



Planning &
Infrastructure

**TRANSITIONAL PART 3A PROJECT
ASSESSMENT:
3 Murray Rose Avenue, Sydney Olympic
Park (Formerly Building B, 7 Parkview
Drive)
(MP 11_0082)**



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

April 2013

ABBREVIATIONS

CIV	Capital Investment Value
Department	Department of Planning and Infrastructure
DGRs	Director-General's Requirements
Director-General	Director-General of the Department of Planning and Infrastructure, or his delegate
EA	Environmental Assessment
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	Environmental Planning and Assessment Regulation 2000
EPI	Environmental Planning Instrument
MD SEPP	State Environmental Planning Policy (Major Development) 2005
Minister	Minister for Planning and Infrastructure
PAC	Planning Assessment Commission
Part 3A	Part 3A of the <i>Environmental Planning and Assessment Act 1979</i>
PEA	Preliminary Environmental Assessment
PFM	Planning Focus Meeting
PPR	Preferred Project Report
Proponent	GPT RE Limited
RtS	Response to Submissions
SEPP	State Environmental Planning Policy

HYPERLINKS

Hyperlinks (CTRL + click to access) are included in this document to allow quick navigation to explanations and interpretations of commonly used legal, scientific or industry terms / phrases used in this document. The explanations / interpretations appear in the glossary appendix. Be sure to print the relevant glossary appendix to enable interpretation of these terms or phrases when printing the main body of the report.

Cover Photograph: Visual perspective from the south along Murray Rose Avenue (*Source: turner + associates*)

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EXECUTIVE SUMMARY

This report is an assessment of a project application lodged by GPT RE Limited seeking approval for the construction of a new five storey commercial building with four levels of basement car parking and associated demolition and landscaping works pursuant to Part 3A of the Environmental Planning and Assessment Act 1979 (EP&A Act). The proposal is located at 3 Murray Rose Avenue, Sydney Olympic Park (formerly Building B, 7 Parkview Drive).

The project has a capital investment value (CIV) of \$38 million and will generate 1,270 operational jobs and 530 construction jobs.

On 4 October 2008, the then Minister for Planning, formed an opinion that the project is a major project under clause 14 of Schedule 2 to the State Environmental Planning Policy (Major Development) 2005 (MD SEPP), as it is a development within the Sydney Olympic Park site with a CIV of more than \$5 million. The proposal is a transitional Part 3A Major Project under the EP&A Act.

The site is zoned B4 Mixed Use under the MD SEPP and the proposal is permissible.

The proposal was exhibited from 31 October 2012 until 29 November 2012. The department received submissions from the Sydney Olympic Park Authority (SOPA), Sydney Regional Development Advisory Committee (SRDAC), Transport NSW, the Office of Environment and Heritage (OEH), Environment Protection Authority (EPA) and Sydney Water. No submissions were received from the public. The matters raised in the submissions included stormwater management, parking provisions, waste classification, traffic assessment, ecological impacts, extent of demolition and details regarding landscaping works.

The proponent provided a response to the matters raised in submissions and a Preferred Project Report (PPR). The response to submissions and PPR:

- incorporated minor design changes to the rooftop plant and building footprint;
- responded to matters regarding potential ecological impacts on the Green and Golden Bell Frog and Lilly Pilly hedge;
- included a revised traffic assessment that incorporated more recent traffic volumes;
- clarified the extent of the proposed demolition;
- provided further details regarding stormwater management and water recycling measures; and
- provided further justification to support the proposed amount of vehicle parking.

The department has assessed the merits of the proposal and has found the key issues associated with the project include: built form and urban design; landscaping and public domain works; transport and traffic impacts; and flora and fauna impacts. The department is satisfied that the impacts of the proposed development have been addressed via the Environmental Assessment, Preferred Project Report and Statement of Commitments, and can be adequately managed through the recommended conditions.

The department considers the site to be suitable for the proposed development and that the application is in the public interest and is consistent with the objects of the EP&A Act (including ecologically sustainable development), the NSW 2021, the draft Metropolitan Strategy for Sydney 2031 and the draft West Central Subregional Strategy. The department is further satisfied that the subject site is suitable for the proposed development as it will provide employment opportunities to support the future growth and renewal of the Sydney Olympic Park Precinct to deliver a major employment, recreation and housing area for the region. The department therefore considers the project to be in the public interest and recommends that the project application be approved, subject to conditions.

1. PROPOSED PROJECT & SITE DESCRIPTION

1.1. The Proposal

GPT RE Limited (the proponent) proposes to construct a commercial building at 3 Murray Rose Avenue, Sydney Olympic Park (SOP) (formerly known as Building B, 7 Parkview Drive). The proposal is a transitional Part 3A project.

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

Figure 1: Project Location



1.2. Site Description and Surrounding Land Uses

The subject site, known as 1-5 Murray Rose Avenue (Lot 88 DP 870992), is located on the eastern edge of the Sydney Olympic Park Town Centre and has an area of approximately 24,505 sqm. The 3 Murray Rose Avenue site forms a part of this lot and has an area of 3,893 sqm. The site largely forms the site known as Site 60A in the Sydney Olympic Park Master Plan 2030 (MP 2030) and partially Site 60B.

The 3 Murray Rose Avenue site has a significant change in topography due to the earth berm located on the western portion of the land which falls away to the east (see **Figure 2**).

The subject site currently accommodates a warehouse, at-grade car parking areas, grassed vacant areas, an extension of Murray Rose Avenue and Building A, 7 Parkview Drive (MP 07_0157). Building A was approved by the Planning Assessment Commission under delegation from the then Minister for Planning, now known as 5 Murray Rose Avenue (see **Figure 3**). The project approval also included the partial construction of the through-site link between 3 and 5 Murray Rose Avenue, known as "the Cutting".

The land uses surrounding the subject site include:

- the Brickpit and open space to the north between the Brickpit and the subject site, which is to be developed as Brick Pit Park;
- Bennelong Parkway and the Badu Mangroves to the east;
- commercial and light industrial buildings to the south; and
- a public at-grade car park (P6F) to the west.

Figure 2: View of the 3 Murray Rose Avenue site from the west looking to the east



Figure 3: 5 Murrarie Avenue, 7 Parkview Drive Building A



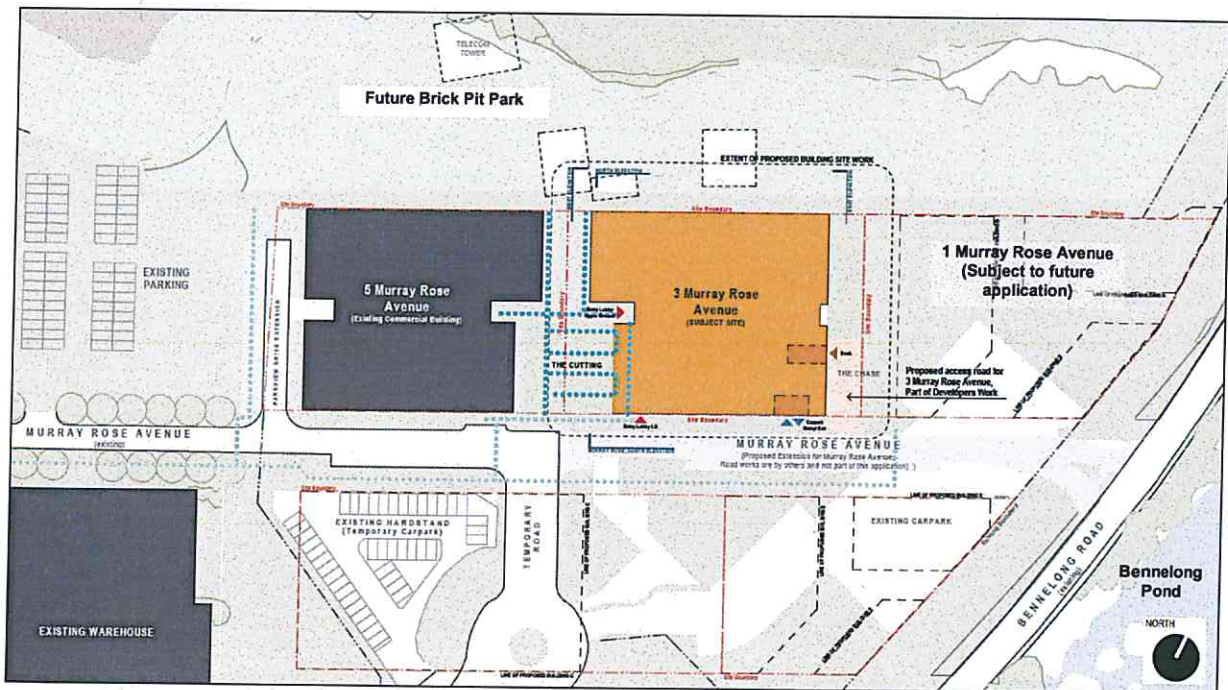
1.3. Key Project Components and Features

The following table provides a summary of the development proposal's key components and features and the proposed layout is shown in **Figure 4**.

