



Section 75W Submission

prepared in respect of Project Application
MP06_0273 for the Development of

SITE 4B SYDNEY OLYMPIC PARK

January 2011

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1 Introduction

This report has been prepared by Helen Mulcahy Urban Planning on behalf of Bovis Lend Lease Pty Ltd and Colonial First State. The report constitutes an application made pursuant to Section 75W of the Environmental Planning and Assessment Act 1979 (EP&A Act), seeking modification of the project approval issued by the Minister for Planning on 19 October 2007 in respect of Major Project Application 06_0273, known as Site 4B at Sydney Olympic Park.

Section 75W of the EP&A Act sets out the parameters under which the Minister may modify a Project Approval. "Modification of approval" means changing the terms of the Minister's approval, including:

- (a) revoking or varying a condition of the approval or imposing an additional condition of the approval, and
- (b) changing the terms of any determination made by the Minister.

Subclause (3) provides that:

The request for the Minister's approval is to be lodged with the Director General. The Director General may notify the proponent of environmental assessment requirements with respect to the proposed modification that the proponent must comply with before the matter will be considered by the Minister.

This report describes the proposed modification, and includes an assessment of the proposal in accordance with the Director General's Environmental Assessment Requirements (DGR's) issued under Part 3A of the EP&A Act on 9 January 2007 for the original application. This report should be read in conjunction with the specialist studies and other information appended.

Reference should also be made to the Environmental Assessment prepared by Helen Mulcahy Urban Planning to accompany the original application (dated March 2007) and the Preferred Project report (PPR) for that application also prepared by Helen Mulcahy Urban Planning that was submitted to the Minister for Planning in July 2007.

1.1 Background

On 19 October 2007, the Minister for Planning granted approval, subject to conditions, to a Project Application MP 06_0273, for the following:

- construction of an "A" grade, 7 storey commercial office building;
- 5 basement car park levels with approximately **369** parking spaces;
- ground floor comprising retail, quasi-commercial lobby and loading;
- six (6) levels of commercial office space with a gross floor area of **24,143** sqm (which translates to a floor space ratio of 6.05:1);
- landscape treatment of the public domain between the subject site and the Sofitel Hotel which is currently under construction on Site 4A, as set out in the Public Domain Plan prepared by Aspect Sydney; and
- the removal of 22 trees.

The proposed modified proposal sits entirely within the extent of the original Project Application site as currently approved and legally described as Lot 60 DP 786296 and Part Lot 50 DP 1045522.

1.2 Need for Modification of the Project Approval

The original building was designed as part of the Commonwealth Bank campus at Sydney Olympic Park. The Bank subsequently re-evaluated its space requirements and decided that it no longer required the floor space to be provided in the building approved on Site 4B.

Current market trends for commercial office space indicate that the floor space in the development is more likely to be taken up by multiple tenants (as opposed to the single Bank tenant). Accordingly, various amendments to the proposed development are required to improve the efficiency and flexibility of the development to render it more suitable for multiple tenancies.

1.3 Overview of Proposed Modification

The extent of the modifications to the approved development can be summarised as follows:

- construction of two (2) "A" grade commercial buildings, comprising an 8 storey building which addresses Herb Elliott Avenue (hereinafter referred to as the North Building) and a 10 storey building which is oriented to Olympic Boulevard (South Building);
- additional 1,956sqm GFA resulting in a total GFA of 26,099sqm and a corresponding FSR of 6.48:1;
- 735sqm increase in the landscaped area including the through-site link (total now provided 2,545sqm);
- removal of 17 trees (which represents a net increase in the number of existing trees retained from 4 to 9); and
- reconfiguration of the basement car park which results in the provision of 273 parking spaces provided over 5 basement levels (a net reduction of 96 spaces from the approved scheme).

The application also seeks approval to stage the construction to provide optimal flexibility in the delivery of the project. The impacts associated with the staging works are addressed in Section 2.7 of this report.

It should be noted that no substantive changes are proposed to the location of the approved vehicle access, extent of road works or pedestrian access.

1.4 Specialist Reports

The Architectural Package which forms part of this application has been prepared by Bates Smart and includes plans, elevations and sections as well as Shadow Diagrams, a View Analysis and a detailed Area Schedule.

This report has been prepared with the assistance of a number of specialist consultants, as follows:

Landscape Package	Aspect Design Studio	Appendix 1
Description of Staging Options	Bovis Lend Lease	Appendix 2
Traffic & Parking	Colston Budd Hunt & Kafes	Appendix 3
Accessibility Report	Morris Goding	Appendix 4
Wind Impact Assessment	Windtech	Appendix 5
Reflectivity Report	Windtech	Appendix 6
ESD Report	Bovis Lend Lease	Appendix 7

Copies of each of the abovementioned information are included as appendices to this Environmental Assessment. The Architectural Package is provided under separate cover.

