney Water in response to the proposed development: <ul style="list-style-type: none"> • The site is able to connect to a 200mm reuse main in Figtree Drive, to provide recycled water – Sydney Water strongly encourages the reuse of recycled water in new developments; • A Section 73 Compliance Certificate will be required; and • The fire fighting capacity of the development must be assessed to ensure general water demand does not impact on the fire fighting capabilities of surrounding areas.

APPENDIX D RESPONSE TO SUBMISSIONS

Site 4B, Sydney Olympic Park MP06_0273

Response to submissions received for this application

Item Ref.	Item	Response
Auburn Council Requirement		
1	A Phase 2 Contamination report should be prepared to confirm whether or not the site is suitable for the intended use.	Coffey Geotechnics has prepared an additional Environmental Site Assessment and Geotechnical Investigation reports to address the excavation for the additional basement levels. Copies of the relevant reports are included as Appendices 1 and 2 of the PPR .
2	Active ground floor uses – would prefer to see retail rather than office use in the south western corner of the building.	The development of SOP as a landmark commercial precinct is in its infancy. The development of Site 4B, together with the new commercial buildings on Sites 5, 6 and 7 will underpin future development in the precinct and the associated working population will provide some initial demand for retail and service facilities, which will increase over time as SOP continues to develop. However the population created by the proposed development may not generate the necessary demand to underpin the extent of retail currently shown on the drawings. On this basis, the Proponent proposes to provide some flexibility for use of the space initially, with a view to providing retail space on the ground floor after 3 years, when demand has increased for such a use.
3	Recommendations of the Reflectivity Report should be adopted with the building having a maximum reflectivity of 20%.	The building will be designed to a maximum of 20%. This has been confirmed in the Statement of Commitments included at Schedule 3 of this report.
4	Disabled access from Olympic Boulevard should be shown clearly on plans.	The proposed development was presented to SOPA's Access Advisory Committee on 21 November 2006. The Committee endorsed the proposal and acknowledged that equitable, dignified access and accessible facilities will be provided in and around the building. Disabled access from Olympic Boulevard has been resolved as part of the modifications to the Public Domain (refer amended Public Domain Plan at Appendix 3 of the PPR). Morris Goding has reviewed the amended Public Domain Plan and has provided advice that the proposed arrangements satisfy the requirements of the relevant Commonwealth legislation and BCA requirements. A copy of this advice is also included at Appendix 3 .
5	Disabled parking provision appears to be only 1% of total and should be increased.	SOPA's Access Advisory Panel accepted that the provision of 1% of parking within the privately owned portion of the car park is acceptable, but that the developer should provide accessible parking at the rate of 3% for 'public spaces / uses' ie. possible childcare

		<p>centre.</p> <p>This issue was discussed at the SOPA Access Advisory Committee meeting on 12/ 04/07 that the provision of one (1) additional space should be considered to address the possibility of the office accommodation on the ground floor being converted to a 'public space'.</p> <p>It should be noted that 369 spaces are provided in amended car park design. 1% of 369 is 3.69, however an additional space has been provided with a total of 5 disabled spaces provided.</p>
RailCorp		
1	<p>No investigation appears to have been undertaken to detail the likely effect of rail related noise and vibration upon the proposed development and requests the inclusion of the following condition on any consent issued to be satisfied prior to issue of the CC:</p> <p><i>A further acoustic assessment is to be submitted to Council prior to the issue of a construction certificate demonstrating how the proposed development will comply with RailCorp's Interim Guidelines for Applicants in the consideration of rail noise and vibration from the adjacent rail corridor.</i></p>	<p>An additional acoustic report will be prepared that addresses the impact of the rail related noise and vibration on the proposed development.</p> <p>This has been confirmed in the Statement of Commitments included at Schedule 3 of this report.</p>
2	<p>Requests the imposition of the following condition in relation to stray currents and electrolysis from rail operations:</p> <p><i>The applicant is to employ the Electrolysis mitigation measures recommended by the Corrosion Control Engineering report of 21 December 2006.</i></p>	<p>Recent advice from the Structural Engineer as a result of the detailed design process clarifies that the project does not literally comply with the recommendations in the Corrosion Control Engineering Report. As an alternative to RailCorp's recommended condition, the following undertakings are suggested and have been included in the Statement of Commitments:</p> <ol style="list-style-type: none"> 1. Plastic sheeting shall be installed below the concrete slab but not below footings because of bearing pressure requirements. To increase corrosion protection below footings the cover to reinforcement will be increased from the provisions included in the Concrete Structures Code. 2. All reinforcement below ground shall be embedded in concrete providing at least a B1 exposure classification for durability in accordance with the Concrete Structures Code. <p>In regard to point 2 above, it should be noted that the recommendation is greater than minimum code requirement of A2 exposure classification. There are no permanent metal structural elements in direct contact with the ground.</p> <p>RailCorp has assessed this issue and have advised that the original condition should be retained, however the following can be added to the end of the condition to allow a degree of flexibility providing it is acceptable to RailCorp: <i>"or an alternate solution submitted to and endorsed by RailCorp". This change will be reflected in the conditions.</i></p>
3	<p>RailCorp requires further assurance that the development will have no adverse effect on the geotechnical and structural stability and integrity of its facilities and has requested the following condition to be imposed on any consent, to be</p>	<p>The proponent is engaged in ongoing discussions/ consultation with RailCorp. The following additional information was submitted to RailCorp on 31/05/07:</p> <ul style="list-style-type: none"> • Structural report prepared by BLL • Geotechnical report prepared by Coffey

