



***MODIFICATION REQUEST:
Stage 1 Mixed Commercial and
Retail Development
6 Australia Avenue, Sydney
Olympic Park
(MP 10_0168 MOD 1)***

**Modified basement car park, minor
design changes and exclusion of part
construction of East West Street**

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

August 2013

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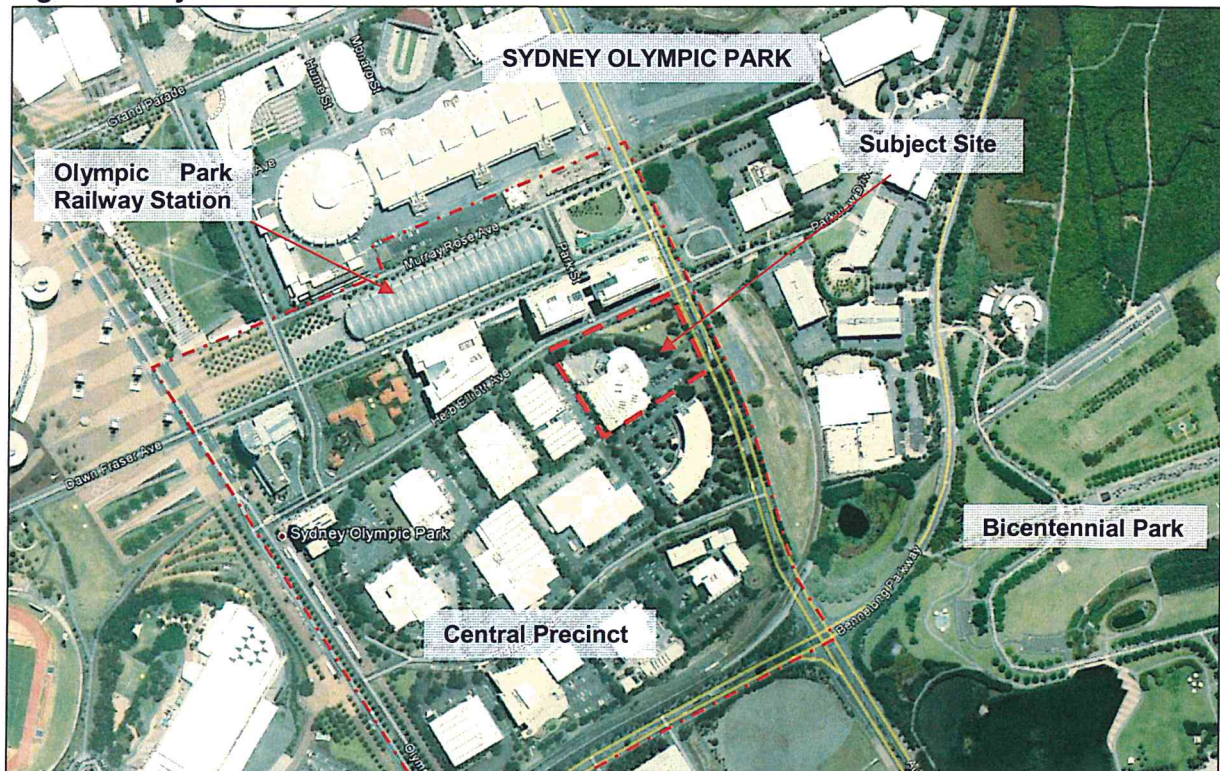
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1. BACKGROUND

On 31 July 2013, the then Deputy Director-General, Development Assessment & Systems Performance, under delegation from the Minister for Planning and Infrastructure approved the major project application (MP 10_0168) for Stage 1 of a mixed commercial and retail development at 6 Australia Avenue, Sydney Olympic Park (known as Site 43/44 in the Sydney Olympic Park Master Plan 2030).

The project location is shown in **Figure 1**.

