



***STATE SIGNIFICANT DEVELOPMENT:
Section 96(1A) Modification***

***Sydney International Convention, Exhibition
and Entertainment Precinct (SICEEP), Core
Facilities, Darling Harbour***

***Reconstruction of slabs, external alterations
and provision of loading dock security booth***

SSD 5752 MOD2



Secretary's Environmental Assessment Report
Section 96(1A) of the
Environmental Planning and Assessment Act 1979

July 2014

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1. BACKGROUND

1.1 Introduction

This application seeks to modify development consent SSD 5752 issued for the Sydney International Convention, Exhibition and Entertainment Precinct (SICEEP) Core Facilities at Darling Harbour under section 96(1A) of the *Environmental Planning and Assessment Act 1979* (EP&A Act). The modifications include the demolition and replacement of the slab beneath the Exhibition Centre, external changes to the western elevation of the Convention Centre and provision of a loading dock security booth and boom gate.

1.2 Site and locality

Known as the SICEEP Core Facilities, the site occupies the central portion of the Sydney International Convention, Exhibition and Entertainment Precinct (SICEEP) and has an area of approximately 15 hectares. The site is bound by Cockle Bay to the north, Pier Street overpass to the south, the Light Rail Corridor to the west and Cockle Bay, IMAX, Darling Quarter and the Chinese Garden to the east. The site location is shown in **Figure 1** below.