	<p>satisfied before the CC is issued: <i>A further geotechnical report is needed to evaluate the impact of the development on the rail tunnel below the subject site. The applicant shall submit a Geotechnical Report that specifically addresses the potential impact of the proposed development upon the rail tunnel for review by RailCorp to ensure that the proposed development is structurally sound and will not jeopardize the structural integrity of the existing rail tunnel.</i></p>	<p>Geotechnics</p> <ul style="list-style-type: none"> • Vibration methodology prepared by Renzo Tonin & Assoc • Structural drawings prepared by BLL • Architectural drawings prepared by BSA <p>A copy of the additional Geotechnical Report is included in Appendix 2 of the PPR.</p>
4	<p>That the following condition be imposed on any consent which requires the preparation of dilapidation survey, as follows: <i>Prior to the commencement of works, during works, prior to the issue of the Occupation Certificate and following occupation, a joint inspection of the rail infrastructure and property in the vicinity of the project is to be carried out by representatives from RailCorp and the applicant. These dilapidation surveys will establish the extent of any existing damage and enable any deterioration during and after construction to be observed. The timing of the surveys is to be agreed with RailCorp. The submission of a detailed dilapidation report will be required unless otherwise notified by RailCorp.</i></p>	<p>The Proponent is prepared to accept this requirement and has incorporated it in the Statement of Commitments for the Project (refer Schedule 3 of this report).</p>
5	<p>Requests the following conditions to manage Demolition, Excavation and Construction Impacts:</p> <ul style="list-style-type: none"> • <i>A Risk Assessment / Management Plan and detailed Safe Work Method Statements for the proposed works are to be submitted to RailCorp for review and comment prior to the works commencing on site. It should be noted that RailCorp's representative may impose conditions on the methods to be used and require the provision of on-site Safe Working supervision for certain aspects of the works.</i> • <i>No excavation or boring is permitted within 2.0m (measured horizontally) of high voltage underground cable and 1.0m (measured horizontally) for low voltage cables.</i> • <i>As large-scale excavation is involved, the applicant is required to put in place a vibration monitoring system to monitor vibration levels on the adjoining rail corridor for the duration of the works. The plan for this is to be submitted to RailCorp for review prior to the commencement of works.</i> • <i>Details of any proposed piling, sheet piling, batter and anchors should be provided to RailCorp for review and comment prior to work commencing. RailCorp may require the removal of such construction aids.</i> 	<p>The Proponent is prepared to accept this requirement and has incorporated it in the Statement of Commitments for the Project (refer Schedule 3 of this report).</p> <p>The Proponent is prepared to accept this requirement and has incorporated it in the Statement of Commitments for the Project (refer Schedule 3 of this report).</p> <p>The Proponent is prepared to accept this requirement and has incorporated it in the Statement of Commitments for the Project (refer Schedule 3 of this report).</p> <p>Bovis Lend Lease is prepared to accept this requirement and has incorporated it in the Statement of Commitments for the Project (refer Schedule 3 of this report).</p>