Figure 1: Project Location



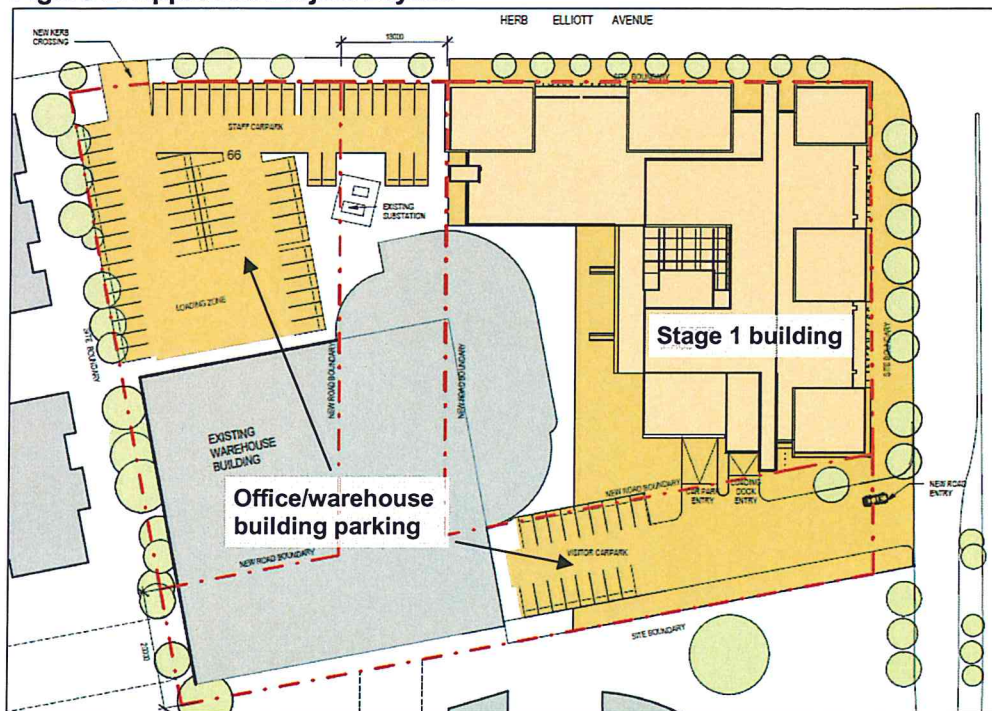
The Stage 1 project approval comprises:

- excavation and construction of a two level basement car park for provision of 225 car spaces, 24 motorcycle spaces and 121 bicycle spaces (20 located at ground level) and associated amenities and facilities;
- construction of an eight storey mixed commercial/retail development comprising 16,450 sqm of gross floor area (known as Building A and B);
- part construction of new East West Street;
- tree removal and landscape open space at ground level;
- removal of existing at-grade parking areas and relocation of 30 existing office/warehouse building parking spaces into the basement car park; and
- provision of 85 new temporary at-grade parking for office/warehouse building staff and visitors.

The project approval did not include the demolition of the existing office/warehouse building. However, the Sydney Olympic Park Authority (SOPA) has recently approved a development application (DA 09-05-2013) to demolish the existing warehouse buildings located on the site and an application for subdivision of the site (DA 10-07-2013). Demolition works have yet to commence on the site.

Refer to **Figure 2** for the approved Stage 1 project layout.