Table 1: Project details

Project Summary	<ul style="list-style-type: none"> • demolition works; • construction of a new five storey commercial building and four level basement car park; • associated tree removal, landscaping and public domain works (including completion of the through-site link between 3 and 5 Murray Rose Avenue, to be known as "the Cutting", and the future through-site link between 1 and 1 Murray Rose Avenue, to be known as "the Chase"); and • digital display signage (full details not provided).
Height	23.7 metres
GFA	13,736 sqm
Site Area 1-5 Murray Rose Ave	24,505 sqm
FSR	1.1:1 (inclusive of 5 Murray Rose Avenue GFA of 13,250 sqm)
Parking Spaces	249
Value (CIV)	\$38,000,000
Jobs	1,270 operational jobs and 530 construction jobs

Figure 4: Project layout



2. STATUTORY AND STRATEGIC CONTEXT

2.1. Major Development SEPP

On 4 October 2008, the then Minister for Planning, formed an opinion that the project is a major project under clause 14 (Sydney Olympic Park) of Schedule 2 to the MD SEPP as it would be development within the Sydney Olympic Park site with a capital investment of more than \$5 million. Therefore, the Minister for Planning and Infrastructure is the approval authority.

Part 3A of the EP&A Act, as in force immediately before its repeal on 1 October 2011 and as modified by Schedule 6A to the Act, continues to apply to transitional Part 3A projects. Director-General's environmental assessment requirements (DGRs) were issued in respect of this project prior to 1 October 2011 and an environmental assessment was submitted before 30 November 2012, and the project is therefore a transitional Part 3A project.

Consequently, this report has been prepared in accordance with the requirements of Part 3A and associated regulations, and the Minister (or his delegate) may approve or disapprove of the carrying out of the project under section 75J of the Act.

2.2. Delegated Authority

On 27 February 2013, the Minister for Planning and Infrastructure delegated responsibility for the determination of project applications under Part 3A of the *Environmental Planning and Assessment Act 1979* to the Executive Director, Development Assessment Systems and Approvals. The proposal complies with the terms of that delegation as council has not objected to the proposal, no political disclosure statement has been made and no public submissions were received.

2.3. Permissibility and Zoning

The site is zoned B4 Mixed Use under State Environmental Planning Policy (Major Development) 2005 and the development is permissible in the zone.

2.4. Environmental Planning Instruments

The department's consideration of relevant EPIs (including SEPPs) is provided in Appendix B. The proposal is consistent with the relevant requirements of the EPIs.

2.5. Objects of the EP&A Act

Decisions made under the EP&A Act must have regard to the objects of the Act, as set out in Section 5 of the Act. The proposal complies with the objects because the proposal would facilitate the creation of a sustainable and vibrant township at Sydney Olympic Park, which would promote the social and economic of the welfare of the community by maximising the potential of the infrastructure that was provided for this entertainment and leisure precinct as well as ensuring the viability of the infrastructure. The proposal would facilitate the renewal of a designated development site and thereby further support the government's investment in the renewal of the area and protection of surrounding dedicated land for public purposes.

2.6. Ecologically Sustainable Development

The EP&A Act adopts the definition of Ecologically Sustainable Development (ESD) found in the *Protection of the Environment Administration Act 1991*. Section 6(2) of that Act states that ESD requires the effective integration of economic and environmental considerations in decision-making processes.

The department has considered the project in relation to the ESD principles. The Precautionary and Inter-generational Equity Principles have been applied in the decision making process via a thorough and rigorous assessment of the environmental impacts of the project.

The proposal is located on a previously developed and disturbed site and would not result in the loss of any threatened or vulnerable species, populations, communities or significant habitats, except for the Lilly Pilly hedge, which does not comprise a viable natural population. The potential impacts on surrounding ecological habitats are adequately managed and mitigated in the design and operation of the proposal. The site is not subject to any known effects of flooding and is not subject to bushfires. The site would not be impacted by changes in sea level rise resulting from climate change.

The proponent has committed to achieving a five star green star rating and five star NABERS rating. In doing so they will aim to:

- reduce energy use through high-efficiency mechanical equipment, energy efficient lighting, adoption of building systems that can monitor energy usage;
- reduce potable water use and reliance on water supply from the WRAMS system through on-site stormwater collection and re-use (given that stormwater cannot be harvested for the WRAMS system) and water efficient fixtures;
- provide a high performance façade to reduce heating and cooling;
- achieve a high level of environmental management during construction, including recycling waste materials; and
- support active transport through the provision of cyclist facilities.

The department is satisfied that the proposal and proposed sustainability initiatives would encourage ESD, in accordance with the objects of the EP&A Act.

2.7. Strategic Context

The department considers that the proposal is suitable for the site given:

- it is consistent with the priorities of NSW 2021, the State's 10 year plan, to build liveable cities by increasing employment opportunities within public transport catchments and providing jobs closer to home;
- it is consistent with the objectives of draft Metropolitan Strategy for Sydney 2031 and the draft West Central Subregional Strategy by contributing to the 14,000 jobs for the Olympic Park Specialised Precinct and achieving the renewal to deliver a major employment, recreation and housing area envisaged for the Precinct;
- it would capitalise on, and support, the WestConnex Motorway project, which is one of the major transport initiatives identified in the draft Metropolitan Strategy for Sydney 2031, which seeks to improve connectivity to the Sydney Olympic Park precinct;
- it is consistent with the aims and objectives of Major Development SEPP to facilitate the development, redevelopment or protection of important urban sites of economic, environmental or social significance to the State so as to facilitate the orderly use, development or conservation of those State significant sites for the benefit of the State;
- it would result in the creation of jobs closer to home in central western Sydney;
- investment in an identified renewal area with a CIV of \$38 million;
- job creation through 1,270 new operational jobs 530 new construction jobs.

3. CONSULTATION AND SUBMISSIONS

3.1. Exhibition

Under Section 75H(3) of the EP&A Act, the Director-General is required to make the environmental assessment (EA) of an application publicly available for at least 30 days. The department publicly exhibited it:

- on the department's website from 31 October 2012 until 29 November 2012 (30 days); and
- at the department's Information Centre, Auburn Council's offices and Sydney Olympic Park Authority's offices from 31 October 2012 until 29 November 2012 (30 days).

The department advertised the public exhibition in the Sydney Morning Herald and The Daily Telegraph on the 31 October 2012 and the Auburn Review on 30 October 2012. The department also notified adjoining landholders, and relevant State and local government authorities in writing.

The department received six submissions during the exhibition of the EA from public authorities. No submissions from the general public or from council were received.

3.2. Public Authority Submissions

A summary of the matters raised in submissions is provided below.

Sydney Olympic Park Authority (SOPA) supports the project and provided the following comments:

- consideration should be given to SOPA's Environmental Guidelines, in particular stormwater impacts and the water quality of the surrounding local streams and wetlands and threatened species found within these areas;

- stormwater cannot be harvested utilising SOPA's Water Reclamation and Management Scheme (WRAMS) as the development is outside of the WRAMS catchment area;
- stormwater harvesting and recycling should be considered given the potential ecological impacts of stormwater discharging to Bennelong Pond;
- a waste management plan should be prepared to ensure excavated material is appropriately tested and stored, and appropriately classified prior to being removed for off-site disposal;
- the waste classification of excavated materials should be independently reviewed or reviewed by the EPA given the site's proximity to remediated lands;
- clarification regarding the extent of demolition works and any staging of the demolition works should be provided given the implications on the delivery of the remainder of Murray Rose Avenue to be undertaken by SOPA;
- justification should be provided for the reduction in the size of the recesses on the eastern and western facades;
- further details regarding the awning should be provided, including demonstrating consistency with the design review panel's advice;
- further details are required regarding the through-site link, "the Chase", including: the timing of delivery and delivery of the ultimate treatment given the uncertainty regarding the future development of 1 Murray Rose Avenue; pedestrian paths consistency with accessibility requirements; and analysis of the loading dock swept paths;
- clarification is required regarding whether deep soil planting can be undertaken within "the Cutting" and "the Chase";
- the traffic assessment should be updated to consider actual traffic volumes instead of traffic surveys undertaken in 2009 and 2012 and assumptions regarding the three recently occupied buildings within the vicinity of the site;
- an accident study should be prepared for the Australia Avenue and Murray Rose Avenue intersection as it is projected to operate at close to an unsatisfactory level;
- car parking should be provided at a maximum rate of one space per 80 sqm as the development would benefit from recent public transport improvements;
- the two fig trees on SOPA's Significant Tree Register are to be transplanted to a SOPA endorsed location and the fig tree to be retained within the future Paddock Park must be protected during construction in accordance with SOPA's tree protection guidelines;
- consider reducing the width of the driveway to reduce the disruption to Murray Rose Avenue footpath;
- light spill to the Brickpit and the Badu mangroves should be minimised; and
- it should be demonstrated that interface levels and materials are well-integrated with Stage 2 of Brick Pit Park.