2 Description of Proposed Modifications

This section of the report should be read in conjunction with the Architectural Package prepared by Bates Smart which accompanies this application. The Design Statement provides a detailed description of the evolution of the proposed modifications and a comparison with the approved scheme.

2.1 General

As a result of the proposed modification, the Project Approval will allow for:

- **Reconfiguration and redistribution of the floor space to create two (2) separate buildings**, as follows:
 - 8 storey building to Herb Elliott Avenue comprising 9,474sqm GFA and known as the North Building; and
 - 10 storey building to Olympic Boulevard comprising 16,625sqm GFA, known as the South Building.

The buildings observe a physical separation of 6 metres;

- **A net increase in GFA of 1,956 sqm** which results in a total GFA of 26,099sqm¹. This translates to a total FSR of 6.48:1, which is within the 6.5:1 maximum permissible.
- **Reduction in the size and extent of the basement** resulting in a reduction in the quantum of on-site parking (from 369 spaces to 273 spaces) and the ability to retain an additional five (5) existing trees.
- **Reconfiguration and enlargement of the through-site link** between Olympic Boulevard and Herb Elliott Avenue.
- **Staging of the construction** to respond to market demand (if required).

The proposed modifications to the design are a direct response to the client's brief for two separate buildings which will allow for occupation by smaller tenants. It is anticipated that the differently sized floor plates and buildings will appeal to a greater range of building users and will achieve occupation at a greater rate than through the provision of a single building.

The philosophy adopted for the proposed modification is defined by a best practice approach to office space and is characterized by:

- large simple modular floor plates;
- flexible and adaptable workspaces achieved through the provision of side cores; and
- consistent floor plates to minimise "churn".

In addition to addressing the requirements of the new workplace environment the proposed scale, form and materials of the buildings respond to the surrounding context and reinforce the unique character of Sydney Olympic Park.

¹ Calculated in accordance with the definition of Gross Floor Area embodied in the Environmental Planning and Assessment Model Provisions 1980.

2.2 North Building

The main entry to the North Building is from Herb Elliott Avenue via a generous double height colonnade which provides access to a large entry lobby, directly visible from the public domain. Continuous glazing at the ground floor reinforces the visual and physical permeability between the ground floor interiors and the public domain.

A single revolving door is located in the Herb Elliott Avenue façade which is wholly contained within the building – that is, it does not project beyond the building footprint. This arrangement ensures that pedestrian flows in and around the colonnade space are not unduly interrupted or impeded by pedestrians entering or leaving the building. Alternative access (including for people with a disability) is available via a hinged door with 850mm clear width compliant with AS1428.1:2009, clause 13.2 and the SOP Access Guidelines, clause 2.11.

The ground level incorporates retail floor space along the edge of the colonnade and the main lobby. The lobby area accommodates Reception, waiting and informal meeting facilities. The lift core is located on the eastern wall of the North Building.

The loading dock, back-of-house areas and access to basement parking are located on the eastern edge of the North Building, accessed via an access driveway that will ultimately form part of a new public road which is required under the terms of Master Plan 2030.

Seven (7) levels of commercial floor space are provided. The Level 1 floor plate is thinner than the typical floors above to allow for the double height colonnade.

The predominant feature of the North Building is the 'pop out' to the west façade of the building. This space has the potential to be naturally ventilated (tenant option) with good connection to the public domain. Mixed mode spaces are provided in the north eastern corner of the north building and the eastern corner of the south building.

The commercial floor plates are 24m wide. The lift cores and amenities are located on the eastern side of the building. These large, open floor plates optimize flexibility in the working environment and encourage a high level of staff interaction, whilst maximizing penetration of natural light to the work spaces.

2.3 South Building

The main entry to the South Building is from Olympic Boulevard and will employ the same arrangements for access to that described above for the North Building.

The ground floor of the South Building incorporates retail floor space, again located adjacent to the edge of the colonnade and overlooking the central open space / through-site link. The main lobby accommodates Reception, waiting and informal meeting facilities. The lift core is located on the southern wall of the South Building.

As with the treatment adopted for the North Building, the use of continuous glazing at ground level provides physical and visual permeability and reinforces the relationship between the building interiors and the adjacent public domain, including the landscaped through-site link.

In recognition of the new road network detailed in Master Plan 2030, which contemplates the construction of new public roads to the east and south of Site 4B, an area on the ground floor at the south eastern corner of the South Building has been set aside as a retail tenancy to ensure an appropriate level of activation of the future streetscape.

As with the North Building the level 1 floor plate of the South Building is thinner than the typical floors to allow for the double height colonnade. The first floor of the South Building is characterized by a void on the western edge of the building between grids L and M which allows for a double height space to the lobby.