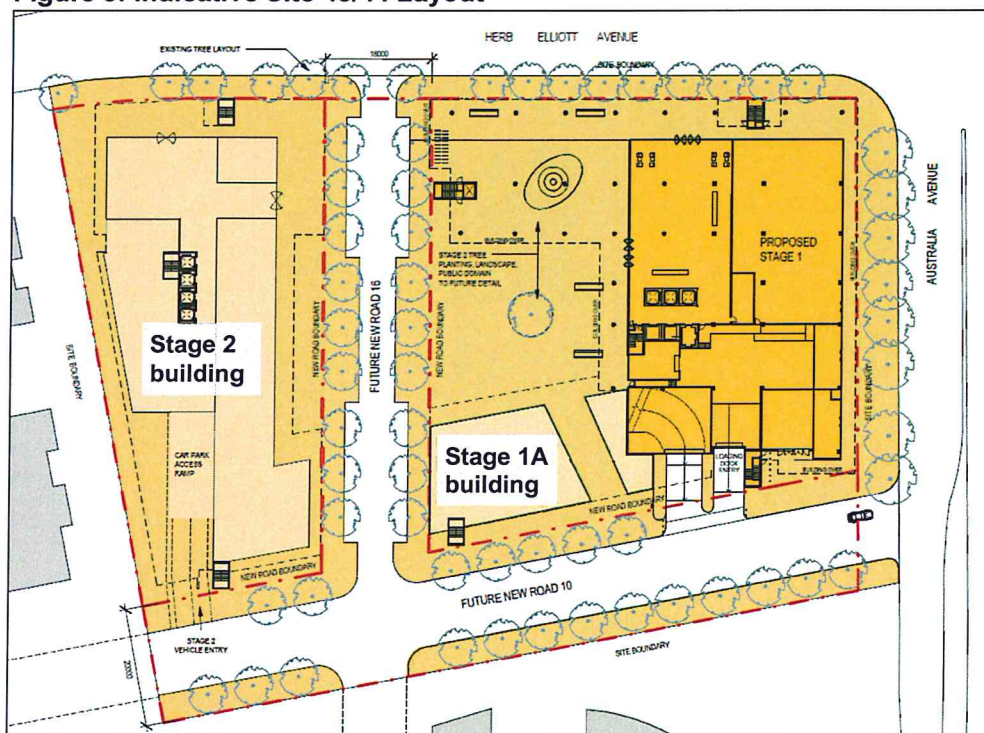
Figure 2: Approved Project Layout



The proponent is now seeking to modify the project approval due to changes made to the design of the building during the design development phase and due to the variations to the staging of the development. The proponent is no longer seeking to retain the existing warehouse building during the construction and operation of Stage 1.

The proponent has also submitted State significant development applications for the construction of Stages 1A (Building C) and 2 (Building D) of Site 43/44 (see **Figure 3**) with the Minister for Planning and Infrastructure for approval. These applications are being assessed concurrently.

Figure 3: Indicative Site 43/44 Layout



2. PROPOSED MODIFICATION

The Section 75W proposes a number of changes to the Stage 1 building. The key changes include:

- expansion of the basement car park to accommodate a total of 280 car spaces (55 additional car spaces) to be shared across the users of Building A and B and future Building C (Stage 1A);
- changes to landscaping of the courtyard and undercroft area, including a landscaped area where the future Building C is to be located, as illustrated in **Figure 4**;
- excision of construction of the new East West Street;
- removal of kiosk from the undercroft area;
- increase in gross floor area from conversion of part of the atrium to floor area;
- minor modifications to the design of the core area resulting in a reduction in the gross floor area of the retail and supermarket spaces;
- lowering of the ground floor level by 0.3 metres;
- variation to building height; and
- removal of vertical blades from the building façade and their replacement with timber soffits to the balconies and other minor modifications to the treatment of the façade.

The proposed modified layout is shown in **Figure 4** and the key aspects of the proposed modification are listed in **Table 1**.