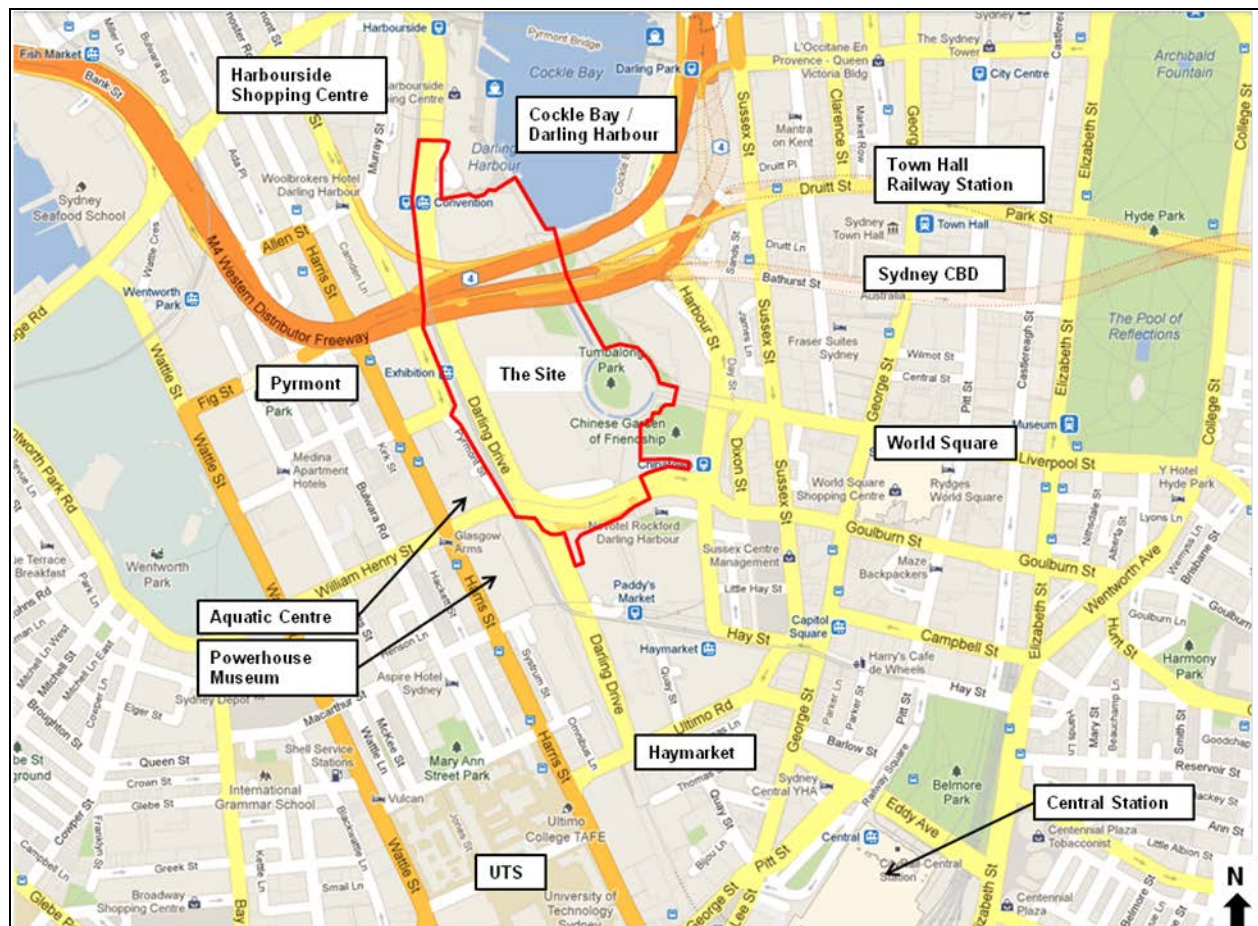


Figure 1: The Core Facilities site (Base source: Google Maps)

The site previously contained convention and exhibition facilities, however these structures were recently demolished following the approval of the new Core Facilities. The Sydney Convention Centre was located within the northern portion of the site (north of the Western Distributor) and the Sydney Exhibition Centre was located within the central/south of the site (north of the Pier Street overpass). The site also contains Tumbalong Park, which is a circular green space located at the site's eastern boundary. The subject site, pre-demolition, is shown at **Figure 2**.