Nine (9) levels of commercial office space are provided. The lower floor levels have a 24m wide large open floor plate with columns located on the perimeter at 8.25m centres. These columns span 11.4m to a single centrally located row of columns resulting in a flexible and relatively unencumbered floor plate.

The upper level plans are rectangular with terraces provided to the south west corner of the north building and the western side of the south building. Mixed mode spaces are provided in the north eastern corner of the north building and the eastern corner of the south building.

Basement car parking over 4.5 levels and providing accommodation for 273 cars and bicycle parking is located largely under the South Building. Car park shuttle lifts are located within the footprint of the South Building, allowing for covered access to the North Building via the colonnade.

Further details regarding the design of the proposed development (as modified) and the manner in which it responds to the requirements of Sydney Olympic Part Master Plan 2030 is set out in the Design Report prepared by Bates Smart, which forms part of the documentation submitted as part of this application.

2.4 Traffic and Parking

As detailed above, part of the proposed modification is to reconfigure the basement parking, resulting in the deletion of one level, which reduces the amount of on-site parking by 96 spaces to 273 spaces. Parking is provided over four and a half "split" levels and is almost entirely located under the South Building.

Changing facilities including showers, lockers and toilets are located at the first level basement and are connected to the ground floor of the South Building via the car park shuttle lifts located between grids G and E. The services are located on the eastern edge of the first level basement. A mezzanine basement level is provided which contains accessible parking spaces.

As with the approved scheme, vehicle access has been designed to minimize any potential impact on pedestrians. This has been achieved by locating the basement parking and loading dock entry on the eastern side of the site away from the primary street frontages and the through-site link.

A 6m wide temporary driveway provides access to the vehicle entries until such time as the new road has been constructed along the eastern boundary. Loading facilities are located at ground level with the loading dock designed to accommodate a large rigid vehicle.

Bicycle parking, showers and amenities are provided at the upper level basement. Services areas and plant are located on the eastern edge of the basement.

The impacts associated with the proposed changes to the configuration and quantum of on-site parking are addressed in further detail in Section 3.3 of this report.

2.5 Materials and Finishes

The palette of materials now proposed to be used in the modified scheme is similar to that which was approved by the Minister in 2007, but involves some reorganization of the materials. The Bates Smart Design Report includes a full description of the proposed external materials and finishes.

The approach to the façade is to combine a predominant type that is extensively glazed and has a horizontal expression with a textured approach to the optional mixed mode spaces.

The optional mixed mode spaces are treated with timber louvres to the façade and have a concrete expressed slab edge. The materials complement the Homebush / Sydney Olympic Park context with its expansive tree-lined spaces. The use of timber in the soffits and the louvres add a tactile dimension to those areas that are in closest proximity to the building users.

The typical façade is fully described in the Design Statement prepared by Bates Smart and comprises the following elements:

- glazed spandrel with dark aluminium back panel. Glazed shadow box provided where required;
- horizontal anodised aluminium sunshade; and
- double glazed unit, colour Crystal Grey or similar.

The ceiling in the typical façade stops short of the facade to maximise views and light penetration.

2.6 Landscape Treatment

The general approach to the landscape treatment is consistent with the approved scheme, however the additional area now available for landscaping arising from the reconfiguration of the buildings requires the preparation of an amended Landscape Plan.

Aspect Studios has prepared an amended Landscape Plan and design report (refer **Appendix 1**) to accompany this application. The intent of the revised landscape scheme for the site is to create a green, legible, and public breakout space servicing both the proposed buildings and surrounding development.

The arrangement of the proposed buildings on the site and the resultant area available for the through-site link and landscape treatment is consistent with the Master Plan 2030, as it contributes to the network of open spaces and will create a new 'urban place' within Sydney Olympic Park.

The space has a number of functions:

- it strengthens connections to the overall collection of open spaces at Sydney Olympic Park via the through-site link;
- it provides opportunities for gathering, seating and recreation; and
- provides a significant green outlook for the proposed buildings.

The landscape design retains the collection of three (3) spaces on different levels consisting of the upper terrace, the garden terrace and a tree walk of the existing streetscape conditions in the vicinity of the site, but has been amended to incorporate the enlarged space (+735sqm) arising from the reconfiguration of the built form and the basement and the consequent retention of additional existing trees.

A copy of the amended Landscape Plan and accompanying Design Report are included at **Appendix 1** to this report.

2.7 Staging

This application also seeks approval to stage the construction of the development to provide optimal flexibility in the delivery of the project.

Bovis Lend Lease has prepared a detailed description of the various staging scenarios, which is included at **Appendix 2**. In summary, the following options have been considered:

Option 1 Construction of the Overall Development

Both buildings are built simultaneously utilising common plant, equipment and site establishment procedures consistent with the methodology outlined in the Construction Management Plan approved as part of the original application.