Roads and Traffic Authority		
1	Daily and peak traffic movements generated by the proposed development on surrounding roads and intersections, and any need for funding for upgrading works;	The Traffic and Parking Assessment, prepared by Colston Budd Hunt & Kafes and dated November 2006, satisfactorily addresses the RTA's requirements. The report finds that the proposal would strengthen demand for existing public transport services in the area, and that access, servicing and layout of the proposed parking are considered appropriate. In addition, the existing road network will be able to cater for the traffic generated by the proposed development. A discussion of the parking access and provisions, loading facilities, and pedestrian links serving the site is contained within Section 5 of this report.
2	Management of car parking spaces.	
3	Proposed access and adequacy of parking provisions associated with the proposed development.	
4	Loading and servicing facilities.	
5	Provision of appropriate pedestrian facilities and links serving the site.	
6	Public transport accessibility.	
Heritage Council		
1	<p>The existing Master Plan guidelines require the retention of the double row Brush Box trees and the existing views around the heritage precinct.</p> <p>The Heritage Council acknowledges that the existing visual relationship between the State Abattoir and the Olympic Boulevard will be affected to some extent by the new development on Site 4A, it recommends that this relationship with the existing trees be retained and therefore, appropriate modifications should be made to the proposed development to achieve this aim.</p>	<p>It should be noted that the Master Plan guidelines do not strictly "require" retention of the trees, the provision is worded as follows:</p> <p>"Retain and protect as many of the double row of brush box trees as feasible."</p> <p>The Proponent has modified the landscape treatment in the Public Domain (refer Appendix 3 of the PPR) and incorporates four (4) additional Brush Box trees to supplement the four remaining existing trees. This arrangement is intended to assist with the interpretation of the original plantings and their relationship to the heritage precinct. Please refer to the Landscape Design Statement in Appendix 3 of the PPR for further detail.</p>
2	In relation to archaeological management, the comments and recommendations contained within the Assessment of Heritage Impact prepared by Graham Brooks and Associates dated 19 January 2007 should be implemented and appropriate conditions should be placed within the conditions of consent should approval be granted.	Bovis Lend Lease is prepared to accept this requirement as a condition of any approval issued in respect of the Project Application.
3	An interpretation strategy and plan should be developed in line with the Heritage Office's guidelines and the approved interpretation plan should be implemented before the completion of work.	Bovis Lend Lease is prepared to accept this requirement as a condition of any approval issued in respect of the Project Application.
Sydney Olympic Park Authority		
1	<p>A Public Domain plan should be finalized prior to the issue of consent. This plan should:</p> <ul style="list-style-type: none">• be prepared in consultation with SOPA;• revisit the opportunity to retain more of the Brush Box trees as part of the changes to the basement parking;• resolve the changes in levels, surface and landscaping treatment.	<p>A series of meetings with SOPA have been held to resolve the treatment in the public domain (including public art) and the building alignment on Olympic Boulevard.</p> <p>The amended Public Domain Plan has been prepared and submitted to SOPA for its endorsement. A copy of the plan is included at Appendix 3 of the PPR.</p>
2	With regard to how the proposed development meets the requirements of both the existing and future Master Plans, the alignment of the proposed building and the activation issue has not been addressed to SOPA's satisfaction	As indicated previously in this report, a series of meetings have been held with SOPA officers to resolve this issue. The drawings prepared by Bates Smart and included at Appendix 4 of the PPR illustrate the manner in which the activation issue has been