Sydney Regional Development Advisory Committee (SRDAC) has raised no objections to the proposal and provided the following comments:

- the proposal should be consistent with the objectives of the SOP Master Plan 2030;
- parking is to be provided to the satisfaction of the department and SOPA and designed in accordance with the relevant Australian Standards;
- all vehicles are to enter and leave the site in a forward direction and be contained wholly within the site before being required to stop;
- prior to issue of a construction certificate, a construction traffic management plan should be submitted to the department;
- the proponent is to implement a location-specific sustainable travel plan; and
- all works/regulatory signposting are to be at no cost to the RMS.

Transport for NSW has raised no objections to the proposal and supports the ongoing development of the Sydney Olympic Park precinct. Transport for NSW acknowledged that the public transport provisions for SOP were unlikely to change in the foreseeable future and therefore the car parking proposed is acceptable (at one space per 55 sqm). Transport for NSW also supports the sustainable transport initiatives the proponent has committed to, which includes the preparation of workplace travel plans.

The **Office of Environment and Heritage (OEH)** has raised no objections to the proposal and provided the following comments:

- impacts on an area identified as supplementary habitat for the Green and Golden Bell Frog requires clarification;

- the Lilly Pilly hedge identified for removal may be a threatened species and impacts on threatened species needs to be considered;
- conditions of approval should reference the mitigation measures outlined in the flora and fauna assessment, including: provision of water quality control measures; landscaping design and planting to address the potential movement of threatened species through the site, limit pedestrian access to sensitive areas and minimise light spill on the mangroves; bright colours and angled windows to reduce the occurrence of bird strike; preparation of a Green and Golden Bell Frog sub-plan as part of the Construction Management Plan; cessation of works if Green and Golden Bell Frogs are encountered during construction works, management of their habitat during construction and cleaning of equipment to minimise the likelihood of transmission of any frog pathogens.

Environment Protection Authority (EPA) has raised no objections to the proposal and advised that should any contamination be encountered during works, the proponent should submit a report to the department and EPA detailing the sources of contamination and the measures that would be taken to eliminate the contamination.

Sydney Water has raised no objections to the proposal and advised that sufficient capacity exists for water, wastewater and recycle water connections.

The department has fully considered the issues raised in the submissions in Section 4 of the report.

3.3. Proponent's Response to Submissions and Preferred Project Report

The proponent has provided a response to the issues raised in submissions and a Preferred Project Report, which increases the size of the rooftop plant in depth by six metres and width by two metres and enlarged the building footprint by 700 mm to the west in the south-western corner.

The response to submissions responds to the issues raised by OEH regarding potential impacts on threatened species and confirms that the Green and Golden Bell Frog supplementary habitat would not be removed as part of the development and the removal of the Lilly Pilly hedge would not result in significant impacts as the vegetation is not native and is located beyond its natural habitat. The proponent has committed to preparing a site specific plan to manage the potential impacts on the Green and Golden Bell Frog.

The response to submissions also:

- included a revised traffic assessment that incorporated more recent traffic volumes;
- clarified the extent of the proposed demolition;
- provided further details regarding stormwater management and water recycling measures; and
- provided further justification to support the proposed amount of vehicle parking.

The PPR and response to submissions was referred to SOPA who were generally satisfied with the responses but provided the following comments:

- further details of the stormwater detention on-site are required and therefore SOPA recommends that prior to issue of a construction certificate the proponent submit detailed stormwater and drainage plans to SOPA for approval;
- that the construction management plan that the proponent has committed to preparing needs to address erosion and sediment control to SOPA's satisfaction;
- that a construction waste management plan needs to be prepared and endorsed by SOPA;
- car parking should be provided at the rates outlined in Sydney Olympic Park Master Plan 2030 (MP 2030); and
- the potential ecological impacts of stormwater discharging to Bennelong Pond requires further assessment.

Whilst SOPA initially advised that an accident study would be required for the Australia Avenue and Murray rose Avenue intersection as it was originally forecast to drop to a Level of Service D based on the 2009 and 2012 traffic data. SOPA raised no issue with the operation of the intersection in the revised traffic assessment, which utilised more current traffic data and forecast a drop in the Level of Service to C, which is a satisfactory level.

4. ASSESSMENT

The department considers the key environmental issues for the project to be:

- built form and urban design;
- landscaping and public domain works;
- transport and traffic impacts;
- flora and fauna impacts; and
- the public interest.

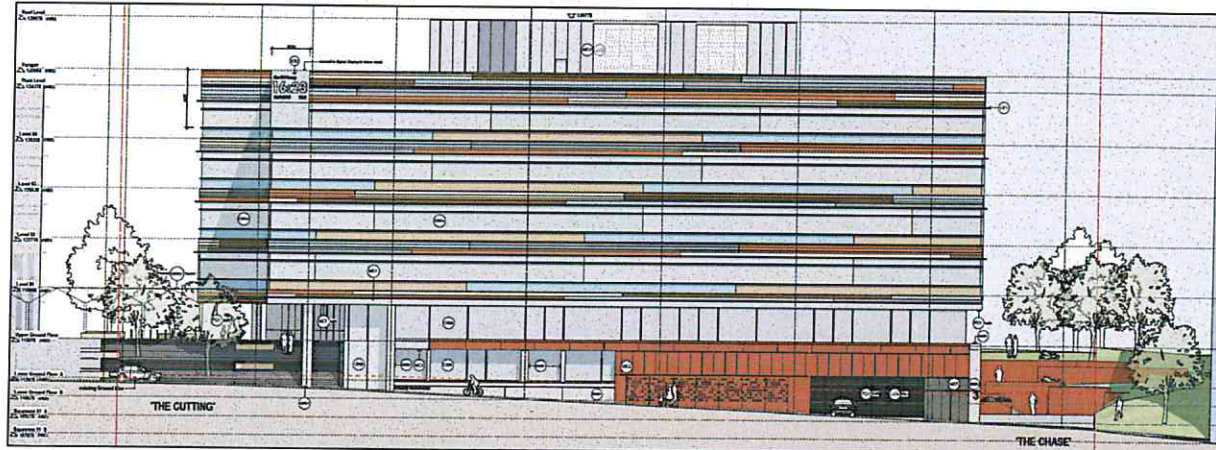
4.1. Built Form and Urban Design

The proposed five storey commercial building has been designed to respond to the future character of the locality and addresses controls set out in the MD SEPP and Sydney Olympic Park Master Plan 2030 (MP 2030). The proposed building's bulk and scale is comparable with the existing and future surrounding built form.

The built form has been primarily informed by the development controls contained in MP 2030, and refined through SOPA's design excellence and consultation process. The proposed height of 23.7 metres (five storeys) as shown in **Figure 5** complies with the controls in the MD SEPP (33 metres) and Master Plan 2030 (eight storeys).

The total gross floor area of 13,736 sqm results in an FSR of 0.56:1. The total FSR for the site of 1.1:1, based on a total gross floor area of 26,989 sqm, which includes the gross floor area of 5 Murray Rose Avenue, complies with the controls in the MD SEPP (2.5:1) and Master Plan 2030 (2.5:1). The proposed development is comparable with the bulk and scale of the adjacent building at 5 Murray Rose Avenue, which has a building height of 22.75 metres and gross floor area of 13,253 sqm.

Figure 5: Proposed southern elevation

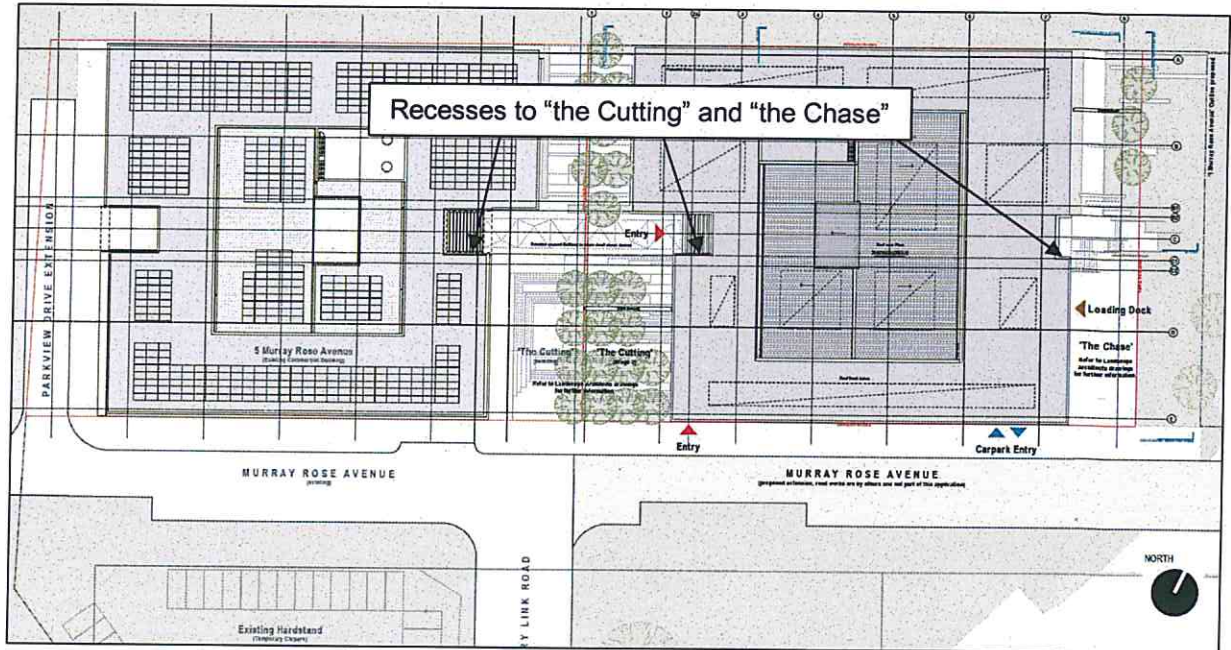


The proposed building has similar dimensions to 5 Murray Rose Avenue and incorporates similar architectural design features, including consistent articulation and modulation. All the façades of 3 Murray Rose Avenue would front public domain areas, with the northern façade interfacing with the future Brick Pit Park. The proposed building has therefore been designed to complement 5 Murray Rose Avenue to ensure continuity within the precinct.