Construction vehicles will access the site via the Herb Elliott Avenue entry gate and the new road to the east with support during the initial phases of demolition and excavation via an alternate one-way exit point to Olympic Boulevard.

Landscaping will be completed across the entire site in accordance with the approved landscape plan (as amended).

Option 2 North Building Option

In the event of the North Building being built first, on grade parking (approx. 76 spaces) will be provided within the footprint of the South building. In this scenario, truck movements and materials handling will generally occur within the on-grade parking area with entry via Herb Elliott Avenue or from the new road with exit via a one-way gate at Olympic Boulevard.

Pedestrian movements in and around the site remain as per Option 1.

Landscaping will be incorporated to the remaining open space areas in accordance with the approved landscape plan (as amended).

Should the North Building be constructed after the completion of the South Building, truck movements during the construction phase will be restricted to Herb Elliott Avenue and the new access road to the East of the site.

Option 3 South Building Option

Should a tenant be secured to enable the South Building to proceed first, truck movements and materials handling will occur on ground level within the footprint of the North Building with access via Herb Elliott Avenue and the new side road along the eastern boundary of the site.

Pedestrian access in and around the site remain as per Option 1.

Landscaping will be incorporated to the remaining open space areas in accordance with the approved landscape plan (as amended).

Should the South Building be constructed after completion of the North Building, truck movements will be restricted to access via the newly created side road and via an alternate exit point to Olympic Boulevard for demolition and excavation phases.

The Bovis Lend Lease document at **Appendix 2** includes Staging and Site Establishment Plans which provide additional detail in this regard.

3 Environmental Assessment

This section of the report describes and assesses the relevant matters for consideration set out in the Director General's Requirements issued on 9 January 2007 for MP 06_0273.

3.1 Relevant Legislation

The legislative structure has not changed since the original approval was issued. Notwithstanding, the following table identifies the relevant legislation and provides a brief comment pertinent to this application.

Summary of Relevant Legislation

Legislation	Comment
Threatened Species Conservation Act 1995	No threatened species or endangered communities have been identified on, or in close proximity to, the subject site.
Planning and Assessment Act 1979	Matters to be considered when determining development applications are set out in Section 79C of the EP&A Act. An assessment of the proposal against these matters is provided in the following sections of this table.
Sydney Olympic Park Authority Act 2001	The site is located within the boundaries of Sydney Olympic Park and the Authority has identified it as a Development Site.

3.2 Statutory Considerations

The Environmental Planning Instruments, policies and other documents that are relevant to the proposed development are as follows:

- (i) SEPP 55
- (ii) SEPP (Major Development) 2005
- (iii) Sydney Olympic Park Master Plan 2030

An assessment of the approved development against the provisions of each of the aforementioned policies and instruments, with the exception of Master Plan 2030 was included in the Environmental Assessment prepared in respect of the original application.

Accordingly, an assessment of the proposed development (as modified) against the relevant provisions of the Master Plan 2030 is provided in Section 3.2.3 of this report.

3.2.1 SEPP 55 – Remediation of Land

Under the provisions of Clause 7 of SEPP 55 the Consent Authority must not consent to the carrying out of any development on land unless it has considered whether the land is contaminated. If the land is found to be contaminated, the Consent Authority must be satisfied that the land is suitable in its contaminated state or can and will be remediated to be made suitable for the purpose for which the development is proposed to be carried out.

An Environmental Site Assessment Report was prepared by Coffey Geotechnics Pty Ltd and accompanied the Environmental Assessment for the original proposal. That report includes a

preliminary investigation and provides a land use history of the site, indicating that the presence of contaminated material beneath the investigation area is unlikely.

3.2.2 SEPP (Major Development) 2005

The development of the site is subject to the provisions of Part 23 of Schedule 3 of the SEPP. Clause 5 cites a threshold criterion for development with a capital investment value in excess of \$10 million as a project to which Part 3A of the Environmental Planning and Assessment Act 1979 applies.

This section of the report provides an assessment of the proposed development (as amended) against the relevant provisions of the SEPP.

Zoning

The subject site is zoned B4 Mixed Use. The objectives of the zoning are set out in Clause 9, as follows:

- (a) *to protect and promote the major events capability of the Sydney Olympic Park site and to ensure that it becomes a premium destination for major events,*
- (b) *to integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling,*
- (c) *to ensure that the Sydney Olympic Park site becomes an active and vibrant town centre within metropolitan Sydney,*
- (d) *to provide for a mixture of compatible land uses,*
- (e) *to encourage diverse employment opportunities,*
- (f) *to promote ecologically sustainable development and minimise any adverse effect of land uses on the environment,*
- (g) *to encourage the provision and maintenance of affordable housing.*

Comment: **Complies.** The proposed development (as modified) is consistent with each of the abovementioned objectives, in that:

- It will not compromise the ability of SOP to accommodate major events – all activities will occur wholly within the property boundaries;
- It represents a predominantly commercial development within 400m of the railway station and provides ancillary retail floor space at ground level to enliven the public domain; and
- The project is committed to achieving a 5 Star Green Star Office Design v3 rating coupled with a 5 Star NABERS Energy Rating. The combined ratings demonstrate a commitment to environmental excellence, increased tenant benefit and the minimisation of greenhouse gas emissions in the design and operation of the development.