	<p>addressed, as described below.</p> <p>The development of SOP as a landmark commercial precinct is at its infancy. The development of Site 4B, together with the new commercial buildings on Sites 5, 6 and 7 will go a long way to underpin future development in the precinct and provide some initial demand for retail and service facilities.</p> <p>The population created by the proposed development will not generate the necessary demand to underpin the extent of retail currently shown on the drawings. However, it is acknowledged that the demand will increase over time as SOP develops further. On this basis, the strategy is to progressively review retail space over time. In the short term, a retail / office component has been included in the south west corner of the building to assist in the activation of the Olympic Boulevard.</p> <p>In terms of the architectural activation of the elevations, the building has three street frontages with a fourth frontage to the through-site link. Pedestrian orientated facilities in the form of café and large entry lobby activate Herb Elliott Avenue and the public open space between the building and the Sofitel (through-site link). A double height colonnade reinforces the building entry and provides covered pedestrian access as well as the opportunity for outdoor seating in this area.</p> <p>The proposal has been revised to accommodate additional retail space on the Olympic Boulevard frontage. The western elevation of the building has been altered to provide a double height colonnade above the retail / café space. This enhances the project entry and retail address from Olympic Boulevard.</p> <p>The western façade is articulated through an expressed sheer glass element which projects from the main facade of the building (the 'pop out'). This element contrasts to that of the typical glazed façade where expressed vertical mullion caps, 750mm deep horizontal sunshades and a masonry spandrel are used to provide texture and articulation.</p> <p>The development is generally aligned to the site boundaries. The massing is expressed as two office volumes at 90 degrees to each other and linked at 45 degrees by a bridge element. This bridge element is expressed as a screen in contrast to the glass office forms which are separated along the eastern street frontage by a recessed stair.</p> <p>The ground plane, comprised of loading dock, car park entry and back-of-house areas is set back behind the columns and clad in a masonry material. Both corners of this street frontage are glazed to create active street corners.</p> <p>The glass volumes are articulated at the NE and SE corner by two 'pop out' volumes. The NE 'pop out' is defined by a glass screen and reinforces the different</p>
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		<p>use of the space within. The projecting glazed 'pop out' to the SE is splayed to align with the western boundary and returns along the southern boundary to articulate the southern elevation.</p> <p>Continuous clear glazing at ground level creates a contrast with that of the office glazing above as well as providing visual connection between the public domain areas and the interior spaces. This glazing is set back behind the line of columns to respond to the pedestrian scale of the adjoining public realm.</p>
3	The building is not in accordance with where SOPA sees itself as far as ESD initiatives are concerned. Reference is made to possible achievement of a 5 star AGBR level being achieved, yet there is no commitment to this outcome in the documentation.	<p>The building will achieve a 4.5 star AGBR rating, which is consistent with SOPA's Master Plan 2002 requirement for all commercial buildings in SOP and the commercial obligations entered into by SOPA and the applicant.</p> <p>The proponent is prepared to accept a condition of consent requiring that the building owner enter into a Commitment Agreement for the 4.5 star rating. In discussions with SOPA, it is understood that it will continue to encourage a higher energy efficiency and supports buildings that are of a 5 Green Star rating. Draft Master Plan 2025 will require a 4.5 star AGBR rating.</p> <p>A condition will be added requiring a minimum 4.5 star rating.</p>
4	It is also requested that a materials board be presented to the Design Review Panel prior to a Construction Certificate being issued.	<p>Further design details have been included as part of the documentation which accompanies this Preferred Project Report. Please refer to Appendix 6 of the PPR: Preliminary Materials Schedule.</p> <p>Final design details will be submitted to SOPA for review and comment prior to installation of the elevational treatments. This undertaking has been incorporated in the revised Statement of Commitments (refer Section 3 of this report).</p>
Issues Raised in Public Submissions		
1	Proximity of the proposed building to the neighbouring Sofitel, and the impact of this proximity on amenity levels.	<p>The proposed through-site link has a minimum width of 15.8m between the glazing to the proposed ground floor lobby and the three-storey podium of the hotel. The generous physical extent of the public domain will ensure that the level of amenity in the adjoining Hotel will be appropriate given its context.</p> <p>The proposal includes a double height colonnade along Herb Elliott Avenue with a horizontal width of 19.4m, which creates a generous pedestrian entry to the development and the public domain.</p> <p>The façade of the café at ground level has also been splayed to enhance the physical connectivity into the public area. The colonnade provides a sheltered walkway into the building with opportunities for outdoor seating adjacent to the café.</p>
2	Impact of construction-related vibration on sensitive neighbouring business activities and additional vibration impact assessments are	The proponent is prepared to accept a condition on any approval issued in respect of this Project Application which requires the submission, prior to commencement