The most notable difference, as noted by SOPA, is that the recesses provided for 3 Murray Rose Avenue are shallower. The proponent contends that:

- the depth of the recess provided to "the Cutting" (see **Figure 6**) is generally consistent with that provided for 5 Murray Rose Avenue, which has been further emphasised in the PPR by extending the south-western corner to the west; and
- the smaller depth of the recess provided to "the Chase" (see **Figure 6**) responds to the context of "the Chase" as a secondary site linkage and the interface with the future residential development and the nature of oblique views to this area.

Figure 6: Level 1 Floor Plan



The department considers that the modulation and design of the recess to “the Cutting” complements the design of 5 Murray Rose Avenue and the recess to “the Chase” achieves modulation of the building into two wings whilst responding to the future context of “the Chase”, as views would be obstructed when the area is fully developed. Accordingly, the department considers the shallower recess is satisfactory. Furthermore, adequate light and amenity is provided to occupants of the building within the vicinity of the recess and the future occupants would not gain any substantial benefit from increasing the size of the recess, which generally complies with 12 metre distance between the core and ancillary services to an external window as recommended in MP 2030.

The primary building address is to Murray Rose Avenue whilst the main entry would be accessed via the “the Cutting”. The proposed ground floor of the building would align with 5 Murray Rose Avenue and “the Cutting” as well as aligning with the natural ground level to the north and west. This results in car parking areas being situated above the ground and potential exposure to the street along Murray Rose Avenue.

The proposed design of the façade provides glazing to the bicycle storage area to expose the sustainable transport initiatives incorporated into the design and to activate the site along Murray Rose Avenue. Site activation would also be achieved through a secondary entry provided for the bicycle storage area on Murray Rose Avenue.

The decorative metal cladding provided along the remainder of the exposed lower ground parking areas would also screen car parking whilst also being consistent with the metal clad exposed parking areas for 5 Murray Rose Avenue (see **Figure 7**).

The department considers the proposed scale and density of the development is suitable for this site, which is in keeping with the character envisaged for the ‘Parkview Precinct’ under MP 2030. The proposed building is consistent with the envelope set by MP 2030 and complements 5 Murray Rose Avenue.

Figure 7: Perspective View of South-East Corner



4.2. Landscaping and Public Domain Works

The proposed landscaping for the site comprises the two through-site links, “the Cutting and “the Chase”, which would connect Murray Rose Avenue to the future Brick Pit Park (see **Figures 8 and 9**). These two through-site links have been identified as new connections in MP 2030. Landscape plans have been prepared in relation to the development of the site in the interim as well as an indicative plan for the overall design as the delivery of “the Chase” is subject to the future development of 1 Murray Rose Avenue (the adjacent site to the east).

Figure 8: Landscape plan for “the Cutting”

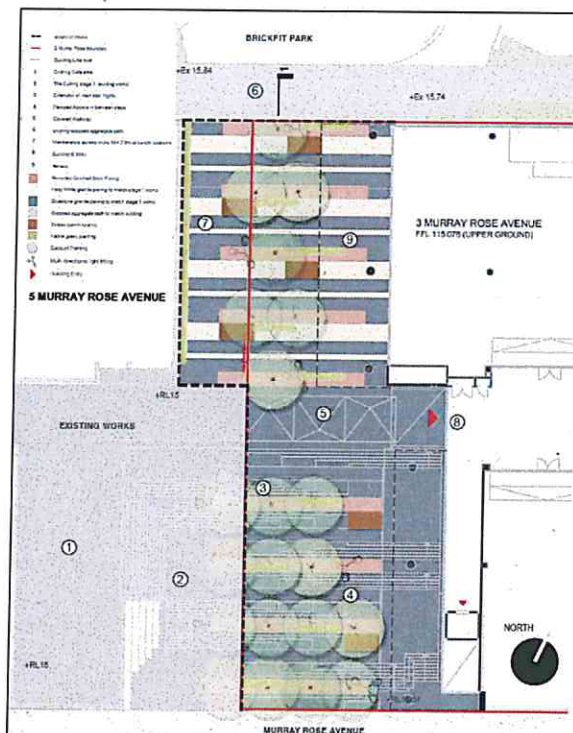
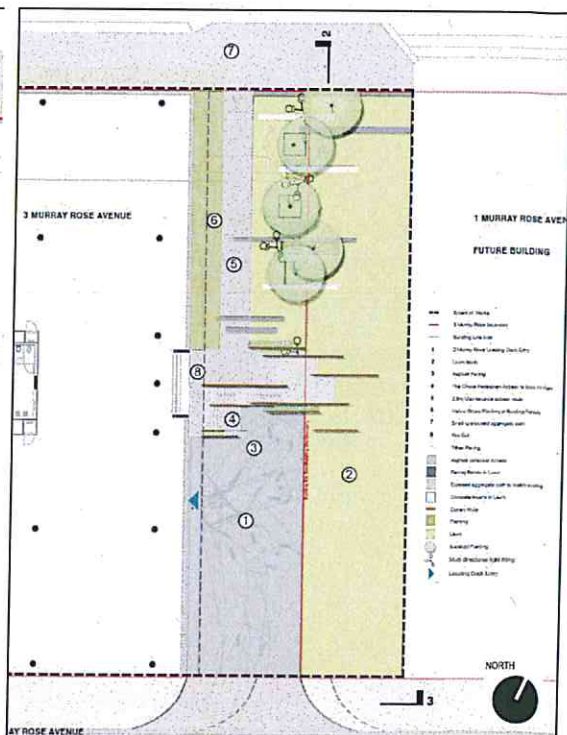


Figure 9: Landscape plan for “the Chase”



The landscaping includes works that would complete "the Cutting" and establish the primary through-site link to Brick Pit Park. The design incorporates a mix of hard and soft elements, including bio swales, a paved terrace, native grasses and eucalypt plantings. The landscape works would complement the works already completed for 5 Murray Rose Avenue and deliver a hard paved open space area that is activated by the café in 5 Murray Rose Avenue and building entrances.

The department considers the design reflects the primary role that the through-site link plays in providing access to 3 Murray Rose Avenue and access to the Brick Pit Park. The proposed planting along the "the Cutting" would provide shade to improve pedestrian amenity and visually soften the hard paved areas as well as provide an appropriate gateway into the future Brick Pit Park.

The interim works for "the Chase" would ensure that 3 Murray Rose Avenue has appropriate surrounds immediately upon completion, whilst providing flexibility for the future design of 1 Murray Rose Avenue. The interim design incorporates a mix of hard and soft elements, including an area of lawn, eucalypt plantings, paving for pedestrian access and an asphalt vehicle access to the loading dock. The area within 1 Murray Rose Avenue is to be grassed and would provide an appropriate arrangement in the interim as it connects the proposed lawn within the 3 Murray Rose Avenue site and the adjoining vacant grassed areas within 1 Murray Rose Avenue.

SOPA advised that the width of the path within "the Chase" did not meet SOPA's accessibility requirements and queried whether deep soil zones would be provided to the proposed eucalypt plantings. The proponent indicated in the response to submissions that the path would be provided to address these requirements. The department has included a condition that requires the proponent demonstrate the final design plans for the landscaped areas meet SOPA's accessibility requirements and demonstrate that the deep soil zones are adequate.

The department considers the design of "the Chase" reflects the secondary role of this through-site link by providing more passive open space areas and limited paving. This is appropriate given the increased potential for pedestrian and vehicle conflict due to the location of the loading dock for 3 Murray Rose Avenue and potential loading dock of 1 Murray Rose Avenue. The indicative final design for "the Chase" extends the interim design and provides additional lawn areas and expansion of the vehicle access to accommodate the loading dock for 1 Murray Rose Avenue. The department considers that the final design demonstrates that an appropriate layout can be achieved to reflect the secondary role of the through-site link.

The department considers the design of the two through-site links reflect the roles of each within the precinct and are appropriate within the context of the site. The department considers the landscaping works for "the Cutting" and the interim landscaping arrangements for "the Chase" acceptable.