Height of Buildings

The map associated with Clause 18 describes the maximum permissible heights for development within Sydney Olympic Park. The height restrictions applicable to Site 4B are consistent with the Master Plan 2030, namely:

- 122m maximum along the Olympic Boulevard frontage; and
- 33m maximum along the Herb Elliott Avenue frontage.

Comment: **Complies.** The proposed development (as amended) seeks approval for an 8 storey building on the Herb Elliott Avenue frontage and a 10 storey building to Olympic Boulevard, both of which achieve floor to floor heights of 3800mm.

Floor Space Ratio

Clause 19 and the associated FSR Map sets out the maximum permissible FSR's for land within Sydney Olympic Park.

A maximum FSR of 6.5:1 is permitted on Site 4B.

Comment: **Complies.** The proposed development (as amended) achieves a maximum FSR of 6.48:1. A detailed area schedule is included as part of the architectural package which accompanies this application, prepared by Bates Smart.

Exceptions to development standards—Part 3A projects

Clause 21 sets out the criteria against which the Director General may consider departures from the development standards applicable within Sydney Olympic Park.

Comment: As the proposed development (as modified) is permissible within the Mixed Use zone complies with the relevant development standards, the provisions of Clause 21 are not relevant in this instance.

Major events capability

The provisions contained within Clause 24 seek to protect and promote the major events capability of the Sydney Olympic Park site and to ensure that it remains a premium destination for major events.

Clause 24(2) provides that consent must not be granted to development on land within the Sydney Olympic Park site, if the consent authority is satisfied that during major events held within the Sydney Olympic Park site:

- (a) *traffic generated by the development is likely to cause the local road network and connections to the regional road network to become saturated or otherwise fail, and*
- (b) *the development is likely to prevent the effective management of crowd movement and transport services, and*
- (c) *the development is likely to compromise the effective functioning of major event infrastructure, and*
- (d) *the development conflicts with the emergency management plans of government agencies or the emergency evacuation plans of major event venues.*

Comment: **Complies.** In this regard it should be noted that the proposed development (as modified) provides less on-site parking than was originally approved. Furthermore, this application is accompanied by a Traffic, Access and Parking report prepared by Colston Budd Hunt and Kafes (**Appendix 3**) which confirms that the proposed modifications will not compromise the function of the local or regional road network.

In terms of the impact on crowd management and the effective functioning of major event infrastructure, it is considered that the proposed modifications to the approved scheme are relatively minor and as such are unlikely to result in any adverse impact on the efficient operation of Sydney Olympic Park in event mode.

Transport

Clause 25 provides that:

Development consent must not be granted for development on land within the Sydney Olympic Park site unless the consent authority is satisfied that the development includes measures to promote public transport use, cycling and walking.

Comment: **Complies.** As indicated previously in this report, Site 4B is within 400m (approx. 280 metres) of the western entry of Sydney Olympic Park Station. On this basis, a reduced on-site parking provision is proposed as part of this application (273 spaces as compared to the 369 originally approved). Provision has also been made within the basement for bicycle parking and associated amenities.

Master Plan

Clause 26 requires the consent authority, in assessing a development proposal, to consider any relevant master plan.

The approved development was considered and assessed under the terms of the 2002 Master Plan for Sydney Olympic Park. In the intervening period, the Minister for Planning has adopted Master Plan 2030, which is the blueprint for the future development of Sydney Olympic Park. Further detailed discussion about the relationship of the proposed modification of the Project Approval to the relevant provisions of Master Plan 2030 is provided in the Design Report prepared by Bates Smart, which forms part of the documentation accompanying this application.

Site 4B is located in the Central Precinct. The following table summarises the relevant controls applicable in the Central Precinct and provides a commentary on the manner in which the proposed development (as modified) complies.