	requested.	of construction, of an additional vibration impact assessment that addresses the impact of construction-related vibration on adjoining properties.
3	Loss of parking as a result of the proposed development.	SOPA is responsible for the co-ordination and provision of public parking within SOP. In this regard SOPA's Executive Director, Property has confirmed that SOPA has no requirement for the provision of public car parking on Site 4B as it has been provided on another of the Town Centre sites.
4	The proposed proposal fails to provide a suitable community facility.	There is no requirement in the Master Plan or SREP 24 for the provision of a community facility. SOPA is responsible for the provision of community facilities within SOP. To this end, the Environmental Assessment details the anticipated Section 94 Contributions which have been calculated in accordance with SOPA's Development Contributions Strategy.
5	Connection and diversity: • southern elevation lacks design interest or diversity • design focuses on the back of the Sofitel and the shaded public domain at ground level • blank wall along significant portion of eastern elevation	The proposed southern elevation is comprised of two major contrasting building elements which provide an appropriate level of diversity and interest in this façade. The typical façade to the east uses a solid spandrel with expressed vertical mullions to create depth and articulation. This contrasts with the sheer glass projected 'pop out' element to the west that is splayed to align with the boundary. The building concept creates clearly defined entry statements from both Herb Elliott Avenue and Olympic Boulevard via double height colonnades. Both entries terminate at the building lobby which has a continuous clear glass façade with access to the through-site link activating the public space. The eastern elevation at ground level will be set back behind the line of structural columns to create a level of articulation. The ends of this elevation will be clear glazing to provide visual connection to a café adjacent to Herb Elliott Avenue and office space to the south.
6	Lack of consultation with adjoining landowners about the impact of the new development on the operation of existing land uses.	Refer to discussion in Section 1.3 of this report. The application was publicly exhibited for 30 days and surrounding land owners were notified of the proposal. In addition, the Statement of Commitments for this Project has been amended to include an undertaking to maintain regular communications with adjoining landowners / other stakeholders throughout the construction phase to ensure that the impacts to the surrounding area associated with construction activities on Site 4B are minimised.
7	The proposed floor space for Site 4B exceeds the indicative floor space allocation within the Master Plan 2002.	The Master Plan 2002 provides for a total of 24,000m ² of commercial floor space on Site 4. The proposed development comprises 24,143m ² of GFA which, when combined with the GFA for the approved Sofitel hotel on site 4A, equates to a total

		GFA of 39,800m ² for Site 4. However, only the commercial floor space is relevant to the calculation of this 24,000m ² allocation, as the Site 4A GFA has drawn from the Hotel floor space allocation set out in the Master Plan 2002. Therefore, the proposed development at Site 4B will only exceed the commercial GFA for this site by 143m ² . In this regard, the Master Plan states that "actual floor space allocations will be confirmed through detailed design and development approval processes". As the proposed development is considered to be a suitable use of the site and meets the design criteria set out by the Master Plan, it is considered that the GFA proposed is suitable for the site and the surrounding growth area.
8	There is an inequality of floor space allocation to other adjoining landowners.	This issue relates to the proposed GFA in the draft MP 2025 which has not yet been exhibited and is a matter for the Department of Planning and SOPA. This issue is not relevant to the current proposal. However it should be noted that the proposal is generally consistent with the 2002 Master Plan that considers floor space allocation across SOP.
9	Concern regarding the proposed removal of established brush box trees on the site.	This issue has been discussed above. The amended Public Domain Plan at Appendix 3 of the PPR sets out the detailed resolution of the planting arrangement, as agreed with SOPA, where it was concluded that the removal of the trees and replacement with new ones is acceptable.
10	Proposed positioning of the Site 4B construction zone will have a negative impact on Site 4A.	Refer previous comments in relation to this issue.
11	Concern that there could be an overlap between Cranes on Sites 4A and 4B.	Refer previous comments in relation to this issue.
12	Proposed position of "A" class hoarding against Site 4A could restrict site access, existing materials storage facilities and site egress.	Refer previous comments in relation to this issue.
13	The continued construction on Site 4A would impact upon the use of temporary site anchors for Site 4B.	Refer previous comments in relation to this issue.
14	The proposed working hours (construction phase) would impact on the trading of the Sofitel and Novotel. It is recommended that working hours be limited to 8am to 4pm during hotel opening hours.	Refer previous comments in relation to this issue.
15	Greater attention should be paid to the delivery of materials to Site 4B, as the proposed delivery point would be directly adjacent to the existing entrance and main pedestrian crossing to the Sofitel.	Refer previous comments in relation to this issue.
16	The CMP indicates in excess of 1000 trucks with material deliveries loading and unloading immediately adjacent to the Site 4A lifting and delivery point, in a location currently planned as a pedestrian crossing. The CMP does not address the impact of this location on the Sofitel site, the safety risks or operational effects on the hotel construction or the pedestrians. The Site 4B Construction Zone should be relocated to the new side lane of the site, which would limit noise and improve safety.	<p>The CMP has been revised and is included as Appendix 5 of the PPR. The revised document addresses the impact on the Sofitel site, including safety risks and operational effects on the hotel construction and pedestrians. As agreed as part of the Agreement for Lease process Herb Elliott Avenue will be utilized as the construction zone.</p> <p>In regard to the location of the construction zone SOPA has advised (meeting with BLL and TAHL on 28 May 2007), that there was no pedestrian crossing planned for Herb Elliott Avenue. SOPA officers also advised that</p>