4.3. Transport and Traffic

Traffic

The proposal is expected to generate a maximum of 227 additional vehicles during peak periods. The traffic assessment used 2009 and 2012 data as well as assumptions for the traffic generated by 5 Murray Rose Avenue. SOPA requested that more current traffic data be used given the changing context at SOP and the recent occupation of a number of surrounding commercial and residential buildings.

The proponent submitted a revised traffic assessment with the PPR, which demonstrated that the traffic efficiency at key intersections would be acceptable. Traffic volumes were comparable or lower than that originally surveyed in the 2009 and 2012, except eastbound vehicles on Parkview Drive and Murray Rose Avenue (East), which is to be expected given the occupation of 5 Murray Rose Avenue. SOPA raised no issue with the revised traffic assessment undertaken by the proponent and submitted with the PPR.

The revised traffic assessment demonstrates that the potential traffic generated by 3 Murray Rose Avenue could be accommodated on the local street network and would have minimal impact on the traffic efficiency of the affected intersections, which would predominantly maintain existing Levels of Service A to B, which are classified as a good levels of service with minimal delays. The Murray Rose Avenue approach to the Australia Avenue and Murray Rose Avenue intersection is expected to drop from Level of Service B to C, which is still a satisfactory level of service.

The department is satisfied that the additional traffic generated by the development can be accommodated on the local road network and have acceptable impacts as the intersections would maintain good to satisfactory levels of service. Furthermore, the new connection to Bennelong Parkway, which is expected to be completed with the delivery of 3 Murray Rose Avenue, would also distribute the traffic utilising the Australia Avenue and Murray Rose Avenue intersection.

Parking provisions

The proposal seeks to provide a total of 249 vehicle parking spaces and 88 bicycle parking spaces in the new four level basement car park, comprising car, motorcycle and small car spaces. MP 2030 identifies a maximum vehicle parking rate of one space per 80 sqm. The proponent has adopted a rate of one space per 55 sqm based on the rate permitted under the former master plan, which is also identified as an interim rate in the transport strategy informing MP 2030.

The proponent contends that the rate of one space per 80 sqm is not appropriate in this instance given the public transport improvements (West Metro, the proposed metro line connecting Parramatta to Central, and strategic bus corridors) that were anticipated to support the change in travel behaviour and reduced reliance on private vehicle modes have not been delivered. The proponent contends that the rate of one space per 55 sqm, identified as an interim rate in the transport strategy informing MP 2030, which targets an initial increase in mode share to 25 per cent for non-car modes, is therefore more appropriate. The department accepts that the forecast shift in travel behaviour envisaged in MP 2030 to a 41 per cent non-car mode share cannot be achieved without the public transport improvements identified in the transport strategy informing MP 2030, including the delivery of the West Metro, which is no longer proceeding, and establishment of strategic bus corridors.

SOPA requested that the vehicle parking rates in MP 2030 be applied as the development would benefit from recent public transport improvements, including the 10 minute interval shuttle train services from Lidcombe station during the peak periods and additional bus services. Transport for NSW acknowledged that the public transport provisions were unlikely to change in the foreseeable future and therefore the car parking proposed is acceptable (one space per 55 sqm).

The site is supported by public transport services, including access to the Sydney Olympic Park Railway Station, which is located approximately 700 metres from the site, and four bus services with stops located between 400 and 700 metres from the site. These services run at a 10 to 15 minute frequency during peak periods and a 20 to 30 minute frequency out of peak periods. The proponent contends that the level of public transport is not adequate, especially outside of peak periods, to support the required modal shift to support the one per 80 sqm vehicle parking rate and this would result in adverse impacts on existing on-street parking provisions.

The department acknowledges that the key transport initiatives will not come to fruition in the short or medium term. Accordingly, the rate of one space per 55 sqm and the provision of 249 car parking spaces is acceptable as it would still encourage a shift to sustainable transport modes as the development is supported by 88 bicycle parking spaces for employees within the building and a further 18 bicycle spaces for visitors. This would be supported by workplace travel plans of future occupants which forms one of the project commitments.

Major events

The site is located on the periphery of the SOP "Major Event Operations Zone" and would be impacted by some major events and associated road closures for a period of up to 56 event days annually. The site is adjacent to car park 6F, which is used for the Royal Sydney Easter Show. There is the potential that a section of Murray Rose Avenue adjacent to the car park would be closed for a month during the Royal Sydney Easter Show event each year and up to three weeks for the V8 Supercars Race Event. Australia Avenue remains open south of Dawn Fraser Avenue during major events to retain access to the commercial areas of SOP, and Parkview Drive would also remain open. Furthermore, the new connection of Murray Rose Avenue to Bennelong Parkway would also provide access to the site. Consequently, access to the site would always be maintained from both Parkview Drive and Bennelong Parkway.

The biggest impact on the operations during major events is likely to be the reduction in on-street public parking availability. This would require users to find alternative methods of transport or parking facilities. In these situations commuters would be encouraged to use public transport, with travel plans circulated to inform workers of transport options available.

4.4. Flora and Fauna Impacts

The key ecological habitats in the vicinity of the site are the Brickpit, which contains a reservoir for the SOPA's water recycling scheme, and the Badu Mangroves. A planted Lilly Pilly hedge was also identified within the 1-5 Murray Rose Avenue redevelopment site. The flora and fauna impact assessment accompanying the EA incorporates formal assessments of significance in relation to the NSW *Threatened Species Conservation Act 1995* (TSC Act) and the Commonwealth *Environmental Protection and Biodiversity Conservation Act 1999* (EPBC Act). These assessments concluded that no significant impacts are likely to occur to any NSW or Commonwealth listed species or community. An addendum to the assessment was submitted with the PPR concludes that the proposal will not result in significant impacts on the Lilly Pilly hedge species under the EPBC Act.

The proposed development would have direct and indirect impacts on threatened species in the locality. Direct impacts include vegetation clearance and a reduced area for the movement of frogs. The vegetation proposed to be removed consists of planted native and exotic trees, shrubs and ground cover species, including the Lilly Pilly hedge. These types of vegetation have little conservation value in the context of the site, as they do not contribute to a functioning ecological community or provide significant resources for local fauna. The Lilly Pilly hedge is a planted specimen and located beyond the natural range of the species and therefore is not considered a viable natural population. Accordingly, the proposal would not have significant impacts.

The flora and fauna assessment recommended various mitigation measures to minimise the impacts on the surrounding ecological habitats during construction and operation. These mitigation measures have been adopted into the design of the proposal. Specifically the design measures address landscaping design and planting to address the potential movement of threatened species through the site, careful lighting design to minimise light spill and coloured horizontal strips along the façades to reduce the occurrence of bird strike.

Whilst SOPA raised the impact of stormwater runoff on threatened species within Bennelong Pond, the department considers that with appropriate water quality control measures during construction and operation that impacts can be adequately mitigated and would not pose a significant impact on flora and fauna within the surrounding ecological habitats. The department has included recommended appropriate conditions to ensure that the stormwater management addresses SOPA's requirements.

The proposal would not result in establishing any additional pedestrian access to sensitive areas as the proposal interfaces with the future Brick Pit Park, which has been designed by SOPA to consider the sensitive land uses. Whilst the site is identified as being part of a movement corridor for Green and Golden Bell Frogs, broadly linking the Brickpit and the Badu Mangroves, the preferred movement corridor for the frogs is via an alternative path using existing underpasses under Bennelong Parkway. Furthermore, the proposed landscaping design provides suitable grasses and design elements that would provide cover for any frogs traversing the site.

The proponent has also committed to preparing a Green and Golden Bell Frog sub-plan as part of the Construction Management Plan. The department has included in the recommended conditions that the sub-plan should include: appropriate procedures if Green and Golden Bell Frogs are encountered during construction works such as cease work; management of their habitat during construction; and cleaning of equipment to minimise the likelihood of transmission of any frog pathogens.

A significant fig tree is located within the vicinity of the existing warehouse building to be demolished and therefore would require protection during demolition works. The tree is located over 30 metres from the building footprint and landscaping works. The department has included a recommended condition to ensure the tree is protected during demolition and construction works.

4.5. Other

Noise and vibration impacts

The proponent has prepared an acoustic report that concludes that the development can be constructed to mitigate potential major event noise impacts, particularly the Royal Easter Show, through the design of the façade incorporating 6 mm laminated/12 mm airgap/6 mm thick glazing and use of acoustic seals. The proponent contends that it would be unreasonable to attenuate for the operation of the V8 Supercars Race Event as the event occurs over a Friday and a weekend and therefore would only result in a single day of acoustic impacts on commercial premises.

The department has recommended that the proponent submit an acoustic statement by a suitably qualified and experienced engineer prior to commencement of construction works confirming that the detailed design of the building has adopted the recommendations of the acoustic report. The department agrees that it would be unreasonable to attenuate for a temporary event for the precinct, especially given the measures that would be required for such an event.

The acoustic report also concludes that operational noise, including potential noise impacts from the plant, can be mitigated or managed so that the proposal meets the noise emission goals in the Industrial Noise Policy for the noise sensitive receivers in the vicinity of the site (future residential at 1 Murray Rose Avenue and along to the south of the site). The acoustic assessment recommends that:

- the chillers be enclosed in a plant room;
- the cooling towers be located away from future residential development and be screened from the residential development by locating them to the west of the plant room; and
- using vibration isolation mounts for plant.