Compliance with Master Plan 2030

Control	Standard	Response
Site Configuration	1. Define the sites and streets and parks in <i>Figure 5.5 Central Precinct Site Boundaries Plan</i> .	Complies. The boundaries of Site 4B are unchanged from that considered as part of the original Project Application.
Floor Space Ratio	1. Floor space ratios are not to exceed those shown in <i>Figure 5.6 Central Precinct Site Floor Space Ratios Plan</i> . Max 6.5:1	Complies – the proposed development (as modified) achieves an FSR of 6.48:1.
Land Use Controls	1. Land uses, including vehicle access points, are to comply with <i>Figure 5.7 Central Precinct Land Uses Plan</i> . 2. Childcare centres are to be incorporated into Sites 41, 42, 43 or 44. 3. Along Herb Elliott Avenue, a min of 50% of ground level GFA is to be retail uses concentrated along the street to ensure active frontages.	Complies – Site 4B is designed “Commercial”, with preferred vehicular access from new public road on the eastern side of the site. N/A Complies – refer Architectural Package

Control	Standard	Response
<p>Building Height</p>	<p>1. Ensure building heights comply with <i>Figure 5.8</i> Central Precinct Building Heights Plan.</p> <p>2. Heights shall comply with storey heights and may not exceed the max Reduced Level (RL) where noted on the Building Heights Plan.</p>	<p>Complies. Figure 5.8 provides for a 50m deep “tower zone” along the Olympic Boulevard frontage of 20 – 30 storeys. The eastern portion of the site is restricted to 8 storeys.</p> <p>The proposed development (as modified) comprises an 8 storey building on the eastern part of the site and a 10 storey building, incorporating a podium element within the “tower zone” along the Boulevard.</p>
<p>Building Zones and Setbacks</p>	<p>1. Site development, including permissible building zones and open space, shall be in accordance with <i>Figure 5.9</i> Central Precinct Building Zones and Setbacks Plan.</p> <p>2. Buildings, including balconies, are only permitted within the building zone area shown in <i>Figure 5.9</i> Central Precinct Building Zones and Setbacks Plan.</p> <p>3. Building is not permitted in the easements, setbacks or public land dedicated for public domain, land dedicated for ICF Funded Streets or easements dedicated for development funded streets.</p> <p>4. Comply with the setbacks as shown in <i>Figure 5.9</i> Central Precinct Building Zones and Setbacks Plan.</p> <p>5. Provide through-site links where indicated.</p>	<p>Complies. Build-to lines on Herb Elliott Avenue and Olympic Boulevard are observed.</p> <p>Figure 5.9 requires a two storey colonnade, a 26m podium built to the boundary and a 5-10m setback above this. The result would be an awkward massing on the site due to the inelegant relationship between the main building and podium component – refer Bates Smart Design Report.</p> <p>The proposed massing response includes a podium which is not the full width of the building fronting Olympic Boulevard. However this allows for the main building component to achieve a more elegant proportion (given that it cannot achieve a height of 20 -30 storeys) by peeling the podium away from the main building component at the corner.</p> <p>Complies.</p> <p>Complies. No buildings are proposed within the existing or proposed areas of public domain (through site link) and the design of the buildings respects the alignment of the future roads to be constructed along the eastern and southern boundaries.</p> <p>Complies.</p> <p>Complies.</p>

Control	Standard	Response
Event Controls	<p>1. Ensure all development can accommodate the changes to access required as described in Section 4.4 Event Access and Closures, and shown in <i>Figure 4.3 Event Access Plan</i>.</p> <p>2. Ensure all development is designed and built to accommodate the public domain closures shown in <i>Figure 4.3 Event Access Plan</i>.</p> <p>3. Locate the vehicle access points to developments as shown in <i>Figure 5.7 Central Precinct Land Uses Plan</i>.</p>	<p>Complies.</p> <p>Complies.</p> <p>Complies.</p>

Heritage Conservation

Clause 31 details the provisions associated with development which may impact on a heritage item or a heritage conservation area. Clause 31(4) provides that:

The consent authority may, before granting consent to any development on land:

- (a) on which a heritage item is situated, or*
- (b) within a heritage conservation area, or*
- (c) within the vicinity of land referred to in paragraph (a) or (b),*
require a heritage impact statement to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.

Site 4B is not located in an environmental conservation area. As such, the proposed modifications to the approved scheme will not result in an adverse impact on a conservation area, or have an unacceptable impact on the natural environment.

However, Site 4B is located to the south of the Abattoir Heritage Precinct, which is identified as a Heritage Conservation Area under the provisions of the SEPP. The Precinct is important because it represents the sole remaining physical fabric from the State Abattoir (1913 – 1988). It comprises architecturally and aesthetically significant Federation buildings, gardens and landscaping. Schedule 5 of REP 24 lists heritage items, as follows:

Item 1 The Vernon Buildings, the Maiden Gardens and the Railway Garden within the Historic Abattoir Administration Precinct, bounded by Herb Elliott Avenue, Showground Road, Dawn Fraser Avenue and the Railway Garden.

The Conservation Area incorporates areas of adjacent roadways including the section of Herb Elliott Avenue immediately adjacent to Sites 4A and 4B. The road reservation performs an important function in providing spatial separation of the group from surrounding development.