		<p>BLL cannot relocate the construction zone for Site 4B to Olympic Boulevard.</p> <p>It should be noted that it is not possible to use the side lane for construction access as it is too narrow to allow for the maneuvering (reversing) of semi trailers in / out of the laneway.</p> <p>Notwithstanding the above, as soon as the basement levels are clear (within first year of construction), all non-craneable deliveries will be unloaded from the loading dock within the site. This will considerably reduce the number of vehicles unloading from the street.</p>
17	<p>The CMP shows two luffing cranes. The applicant needs to consider that the TAHL crane radius is over both their crane locations. It should be noted that the crane location and swing plan was approved as part of the CMP for Site 4A. It is critical that if there is an overlap in the cranes on the sites, it is managed so that the Site 4A crane movements are not restricted.</p>	<p>The crane plan has been reviewed and now includes one luffing crane that will be working within the Site 4B construction site boundaries. As indicated above, the CMP has been revised to incorporate the arrangement described above.</p> <p>The Site 4B crane will be installed roughly 4 months into the construction program (currently late January 2008). It has been advised by the SOPA that Practical Completion for the Sofitel development is not scheduled until May.</p> <p>Despite the proposal to utilize one crane for the Site 4B development and with a consideration of the program for the two parties, there will be a conflict for the utilisation of the Site 4A and Site 4B cranes.</p> <p>It will then be responsibility of TAHL to ensure the Site 4A crane does not encroach upon the Site 4B boundary. The exact measures proposed to mitigate the conflict between the Site 4A and Site 4B cranes will be the subject of separate discussions between the SOPA and will be agreed before the commencement of construction.</p>
18	<p>The CMP indicates an "A" class hoarding hard up against the Site 4A building. It should be noted:</p> <ul style="list-style-type: none"> • This area has been relied upon by the builder of Site 4A for site accommodation and materials handling. This is marked on the CMP within the Agreement to Lease with SOPA and the Environmental Assessment approved by the DoP. These areas would no longer be available to Site 4A and would significantly affect the buildability and methodology to construct the project. This could impact on the obligations of both SOPA and TAHL within the Agreement to Lease. • This area is required for emergency egress paths on Site 4A with fire stairs exiting on these levels as illustrated in the approved development. • This would affect the quiet enjoyment of the hotel; and • This would affect access to the two easements required for services; 	<p>The Site 4B construction site cannot be utilized for the Site 4A team for site accommodation and materials handling. The 'Indicative Site Establishment Plan' issued as part of the Agreement for Lease documentation, in consultation and in agreement with SOPA does not indicate special use of the 4B site by the Site 4A team.</p> <p>Emergency egress will be provided for Site 4A. 'A' Class Hoarding is required around the perimeter of the 4B site however it will be located to allow egress from Site 4A.</p>
19	<p>Cannot determine the type of basement perimeter / shoring proposed for Site 4B. Sofitel</p>	<p>This issue is not expected to be a problem provided that the Anchors on Site 4A are de-stressed in early</p>