Figure 4: Proposed Modified Layout

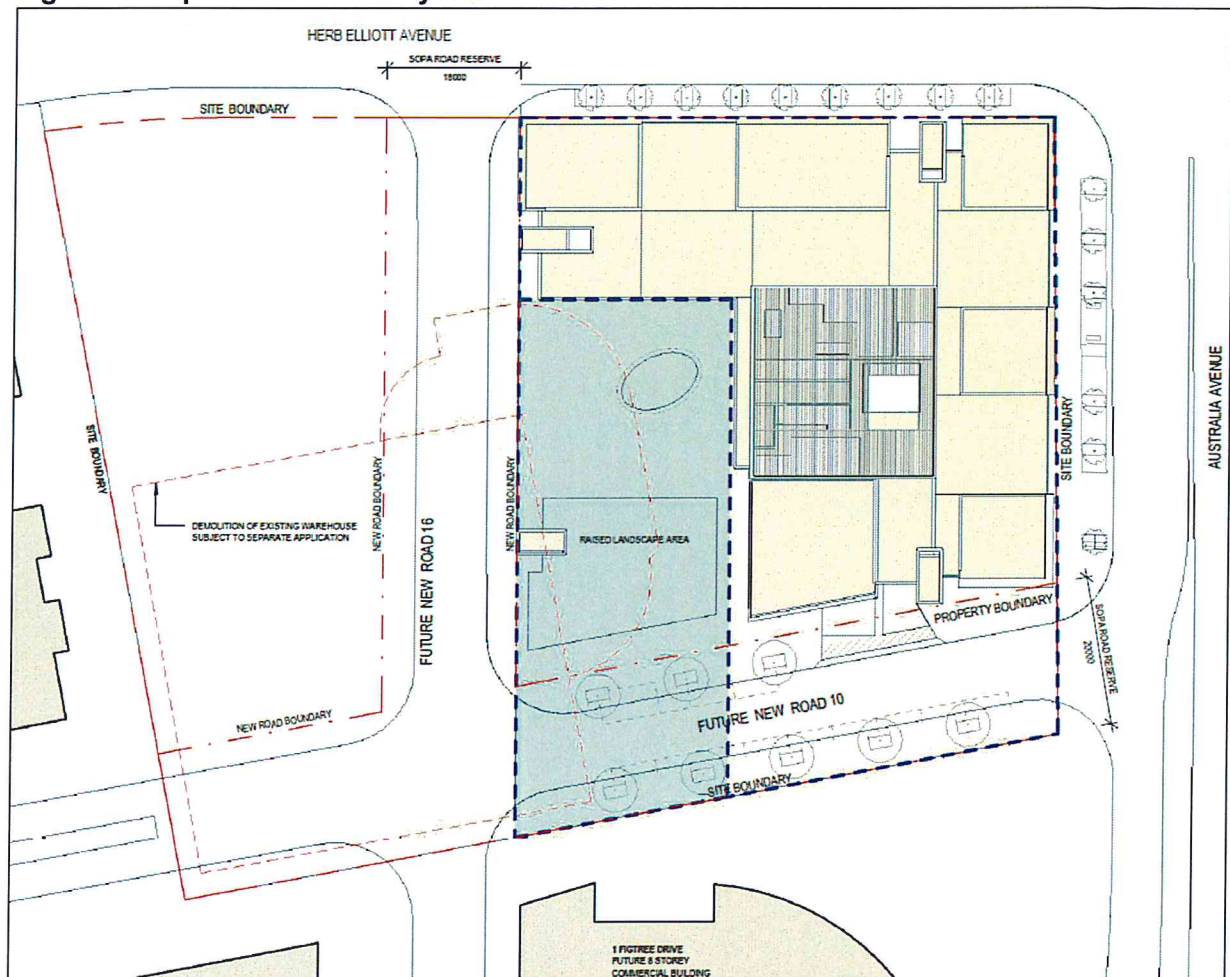


Table 1: Key Proposed Modifications

Aspect	Approved	Proposed
Building Height	28.6 m / 8 storeys	29.275 m / 8 storeys
Total GFA	16,450 sqm (Buildings A and B) + 6056.7 sqm (existing warehouse) = 22,506.7 sqm	17,605 sqm (Buildings A and B)
FSR	1.87:1	1.46:1
Car Parking Spaces	225 basement car parking spaces + 85 temporary at-grade car parking spaces	280 basement car parking spaces
Motorcycle Parking Spaces	24 motorcycle parking spaces	25 motorcycle parking spaces
Bicycle Parking Spaces	101 basement bicycle parking spaces and amenities + 20 ground level visitor bicycle parking spaces	130 basement bicycle parking spaces and amenities + 21 ground level visitor bicycle parking spaces

3. STATUTORY CONTEXT

3.1 Modification of the Minister's Approval

In accordance with clause 3 of Schedule 6A of the EP&A Act, section 75W of the Act as in force immediately before its repeal on 1 October 2011 and as modified by Schedule 6A, continues to apply to transitional Part 3A projects. Approved projects are transitional Part 3A projects.

Section 75W(2) of the EP&A Act provides that a proponent may request the Minister to modify the Minister's approval of a project. The Minister's approval of a modification is not required if the approval of the project as modified would be consistent with the original approval. As the proposed modification seeks to change the size of the basement and exclude elements of the proposal, the modifications will require the Minister's approval.

3.2 Delegated Authority

In addition, the Minister has delegated his functions to determine Part 3A modification applications to the department where:

- the council has not made an objection, and
- there are less than 10 public submissions objecting to the proposal, and
- a political disclosure statement has not been made in relation to the application.

There has been no submissions received from the public objecting to the proposal and council has not made an objection to the proposed modification. There has also been no political disclosure statement made for this application or for any previous related applications.

Accordingly, the application is able to be determined by the Director, Industry, Social Projects and Key Sites, under delegation.

4. CONSULTATION AND SUBMISSIONS

In accordance with section 75X of the EP&A Act and clause 8G of the EP&A Regulation, the modification was made available on the department's website. Due to the minor nature of the proposed modification, the application was not exhibited by any other means. No public submissions were received on the modification request.

The modification application was referred to Sydney Olympic Park Authority (SOPA) and Auburn Council for comment.