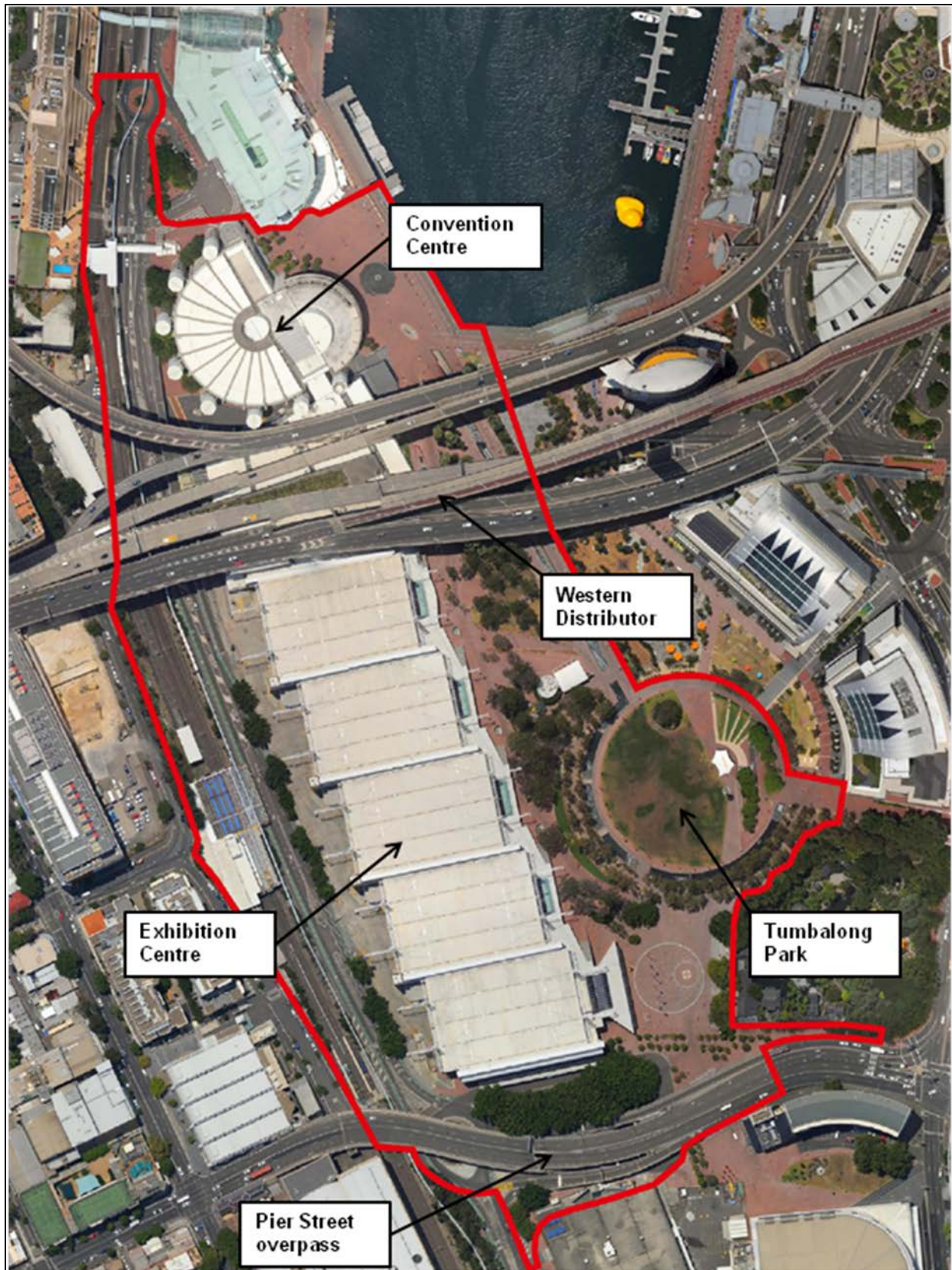


Figure 2: Aerial view of the Convention and Exhibition Centres prior to demolition (Base source: Assessment report SSD 5752)