	currently has temporary ground anchors which would protrude into the Site 4B basement as currently designed. These anchors will be de-stressed around September 2007 as a right in the Agreement to Lease with SOPA. The Site 4B basement design would not be able to use temporary anchors where they abut Site 4A.	September as construction works are not scheduled to commence on Site 4B until early September 2007. Notwithstanding the above, the Site 4B basement design will use temporary anchors located wholly within the 4B boundary for the construction of the basement parking.
20	The ability to utilise Lot 60 car park for some lifting has been relied upon for heavy lifting of precast panels for Site 4A. If Site 4B's planned construction methodology is approved TAHL would lose the ability to use this area. This space was nominated in the approved CMP for Site 4A and included in the Agreement to Lease with SOPA.	For safety reasons, the Site 4B construction site must be secure. From September 2007, TAHL / St Hilliers will not be able to lift from Lot 60 car park.
21	The Noise and Vibration Management Plan does not address the impact of Site 4B construction on the Sofitel site, once the hotel becomes operational. Further information on the impact should be provided for comment and measures put in place to ensure that the hotel guests and operations are not affected.	The Statement of Commitments includes an undertaking to prepare a revised Noise and Vibration Plan to address the impact of the construction on the Sofitel once it is operational. The revised Plan will be submitted prior to the Construction Certificate being issued. It should be noted however, that by the time Sofitel is in operation, the major works on Site 4B will be complete and the impact on the hotel will be considerably reduced.
22	BLL notes that application will be made for extended working hours during the construction phase which would further impact on the trading of the Novotel and Sofitel. TAHL Homebush operates these hotels and requires details of any request for additional house and the right of comment / objection if extended working hours are contemplated.	Construction hours will be in accordance with the SOPA Interim Code of Development Construction Practice dated September 2006, as follows: Mon – Fri 7.00am – 6.00pm Sat 8.00am – 1.00pm Sun / Public Hol. Nil Notwithstanding, the Statement of Commitments has been amended to include an undertaking to maintain regular communications with SOPA / adjoining landowners / other stakeholders throughout the construction phase to ensure that the impacts to the surrounding area associated with construction activities on Site 4B are minimised.
23	The CMP indicates in excess of 1000 truck deliveries are planned immediately adjacent to the operating hotel's entry and pedestrian crossing. The CMP does not address the impact of this location on the Sofitel – safety, noise and effects on the operation of the hotel. Sofitel would prefer that materials handling occurs from the new side lane of the site, which would limit noise and improve safety.	As indicated above, it is not possible to use the side lane for construction access to Site 4B as it is too narrow to allow for the manoeuvring (reversing) of semi trailers. It should be noted however, that as soon as the basement levels are clear (within first year of construction) all non crane-able deliveries will be unloaded from the loading dock on the eastern side of the site. This will considerably reduce the number of vehicles unloading from the street.
24	The Site 4B primary site access point should be relocated away from the Sofitel entry. It is currently shown at the point closest to the hotel entry without any justification.	As indicated above, SOPA officers have advised that BLL cannot relocate the construction zone for Site 4B to Olympic Boulevard and it is not possible to use the side lane for construction access.
25	The operating hours are noted as 7.00am to 6.00pm, 5 days a week and 7.00am to 3.00pm Saturdays. TAHL Homebush requests that the	Construction hours will be in accordance with the SOPA Interim Code of Development Construction Practice dated September 2006, which is consistent with other

	hours be limited to 8.00am to 4.00pm when Sofitel is operational.	approvals granted in SOP, as follows: Mon – Fri 7.00am – 6.00pm Sat 8.00am – 1.00pm Sun / Public Hol. Nil
26	<p><i>Bulk excavation may cause the following problems for the adjacent 4A site:</i></p> <ul style="list-style-type: none"> <i>Vibration from construction equipment and other construction works may cause structural distress to Sofitel building;</i> <i>Ground anchors from Site 4B could damage Sofitel building; and</i> <i>Site 4B excavation works may cause stormwater collection and seepage into Sofitel basement.</i> 	<p>The Additional Geotechnical Investigation Report, submitted with the Preferred Project Report (Appendix 2), adequately addresses these issues concerning the increased number of basement levels from 3 levels to 5 levels. It is considered that the information submitted has appropriately addressed these issues.</p>