SOPA raised no objections to the modifications and requested that two minor matters be clarified regarding the extent of the basement roof slab and responsibility for construction of the roads.

The proponent has provided revised plans that clearly show the extent of the works and the extent of the roof slab for the basement. SOPA raised no issue with the revised plans. SOPA have also separately clarified with the proponent road construction details.

Auburn Council has not provided any comment.

5. ASSESSMENT

The department considers the key issues for the proposed modification to be transport impacts and built form.

5.1 Transport impacts

Site 43/44 is to be redeveloped in stages as per the winning scheme in the design competition required by Master Plan 2030. The winning scheme identified the construction of four buildings over two stages, with Buildings A and B proceeding first with the retention of the warehouse (Stage 1). Buildings A, B and C are to be located on the eastern portion of the site (separated from Building D by New Road 16) and these three buildings will share a single basement car park.

The staging of the redevelopment has evolved and Stage 1 no longer incorporates the retention of the warehouse building. The proposed modifications reflect the revised staging of the redevelopment of Site 43/44, which is a consequence of the recent approval for the demolition of the existing warehouse. The modifications seek to remove the temporary car parking provisions for the warehouse building, which was originally approved to operate concurrently with the first stage of the redevelopment of the site.

The proponent is also therefore seeking to construct the entire basement for Stages 1 and 1A with the first stage of the development due to construction efficiencies, as the main bulk excavation works are being undertaken as part of Stage 1, and with the demolition of the warehouse building, access to the part of the site where the future Building C will be located (Stage 1A) is no longer restricted. Also, as the future Stage 1 and 1A basement would form one basement structure and use a single vehicle entrance, the early construction of the complete car park for Stages 1 and 1A would also negate the need for any future redesign of the car park layout (which would be required if constructed as part of Stage 1A). The construction of the full car park would also limit any disruptions to Stage 1, which would potentially be operational before works commence for Stage 1A.

The Stage 1 approval allowed for 195 car spaces in the basement car park for the new commercial and retail floor space, and 30 car spaces in the basement plus 85 temporary at-grade car spaces for the existing warehouse operations (total of 310 car spaces). The proponent is now seeking to revise the total number of basement car parking spaces to 280 spaces for Stage 1 and Stage 1A (subject to approval). This results in an overall increase of 55 permanent car spaces but an overall reduction of 30 car spaces on the site at the completion of Stage 1.

The department considers that the additional permanent car spaces would generate additional traffic, however, the potential traffic generation that could be attributed to these additional spaces would be offset by the traffic that would have been generated by the existing warehouse operations (to be demolished), especially considering the number of car parking spaces on the site will be lower than the total 115 car parking spaces originally approved for the warehouse. Furthermore, the traffic assessment accompanying the State

significant development application for Stage 1A calculates the traffic generation of Stage 1A to be approximately between 46 and 60 trips during peak periods and the trip generation of the existing warehouse operations to be 59 trips during peak periods. Therefore, any traffic generation from the additional car parking supporting Stage 1A is offset against current traffic for the warehouse.

As detailed previously, the proposal seeks to provide a total 280 car parking spaces within the basement car park below Stage 1 and future Stage 1A. Whilst the car parking does not strictly comply with the maximum number of car parking spaces permitted under Master Plan 2030 for the floor space sought for Stage 1 alone, which is permitted a maximum of 227 car spaces, the proponent has indicated that 55 car spaces will be allocated to occupants of the future Stage 1A. The Stage 1A SSD application that has been lodged, and is currently on exhibition, proposes no additional car parking and is permitted a maximum 89 car parking spaces (based on 6,489 sqm of commercial GFA and 409 sqm of Nett Lettable Area for retail use). The total car parking permitted for Stages 1 and 1A would be 316 car spaces and therefore the basement car park meets the requirements of Master Plan 2030 on completion of Stage 1A. Therefore, the construction of the car parking within Stage 1 for Stage 1A is considered acceptable to the department.

The department notes that the total 172 bicycle spaces with an additional nine spaces to be constructed as part of Stage 1A would meet the bicycle parking requirement of Master Plan 203, which requires a minimum 181 bicycle spaces.

5.2 Built form and urban design

Built form

The proposed modifications include minor design changes due to further design development, including:

- minor increase in building height due to a higher parapet for one of the modulated elements on the eastern elevation and lowering of the ground floor level by 0.3 metres;
- increase in gross floor area from conversion of part of the atrium to floor area;
- reduction in the gross floor area of the retail and supermarket spaces; and
- removal of vertical blades from the building façade and their replacement with timber soffits to the balconies and other minor modifications to the treatment of the façade.