The department accepts that whilst the acoustic report considers that the proposal can meet the noise emission goals, further detailed design and selection of plant is required prior to establishing whether the proposal is able to meet the noise emission goals. The department has recommended that prior to the commencement of operation of the new facilities, that the proponent submits to the department a further acoustic assessment by a qualified acoustic engineer that confirms that the selected plant has been adequately attenuated.

The proponent has committed to preparing a Construction and Environmental Management Plan that would address noise and vibration control. The department has also recommended a condition restricting the construction hours for noisy activities to ensure that respite periods are provided.

Signage

The proposal seeks approval for a 3 metre wide and 4.425 metre tall digital display signage on the western edge of the southern elevation on the uppermost floor. The details of the signage to be displayed have not been provided and are subject to future detail.

The department considers the location and proposed dimension of the digital display acceptable as it would have minimal impacts to sensitive surrounding environmental areas and is an appropriate scale in the context of the size of the building. However, as the proponent has not provided adequate detail in regards to what would be displayed on the sign, the department recommends that no signage be approved and that signage be subject to a further application.

Overshadowing

The overshadowing impacts resulting from the proposed development would impact the two new through-site links and future development to the east and south (see **Figures 10 to 12**). Whilst "the Cutting" would be partially overshadowed throughout the day as a result of 3 Murray Rose Avenue, the department notes that the public spaces primary function is a through-site link and would connect to an open space area to the north that would not be overshadowed by the development.

Whilst the design of "the Chase" functions more like passive open space, the area would still benefit from morning sunlight during the most affected winter solstice period until 1 Murray Rose Avenue is completed. The northern section where the lawn is proposed would benefit from the highest level of sunlight even during the winter solstice period based on indicative envelopes for 1 Murray Rose Avenue. Also due to the width of the linkages, the open space area to the north and the orientation of the lots, both these areas would still benefit from partial solar access throughout the day. Therefore, the department considers that the solar access impacts on these future public domain areas acceptable.

Whilst the extent of the overshadowing on the future development along the south of Murray Rose Avenue is significant, the design of any future residential development would need to take into consideration the overshadowing impacts from existing development. Furthermore, it should be noted that the built form of 3 Murray Rose Avenue is consistent with the envelopes set by MP 2030.

Figure 10: Overshadowing during the winter solstice (9 am)

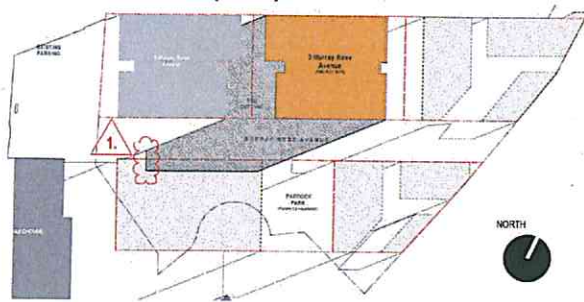


Figure 11: Overshadowing during the winter solstice (12 midday)

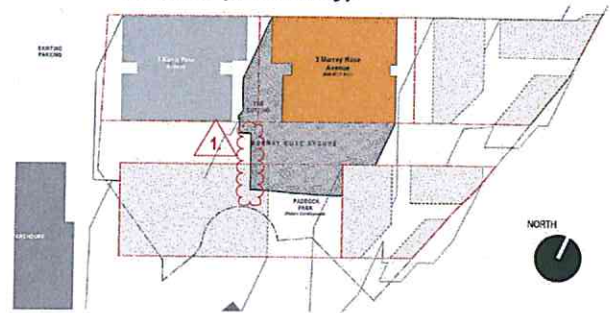
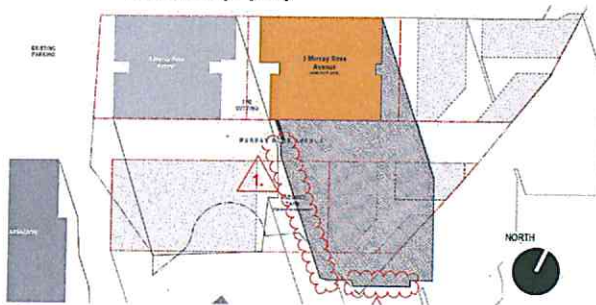


Figure 12: Overshadowing during the winter solstice (3 pm)



4.6. Public Interest

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

- all relevant environmental, amenity and health related impacts can be appropriately managed;
- it is in accordance with the type of development envisaged for the site under MP 2030, and would make a significant economic contribution to SOP;
- it provides significant employment opportunities within SOP and is estimated to generate employment for approximately 1,200 staff thereby strengthening the role of the SOP as a regional employment destination;
- it represents an economic use of existing infrastructure at SOP, thereby contributing to the overall commercial viability of the area;
- it provides for a high quality architectural and urban design outcome;
- it incorporates ESD principles; and
- it would optimise and encourage use of Sydney Olympic Park Railway Station.

5. CONCLUSION

The department has reviewed the environmental assessment and considered advice from public authorities in accordance with section 75I(2) of the EP&A Act. All the relevant environmental issues associated with the proposal have been extensively assessed.

The construction of the commercial building would provide a significant contribution to the ongoing development of a diverse and vibrant town centre at Sydney Olympic Park. The development is consistent with NSW 2021, which seeks to deliver additional employment opportunities for the State and the strategic objectives of delivering 14,000 jobs for the Olympic Park Specialised Precinct in the draft Metropolitan Strategy for Sydney 2031 and the draft West Central Subregional Strategy.

The proponent has adequately addressed the Director General's Environmental Assessment Requirements and satisfactorily mitigated the potential environmental impacts associated with the proposal. The recommended conditions, implementation of the measures detailed in the proponent's EA and appendices, PPR and appendices, and Statement of Commitments seek to maintain the amenity of the local area, and adequately mitigate the environmental impacts of the proposal.

The department considers the site to be suitable for the proposed development and that the application is in the public interest. Consequently, the department recommends that the project application be approved, subject to conditions.

6. RECOMMENDATION

It is recommended that the Executive Director, Development Assessment Systems and Approvals, as delegate of the Minister for Planning and Infrastructure:

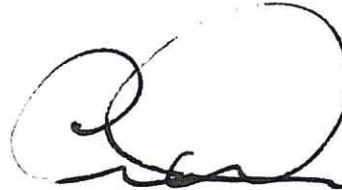
- a) **Consider** the findings and recommendations of this report;
- b) **Approve** the Major Project Application (MP 11_0082), subject to conditions, under section 75J(1) of the EP&A Act, having considered all relevant matters in accordance with (a) above; and
- c) **Sign** the attached Instrument of Approval (Appendix D).

Approved by



Heather Warton
Director
Metropolitan and Regional Projects North

30/4/13



Chris Wilson
Executive Director
Development Assessment Systems and Approvals

30.4.13

APPENDIX A RELEVANT SUPPORTING INFORMATION

The following supporting documents and supporting information to this assessment report can be found on file or on the Department of Planning and Infrastructure's website as follows.

1. Environmental Assessment: provided on CD or refer to the following link
http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=4664.
2. Submissions: provided at Tag A or refer to the following link
http://majorprojects.planning.nsw.gov.au/index.pl?action=list_submissions&job_id=4664.
3. Preferred Project Report: provided on CD or refer to the following link
http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=4664.

APPENDIX B CONSIDERATION OF ENVIRONMENTAL PLANNING INSTRUMENTS

State Environmental Planning Policy (Major Development) 2005

On 4 October 2008, the then Minister for Planning, formed an opinion that the project is a major project under clause 14 (Sydney Olympic Park) of Schedule 2 to the MD SEPP as it would be development within the Sydney Olympic Park site with a capital investment of more than \$5 million. Therefore, the Minister for Planning and Infrastructure is the approval authority.

Part 3A of the EP&A Act, as in force immediately before its repeal on 1 October 2011 and as modified by Schedule 6A to the Act, continues to apply to transitional Part 3A projects. Director-General's environmental assessment requirements (DGRs) were issued in respect of this project prior to 1 October 2011 and an environmental assessment was submitted before 30 November 2012, and the project is therefore a transitional Part 3A project.

The site is zoned B4 Mixed Use and commercial developments are permissible within that zone. The site is located within the listed Sydney Olympic Park State Significant Site under Schedule 3 of the MD SEPP. Provided in the Table 1 below is an assessment of the proposal's compliance against the applicable development standards.

Table 1: Part 23 Sydney Olympic Park Development Standards

Clause in MD SEPP	Criteria	Compliance
18 Height of buildings	33 metres	Complies
19 Floor space ratio	2.5:1	Complies
20A Demolition requires consent	The demolition of a building or work may be carried out only with consent	Complies – forms part of the application
23 Public utility infrastructure	Adequate capacity of public utility infrastructure to support development	Complies
24 Major events capability	Consent must not be granted if the consent authority is satisfied that during a major event: <ul style="list-style-type: none"> - traffic generated by the development saturates and fails local and regional road networks; - effective management of crowds and transport services will be affected; and - emergency management plans and evacuation plans are affected. 	Complies - consideration has been given to the impact of the proposal on the surrounding road network, impacts on crowd management and transport services and emergency management plans. The proposal is considered satisfactory in this regard.