A Heritage Impact Statement was prepared as part of the Environmental Assessment for the original proposal which assessed the impact of the proposed development against the evaluation criteria published by the Heritage Office. The key findings of the report were:

- the proposed development will not overshadow the heritage precinct;
- the proposed development respects the boundaries of the conservation area;
- the general scale and separation between the new and old buildings is satisfactory. The proposed development will not affect the scale or quality of the curtilage or open setting;
- existing uninterrupted views from the junction of Olympic Boulevard and Herb Elliott Avenue will be unaffected by the development;

- the vista along the curve row of Brush Box trees that are to be retained and will be unaffected by the proposal;
- it is not anticipated that there would be any archaeological deposits in the ground, but recommendations have been made for monitoring during initial subsurface works;
- the proposed development retains the spatial and historical context of the group of Abattoir building, including the roadways that encircled them.

The proposed modifications are relatively minor and do not alter the physical or spatial relationship of the development on Site 4B with the Heritage Precinct and as a consequence, are not expected to result in any additional impact.

3.3 Building Design

The original design evolved in response to the then client brief (Commonwealth Bank). Given the Bank's occupation of the buildings on Sites 5, 6 and 7, it was important to reinforce a connection between the developments on Sites 4B and 5. Since the Bank no longer intends to occupy Site 4B that connection is redundant.

The proposed modifications to the approved scheme result in a number of positive outcomes:

- the ground floor retail tenancies will focus more on the central landscape / through-site link and will reinforce its identity as a clearly defined public open space; and
- creates a better balance between active uses on Herb Elliott Avenue and the Olympic Boulevard.

The Bates Smart Design Report which accompanies this application provides a detailed description of the design and the rationale for massing and the redistribution of floor area.

3.4 Traffic & Parking

As indicated above, the proposed reconfiguration of the basement results in a reduction in the overall on-site provision from 369 to 273 spaces.

The Transport Management and Accessibility Plan (TMAP) prepared for the Department of Planning and SOPA in 2002 recommended that on-site parking provision be calculated at a maximum rate of 1 space / 55sqm. The parking rate was determined by the capacity of the existing road infrastructure to accommodate the additional traffic generated by development within Sydney Olympic Park.

Section 4.7.1 of Master Plan 2030 sets out the parking rates to be applied to non-residential development. In the case of commercial development on Site 4B, the maximum parking provision is calculated at the rate of 1 space / 80 sqm of GFA. The implementation of this rate and based on a total GFA of 26,099sqm would generate a maximum parking provision for the proposed development of 326 spaces. The provision of 273 spaces proposed as part of the current proposal is also within the maximum allowable under the revised parking rate.

Furthermore, Colston Budd Hunt and Kafes has reviewed the amended proposal and has advised that:

- (i) the proposed parking provision is in accordance with the recommendations of the draft TMAP;
- (ii) access, servicing and layout are considered appropriate and will be will be provided in accordance with AS 2890.1:2004;
- (iii) traffic generated by the proposed development will be less than the approved development; and

- (iv) the road network will be able to cater for the traffic generated by the proposed development.

A copy of the advice is included at **Appendix 3**.

3.5 Accessibility

Morris Goding Accessibility Consulting has reviewed the proposed modifications to the design to ensure that that ingress and egress, paths of travel, circulation areas and toilets comply with the relevant statutory requirements and guidelines.

The report indicates that in general, the development has accessible paths of travel that are continuous throughout. In line with the recommendations embodied in the report, the proposed development has demonstrated an appropriate degree of accessibility. The architectural drawings indicate that compliance with statutory requirements, pertaining to site access, common area access, accessible parking and accessible sanitary facilities, can be readily achieved.

A copy of the relevant correspondence from Morris Goding is included at **Appendix 4**.

3.6 Overshadowing

The height of the proposed development has increased in height, as follows:

- one additional storey to the North Building (increased from 7 to 8 storeys); and
- three additional storeys to the South Building (increased from 7 to 10 storeys).

The Design Report which accompanies this application includes a series of Shadow Diagrams which demonstrate the extent of shadow impact arising from the proposed development (as amended).

Given the compliance of the proposed development with the height and massing controls contained in Master Plan 2030, and indeed the significantly lesser height achieved in the South Building than is permissible, the shadow impact associated with the proposed amendments is considered to be within acceptable limits.

3.7 Wind and Reflectivity

3.7.1 Wind Impacts

Windtech was engaged to prepare a new wind impact assessment for the proposed development (as amended). The report presents an opinion on the likely impact of the proposed design on the local wind environment to the critical outdoor areas within and around the development.

The effect of wind activity within and around the proposed development has been examined for the three predominant wind directions for the Sydney region; north-easterly, southerly and westerly winds. The analysis of the wind effects relating to the proposal was carried out in the context of the local wind climate, building morphology and land topography.