The bulk and scale of the proposal remains consistent with the approved design except for a minor height increase due to a higher parapet for one of the modulated elements on the eastern elevation. The overall building height will however, reduce from 32.6 metres to 32.05 metres as the plant is being reduced in height and the ground floor level will be lowered to provide an accessible entrance and meet stormwater design requirements. Therefore, the height increase will have negligible impacts and the proposed building continues to comply with the maximum height of 33 metres in the MD SEPP and 8 storeys in Master Plan 2030. Accordingly, the department considers the height variation acceptable.

The minor floorspace variations are generally contained within the approved building footprint and envelope and would have minimal environmental impacts as the additional floor area is comprised of conversion of the atrium space on Levels 2 and 5 to floor area. This potentially results in less natural light penetrating the lower levels. However, the department considers natural light penetration is adequate as the building generally complies with the recommended maximum depth of 25 metres in Master Plan 2030, except for the two small areas which have been converted from atrium space to floor area. The demolition of the existing warehouse building results in an overall reduction of floor space across the site and therefore even with the minor floor space increase, the FSR for the site of 1.46:1 complies with the maximum 3.5:1 permitted in the MD SEPP. Should Stages 1A and 2 be approved as proposed, the total FSR for Site 43/44 will be 3.47:1.

The minor variations to the floor areas of the retail and supermarket areas as a result of design modifications to the core are acceptable as they do not result in any additional impacts. The retail areas are supported with new bi-fold doors which will provide greater activation for these areas.

The design modifications to the façade include material changes and removal of the vertical fins and terracotta cladding. The department considers that the design still achieves a high level of articulation and modulation and the use of timber soffits and façade screens provide visual interest in the design. The proposed design is compatible with the surrounding commercial and residential development, using similar materials and a compatible colour palette. The department considers that the design continues to exhibit design excellence and the variations are acceptable.

Public Domain

The key changes to the site layout and public domain area include the removal of the kiosk from the undercroft area and excision of the construction of the new East West Street from the approval (New Road 10).

The proponent is seeking to remove the kiosk as the approved ground floor café is considered adequate to service local demand. The department considers the removal of the kiosk acceptable as the café, including the modifications to incorporate bi-fold doors, will support adequate activation of the through-site area.

The exclusion of the construction of the East West Street is sought by the proponent as SOPA is responsible for construction of the roads within the site. In this regard, Capital Corporation (the proponent) will pay a contribution to SOPA under the Sydney Olympic Park Infrastructure Contributions Framework (ICF) via a VPA and the construction of the roads through Site 43/44 will be funded from the ICF pool of funds (i.e. Road 10 and 16). As the proponents are building a basement under part of the roads in the development of the entire site, they are essentially building the road subsurface structure and SOPA will 'top' the road.

The department considers the exclusion of the construction of part of East West Street from the approval acceptable as SOPA has indicated they will be constructing the future streets within Site 43/44, with the proponents funding the works via a VPA with SOPA.

The proposed modifications also include a revised landscape plan which seeks to extend the paving treatment and provide a temporary grassed area where the future Building C is located given the recent approval for demolition of the warehouse building.

The revised landscape plan is also considered appropriate by the department as it provides a completed design given the demolition of the warehouse building. The central planter box and tree will soften the public plaza and provide a focal point as well as seating for the undercroft area. The temporary grassed area for the Stage 1A part of the site is also considered to be appropriate.

6. CONCLUSION AND RECOMMENDATION

The department has considered the requested modification to the project approval for the construction of the staged mixed commercial and retail development at Site 43/44 (6 Australia Avenue), Sydney Olympic Park (MP 10_0168) and considered the key issues associated with the modification. The proposed modification is considered appropriate in the context of the site and will provide public benefit through supporting the ongoing redevelopment of the Sydney Olympic Park Precinct.

The department has recommended the approval be modified to incorporate the proposed design changes as the proposal would have minimal environmental impacts.

It is recommended that the Director, Industry, Social Projects and Key Sites:

- note the information provided in this report;
- approve the modification request, pursuant to section 75W of the EP&A Act; and
- sign the attached modifying instrument (see Appendix C).

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