Clause in MD SEPP	Criteria	Compliance
25 Transport	Development to include measures to promote public transport use, cycling and walking	Complies - the proposed development provides bicycle parking and change room facilities for staff. Provision is also to be made for visitor bicycle parking. The proponent has also committed to preparing workplace travel plans prior to occupation of the building.
26 Master plan	<ul style="list-style-type: none"> - Consent must not be granted unless master plan has been considered; and - Consent must not be granted on land within 400m of train station unless consent authority has considered reducing master plan car parking requirements. 	Complies - the department has thoroughly considered the provisions and controls of the MP 2030. See consideration of MP 2030 in the following section and Section 4 of the report.
30 Design excellence	<ul style="list-style-type: none"> - Consent must not be granted unless the development exhibits design excellence. 	Complies - the building exhibits design excellence and is consistent with the winning design for the broader 1-5 Murray Rose Avenue site. The design was developed in consultation with SOPA's design review panel and the scale of the building and treatment of the façade is comparable with, and complements, 5 Murray Rose Avenue.

State Environmental Planning Policy (Infrastructure) 2007 (Infrastructure SEPP)

The aim of this policy is to assist in the effective delivery of public infrastructure throughout the State.

Schedule 3 of the Infrastructure SEPP requires traffic generating development to be referred to the RMS. The proposal was referred to the RMS, who raised no objections to the project proceeding. RMS's comments are discussed in Section 4 of this report.

State Environmental Planning Policy No. 55 – Remediation of Land

State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55) requires a consent authority to consider whether the land is contaminated, and if so, whether the land would be remediated before the land is used for the intended purpose.

A detailed contamination assessment was undertaken for the site and indicates that contaminant concentrations are within the adopted assessment criteria for the site except for two samples which exhibited elevated concentrations of contaminants but will be excavated as part of the basement. SOPA has requested that a waste management plan be prepared and submitted to SOPA and EPA has indicated that should further contamination be found on the site that a report be prepared identifying the contamination, the extent of contamination and what measure would be undertaken to eliminate the contamination and submitted to EPA and the department.

The department is satisfied that, in accordance with clause 7 of the SEPP, the investigations undertaken of the subject site demonstrate that the site is suitable for the proposed commercial uses. The department has incorporated SOPA's and EPA's conditions in the recommended conditions of approval.

State Environmental Planning Policy No. 64 – Advertising Signage

SEPP 64 aims to that proposed signage is of a compatible nature with the desired amenity and visual character of an area, provide effective communication and to ensure that signage is of a high quality design and finish. A digital display sign is proposed on the southern façade of the building adjacent to "the Cutting". The proposed scale of the sign is considered to be compatible with the desired amenity and visual character of the area, however, as the detail of the sign is unknown it is considered signage should be subject to a future application.

Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (SHC SREP)

SHC SREP provides a planning framework to achieve better environmental outcomes for Sydney Harbour and its catchment. Although SHC SREP applies to the whole of the Sydney Catchment Area, including the subject site, it primarily provides planning provisions relating to the foreshore and waterways area as identified under SHC SREP. The site is not included within the foreshores and waterways area and therefore such provisions do not apply to the subject proposal.

However, SHC SREP contains provisions relating to biodiversity, ecology and environmental protection as well as provisions concerning the maintenance, protection and enhancement of views. The stormwater and drainage systems are satisfactory and will integrate with the existing stormwater design systems for the Sydney Olympic Park. The architectural design of the building is satisfactory and will not detrimentally impact on views and vistas to and from public places and landmarks.

Sydney Olympic Park Master Plan 2030 (Master Plan 2030)

Master Plan 2030 was adopted by the Minister for Planning on 10 March 2010 and supersedes Master Plan 2002. Master Plan 2030 aims to ensure Sydney Olympic Park becomes an active and vibrant town within Metropolitan Sydney and protect the role of Sydney Olympic Park as a premier destination for cultural, entertainment, recreation and sporting events.

Master Plan 2030 provides more specific design controls regarding sustainability, public domain, event controls, land use and density, building form and amenity, access and parking, transport strategies and infrastructure, landscaping and community infrastructure controls would apply. While Master Plan 2030 does not strictly apply to Part 3A proposals under the MD SEPP, it has been considered and the proposal broadly complies with Master Plan 2030 (see Table 1).

Table 2: Sydney Olympic Park Master Plan 2030 Compliance Table

General Controls & Guidelines	Applicable Requirements	Compliance
4.2 Sustainability 4.2.1	<ul style="list-style-type: none"> - Engage an ESD consultant as a project team member - Connect to SOP's recycled water system - Prioritise sustainable material selection - Commercial to achieve a minimum 4.5 star NABERS rating and 5 Star Green Star Green Building Council of Australia rating 	<p>Complies</p> <p>Complies</p> <p>Complies</p> <p>Complies</p>
4.3 Public Domain 4.3.1	<ul style="list-style-type: none"> - Min. footpath width on public streets: 1.8m - Urban domain to receive daily min. of 2 hrs direct sunlight between 9am and 3pm, 30 June - Provide weather protection at communal entrances - Max. surveillance of public domain and views of public areas from building - Activate ground floor levels with primary retail uses - Introduce multiple entrances wherever possible - Divide large facades into smaller sections to modulate street frontage and ensure architectural detailing incorporates good materials and details of interest to pedestrians - Ensure vegetation does not block vision of pedestrians within the public domain - Improve safety of pedestrian pathways through good visibility, lighting and adjacent activity 	<p>Complies</p> <p>See Section 4 of the report</p> <p>Subject to future application</p> <p>Complies</p> <p>Complies</p> <p>Complies</p> <p>Complies</p> <p>Complies</p>
4.4 Event Access & Closures 4.4.1.1 & 4.4.1.2 4.4.1.6	<ul style="list-style-type: none"> - Maintain access to development site during events requiring vehicle access points to be located away from affected streets. - Event Impact Statement to be provided to be assessed by SOPA in accordance with Major Event Impact Assessment Guidelines for SOP. 	<p>Complies</p> <p>No – to be addressed in the conditions</p>
4.5 Land Use & Density 4.5.1	<ul style="list-style-type: none"> - Permitted land use - commercial 	<p>Complies</p>
4.5.3	<ul style="list-style-type: none"> - Ground level active uses are to have minimum depth of 3m. - Before consent is given for commercial development, consent authority to determine whether adequate capacity exists within the transport and road networks. 	<p>Complies</p> <p>Complies</p>

General Controls & Guidelines	Applicable Requirements	Compliance
4.6 Building Form & Amenity		
4.6.2	<ul style="list-style-type: none"> - Locate buildings within building zone and ensure building layouts optimize solar access, natural light, cross ventilation, usable communal outdoor areas and views. 	Complies
4.6.3	<ul style="list-style-type: none"> - Preferred depth of commercial buildings is 25 metres - Ensure all work stations are 12 metres or less from an external window or an atrium - Underground car parking to be concentrated to building footprint 	<p>No – 52 m proposed – considered acceptable given the modulation of the building into two wings and the recesses provided to ensure adequate solar amenity to building occupants</p> <p>Not applicable – Fit-out of building to be addressed in a separate application</p> <p>No – partially extends beyond footprint but is considered acceptable as still within site boundaries</p>
4.6.4	<ul style="list-style-type: none"> - Comply with max. heights nominated in Building Heights Plan – 8 storeys - Comply with the minimum floor to ceiling heights: <ul style="list-style-type: none"> ▪ 3.3m for Ground Floors; and ▪ 2.7m above Ground Floors. 	Complies
4.6.5	<ul style="list-style-type: none"> - Max. rooftop service zone height is 5m and setback min. 3m from parapet. 	<p>No - height of 5.2 m – however acceptable given the integration of the plant area in the design of the building and minimal visual intrusion and adequate screening and compliance with the setback from the parapet. Furthermore, given the adequate setbacks and the protrusion above the parapet in only 3.975 m, visual impact is minimised.</p>
4.6.6	<ul style="list-style-type: none"> - Total area in plan may not exceed 80% of the building footprint area. - Design lift towers, machinery plant rooms, stacks, vent pipes and television antennae to minimise their visibility and size. 	Complies
4.6.6	<ul style="list-style-type: none"> - Courtyards and atria to have minimum width of 9 metres 	Complies
4.6.7	<ul style="list-style-type: none"> - Ensure building facades reinforce street alignment. 	Complies
4.6.9	<ul style="list-style-type: none"> - Disability Access Strategy to be prepared and submitted to the satisfaction of SOPA and the consent authority to satisfy <i>SOP Access Guidelines (2008)</i>. 	Complies
4.6.9	<ul style="list-style-type: none"> - Ensure equitable access is provided to the main building entrance from both the street and car parking areas. 	Complies
4.6.9	<ul style="list-style-type: none"> - Ensure car parking provisions comply with relevant Australian Standards. 	Complies
4.6.9	<ul style="list-style-type: none"> - Locate accessible car parking spaces at the most convenient place for users. 	Complies
4.6.10	<ul style="list-style-type: none"> - Demonstrate design excellence through a design competition 	Complies – design consistent with preferred scheme