The results of the study indicate that the wind conditions within all ground level areas around the site are expected to be acceptable for their intended uses. It is noted in the architectural drawings that trees are proposed within the outdoor corridor area. It is recommended that these trees be retained in the final landscape plan to mitigate against adverse winds from the

west. It is recommended that trees be densely foliating and of an evergreen variety to ensure their effectiveness during the winter months.

Furthermore, it is not expected that the proposed development will cause any adverse effect to the wind conditions to the local surrounding streets and other outdoor areas around the site.

A copy of the Wind Impact Assessment is included at **Appendix 5**.

3.7.2 Reflectivity Impacts

An analysis of the potential impact of solar glare from the proposed development (as modified) has been undertaken by Windtech based on the architectural drawings prepared by Bates Smart.

The report examines the likely impacts of the proposed development (as amended) on drivers and pedestrians within the local road network, as well as potential impacts on occupants of adjoining buildings.

The results of the study indicate that to avoid any adverse glare to drivers and pedestrians on the surrounding streets and the occupants of neighbouring buildings, glazed areas of the façade of the development should have a maximum normal specular reflectivity of visible light of 20%.

A copy of the Reflectivity Report is included at **Appendix 6**.

3.8 ESD

The project is committed to achieving a 5 Star Green Star Office Design v3 rating coupled with a 5 Star NABERS Energy Rating. The combined ratings demonstrate a commitment to environmental excellence, increased tenant benefit and the minimisation of greenhouse gas emissions in the design and operation of the development.

Extensive energy modelling will be carried out throughout the design development phase and will continue until the building is fully commissioned to ensure the building is delivered to its full environmental potential. Energy modelling is to be used to guide design development and to assist in the optimisation of strategies or options that will lead to enhanced occupant utility, lower running costs, and reduced (whole building) environmental impact.

A copy of the updated ESD report to reflect the proposed modifications to the approved development is included at **Appendix 7**.

3.9 Construction / Staging Impacts

The Statement of Commitments which was approved as part of MP06_0273 makes the following undertakings in relation to the construction phase of the project:

- 15 *Prior to the commencement of construction, a Construction Management Plan will be prepared and submitted to SOPA for approval. The Plan will include:*
- *A site specific Soil Erosion and Sediment Control Plan*
 - *Hours of Operation during Construction*
 - *Air quality / dust control procedures*
 - *Noise management procedures*
 - *Waste Management Plan for the Construction Phase*

- *Storage and handling of materials procedures*
- *Details of hoardings*
- *Procedures to be implemented during events, including pedestrian movements, signage etc*
- *Environmental training and awareness*
- *Emergency procedures*

16 *General construction hours will be as follows:*

<i>Monday to Friday</i>	<i>7.00am to 6.00pm</i>
<i>Saturday</i>	<i>7.00am to 1.00pm</i>
<i>Sundays / Public Hol.</i>	<i>Nil</i>

17 *Hours of work may be varied as required to minimize impacts on special events such as State of Origin or the Easter Show. It is noted that works may be undertaken outside the hours specified above in instances where:*

- *The delivery of materials is required outside these hours by the Police or other authorities;*
- *It is required in an emergency to avoid the loss of life, damage to property and / or to prevent environmental harm;*
- *The work is approved through the Construction Noise and Vibration Management Plan; and*
- *Residents likely to be affected by the works are notified of the timing and duration of these works at least 48 hours prior to the commencement of the works.*

18 *A Construction Traffic Management Plan will be prepared and submitted to SOPA for approval prior to commencement of works on site. The Plan will detail the means of controlling the flow of traffic throughout the construction phase.*

These undertakings will be applied to any modification of the approval and the proposed staging (if required) as detailed in **Appendix 2** of this report will also be consistent with these requirements.

4 Conclusion

The assessment of the proposed modification made pursuant to Section 75W of the Environmental Planning and Assessment Act has demonstrated that it will have no adverse environmental impacts that cannot be managed or mitigated.

The modifications are necessary to enable the development to respond to current market trends for commercial office space and facilitate its occupation up by multiple tenants (as opposed to the single tenant). The various amendments to the proposed development as detailed in this submission are required to improve the efficiency and flexibility of the development.

It is therefore requested that the Minister or his delegate approve the modification detailed in this application.

APPENDIX 1
Landscape Package
Aspect Design Studios

APPENDIX 2
Description of Staging
Bovis Lend Lease

APPENDIX 3
Traffic & Parking Advice
Colston Budd Hunt & Kafes

APPENDIX 4
Accessibility Advice
Morris Goding

APPENDIX 5
Wind Impact Assessment
Windtech

APPENDIX 6
Reflectivity Assessment
Windtech

APPENDIX 7
ESD Report
Bovis Lend Lease