General Controls & Guidelines	Applicable Requirements	Compliance
4.6.11	<ul style="list-style-type: none"> - To promote high quality architecture and urban streetscapes: <ul style="list-style-type: none"> ▪ well modulated and scaled building facades to reflect the aspect, uses and streetscape; ▪ building façade design to create well defined and integrated streetscape; ▪ ensure prominent elements are well articulated; ▪ provide modulation to building frontages; ▪ provide appropriate forms of sun shading to screen eastern, northern and western sun; ▪ ensure main building entrances are level with adjacent footpaths. 	Complies
4.6.12	<ul style="list-style-type: none"> - Ensure buildings are designed to contribute to the natural surveillance of adjacent streets and public space. 	Complies
4.6.14	<ul style="list-style-type: none"> - Ensure retail or active uses on the ground floor open directly onto the street and have a clear visual connection with the street. 	Complies
4.6.15	<ul style="list-style-type: none"> - Provide clearly defined and defensible separation between public and private areas 	Complies
4.6.15	<ul style="list-style-type: none"> - Capacity for openable windows 	Complies
4.6.15	<ul style="list-style-type: none"> - New development to acknowledge it will be located within a major sport and entertainment events precinct that may be subject to high noise events from time to time. 	Complies
4.6.15	<ul style="list-style-type: none"> - Acoustic report must be prepared for new developments assessing the possibility of land use conflicts as a result of the development. 	Complies
4.6.15	<ul style="list-style-type: none"> - All plant rooms shall be designed to meet the requirements of the NSW Industrial Noise Policy. 	Complies
4.6.15	<ul style="list-style-type: none"> - Design commercial development to comply with the maximum office development noise criteria. 	Complies
4.6.16	<ul style="list-style-type: none"> - Waste Management Plan to be submitted with all DA's to the satisfaction of SOPA 	No – to be addressed in the conditions
4.6.16	<ul style="list-style-type: none"> - Minimise waste during the design of a building 	Complies
4.6.16	<ul style="list-style-type: none"> - A min. 80% of construction and demolition waste must be recycled or re-used 	No – to be addressed through conditions
4.6.16	<ul style="list-style-type: none"> - Include space for on-site waste management infrastructure that maximises the opportunities for the sorting and segregation of waste materials. 	Complies
4.6.16	<ul style="list-style-type: none"> - Locate waste management areas out of public areas so as to not cause offence with regard to smell, visual amenity and noise. 	Complies
4.6.16	<ul style="list-style-type: none"> - Locate waste management areas wholly within building. 	Complies
4.6.16	<ul style="list-style-type: none"> - Design waste management areas to allow collection vehicles to enter and exit the development in a forward direction. 	Complies
4.7 Access and Parking		
4.7.1	<ul style="list-style-type: none"> - All parking is to be underground and where above ground parking provided on sloping sites it should be integrated into the overall façade design 	Complies
4.7.1	<ul style="list-style-type: none"> - Design of car park is to preclude permanent dewatering 	Complies
4.7.1	<ul style="list-style-type: none"> - Car parking not permitted forward of the building line and must be screened 	Complies
4.7.1	<ul style="list-style-type: none"> - Vehicle access points are to be designed to satisfy relevant Australian Standards. 	Complies
4.7.1	<ul style="list-style-type: none"> - To improve safety and public domain amenity, vehicle access points are to be physically separate and clearly distinguishable and designed and built with clear sight lines for drivers and pedestrians. 	Complies

General Controls & Guidelines	Applicable Requirements	Compliance
	<ul style="list-style-type: none"> - To minimise visual intrusion and optimise active street frontages, driveways are to be as narrow as possible and have a garage door at the building line. - Minimise the width of driveways and blank walls to the public domain by consolidating car access, docks, servicing and waste disposal. - Servicing for retail and commercial developments is not permitted from streets required for servicing major events. - Maximum car parking for commercial development: 1 space/80 sqm - Bicycle parking facilities to comply with AS2890.3-1993 - Provide bicycle parking at following rates <ul style="list-style-type: none"> - Commercial - 1 space/150 sqm (permanent) and 1 space/750 sqm (visitor bicycle storage) - Change rooms, showers and lockers for people walking, running or cycling to work are to be provided close to bicycle parking facilities to encourage sustainable transport options. 	<p>Complies</p> <p>Complies</p> <p>Complies</p> <p>No</p> <p>Complies</p> <p>No – shortfall of 6 bicycle permanent parking spaces for staff, complies with visitor requirement. Marginal shortfall considered acceptable.</p> <p>Complies</p>
4.8 Transport Strategies & Infrastructure 4.8.1	<ul style="list-style-type: none"> - All non-residential developments in the town centre are required to prepare and implement a Work Plan Travel Plan. Work Place Travel Plans are to comply with SOPA's Travel Plan Guidelines. 	<p>No – to be addressed at future retail or commercial development stages</p>
4.9 Landscape & Site 4.9.1	<ul style="list-style-type: none"> - Retain existing ground level and significant mature trees in Significant Tree Register - Transplant mature trees if they must be moved. - Deep soil requirements <ul style="list-style-type: none"> ▪ Minimum 20% of open space ▪ Minimum dimension 2 m - Basement within building footprint - Collect and store stormwater and manage stormwater quality - Prioritise drought tolerant plant species 	<p>Complies</p> <p>Complies</p> <p>Complies</p> <p>No – located within site boundaries and acceptable</p> <p>Complies – further details required before construction</p> <p>Complies</p>
Precinct Controls and Guidelines	Applicable Requirements	Compliance
5.6.2 Site Configuration Controls	<ul style="list-style-type: none"> - New site boundaries – Site 60A 	<p>Complies</p>
5.6.3 Floor Space Ratio Controls	<ul style="list-style-type: none"> - A maximum FSR of 2.5:1 	<p>Complies</p>
5.6.4 Land Use Controls	<ul style="list-style-type: none"> - Commercial land use - Preferred vehicle access points 	<p>Complies</p> <p>Complies</p>
5.6.5 Building Height Controls	<ul style="list-style-type: none"> - The maximum height is 8 storeys 	<p>Complies</p>
5.6.6 Building Zone and Setback Controls	<ul style="list-style-type: none"> - Building zones, setbacks and through-site links to be provided in accordance with Parkview Precinct Building Zones and Setbacks Plan 	<p>No – Site 60A is to provide two 20 metre through-site links – a 12.2 metre link has been provided, however is considered acceptable as it would not result in adverse visual or privacy impacts.</p>
5.6.7 Event Controls	<ul style="list-style-type: none"> - Ensure all developments can accommodate the changes to access required and are designed and built to accommodate public domain closures. 	<p>Complies</p>

APPENDIX C GLOSSARY

Delegated Authority

On 27 February 2013, the Minister for Planning and Infrastructure delegated his functions to determine Part 3A applications to the department, where:

- the council has not made an objection, and
- there are less than 25 public submissions objecting to the proposal, and
- a political disclosure statement has not been made in relation to the application.

Ecologically Sustainable Development can be achieved through the implementation of:

- (a) *the precautionary principle - namely, that 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. In the application of the precautionary principle, public and private decisions should be guided by:*
 - (i) *careful evaluation to avoid, wherever practicable, serious or irreversible damage to the environment, and*
 - (ii) *an assessment of the risk-weighted consequences of various options,*
- (b) *inter-generational equity—namely, that the present generation should ensure that the health, diversity and productivity of the environment are maintained or enhanced for the benefit of future generations,*
- (c) *conservation of biological diversity and ecological integrity—namely, that conservation of biological diversity and ecological integrity should be a fundamental consideration,*
- (d) *improved valuation, pricing and incentive mechanisms—namely, that environmental factors should be included in the valuation of assets and services, such as:*
 - (i) *polluter pays—that is, those who generate pollution and waste should bear the cost of containment, avoidance or abatement,*
 - (ii) *the users of goods and services should pay prices based on the full life cycle of costs of providing goods and services, including the use of natural resources and assets and the ultimate disposal of any waste,*
 - (iii) *environmental goals, having been established, should be pursued in the most cost effective way, by establishing incentive structures, including market mechanisms, that enable those best placed to maximise benefits or minimise costs to develop their own solutions and responses to environmental problems.*

Objects of the Act

- (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.*

Relevant Environmental Planning Instruments.

Under Sections 75(2)(d) and 75(2)(e) of the EP&A Act, the Director-General's report for a project is required to include a copy of, or reference to, the provisions of any State Environmental Planning Policy (SEPP) that substantially governs the carrying out of the project, and the provisions of any environmental planning instruments (EPI) that would (except for the application of Part 3A) substantially govern the carrying out of the project and that have been taken into consideration in the assessment of the project.

APPENDIX D INSTRUMENT OF APPROVAL