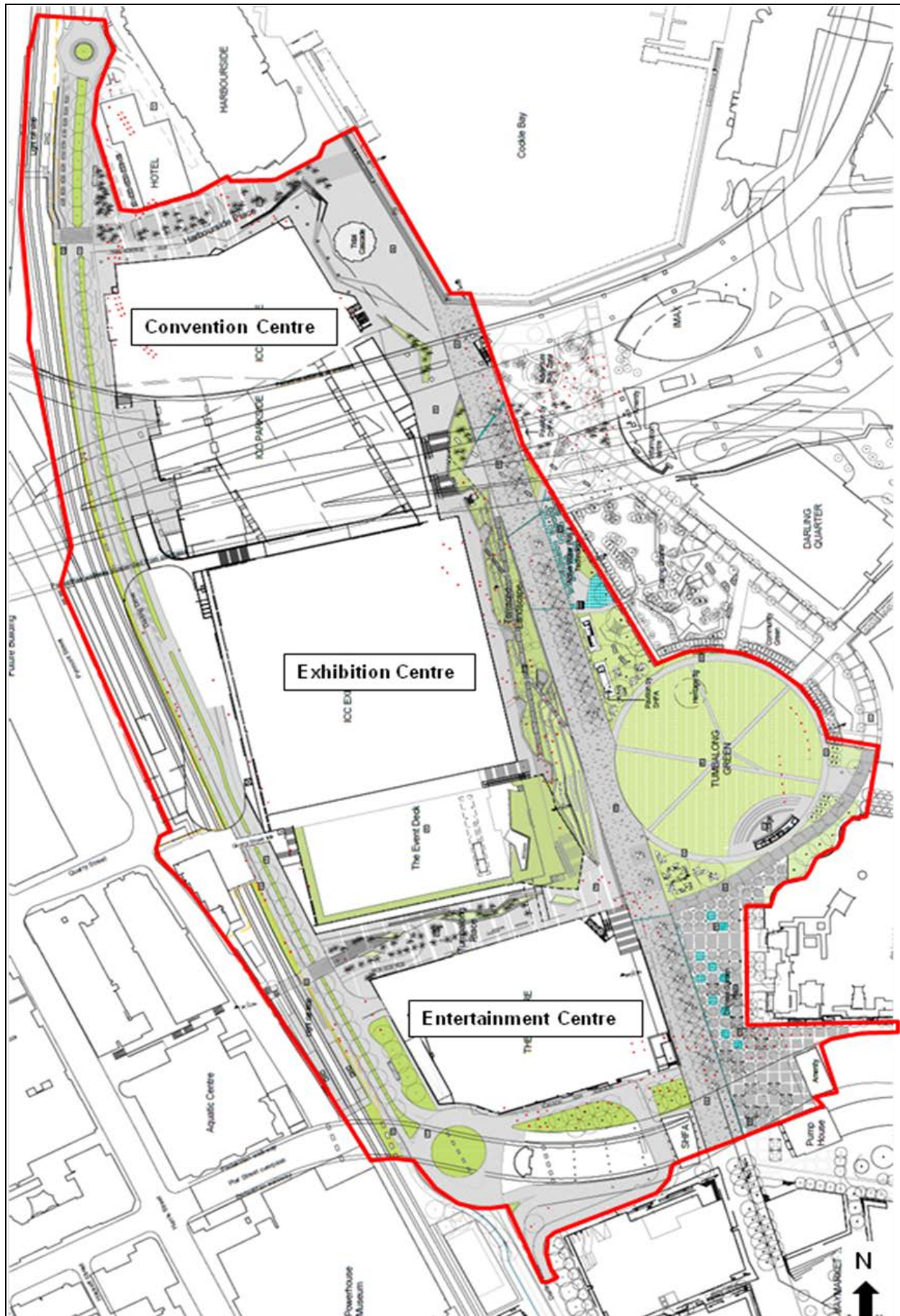


Figure 3: Core Facilities approved building layout and public domain (Source: Assessment report SSD 5752)

1.3 Previous approvals

On 22 August 2013 the then Minister for Planning and Infrastructure approved State significant development application (SSD 5752) for the redevelopment of the site for convention, exhibition and entertainment facilities, comprising:

- a 35,000m² exhibition space;
- a 7,600m² meeting room space, across 40 rooms;
- convention space capacity for more than 12,000 people;
- a ballroom capable of accommodating 2,000 people;
- a 5,000m² event deck;
- entertainment facility with a capacity of 8,000-9,000 persons; and
- public domain improvements including reconfiguration and upgrade of Darling Drive (refer to **Figure 3**).

On 11 December a modification was approved (SSD 5752 MOD1) by the Executive Director, Development Assessment Systems and Approvals, which provided for internal and external alterations, relocation and alteration to signage areas, realignment of pedestrian bridges, an increase of 9 car parking spaces and public domain improvements.

2. PROPOSED MODIFICATION

On 30 April 2014, JBA Urban Planning (on behalf of Lend Lease) lodged a modification application request under section 96(1A) of the EP&A Act to modify SSD 5752. The proposal involves the following key modifications:

- demolition and replacement of the existing Exhibition Centre slab;
- provision of a metal screen to the western and southern façades of the Convention Centre at ground, part first and part second floor levels; and
- provision of a loading dock security booth and boom gate adjacent to the loading dock entrance from Darling Drive.

Images of the proposed modification are shown at **Figures 4, 5 and 6**. Further details of the proposed modification are provided at **Appendix A**.



Figure 4: Ground floor location of the proposed metal screen (highlighted in red) to the western elevation of the Convention Centre building (Base source: SSD 5752 MOD1 EIS).

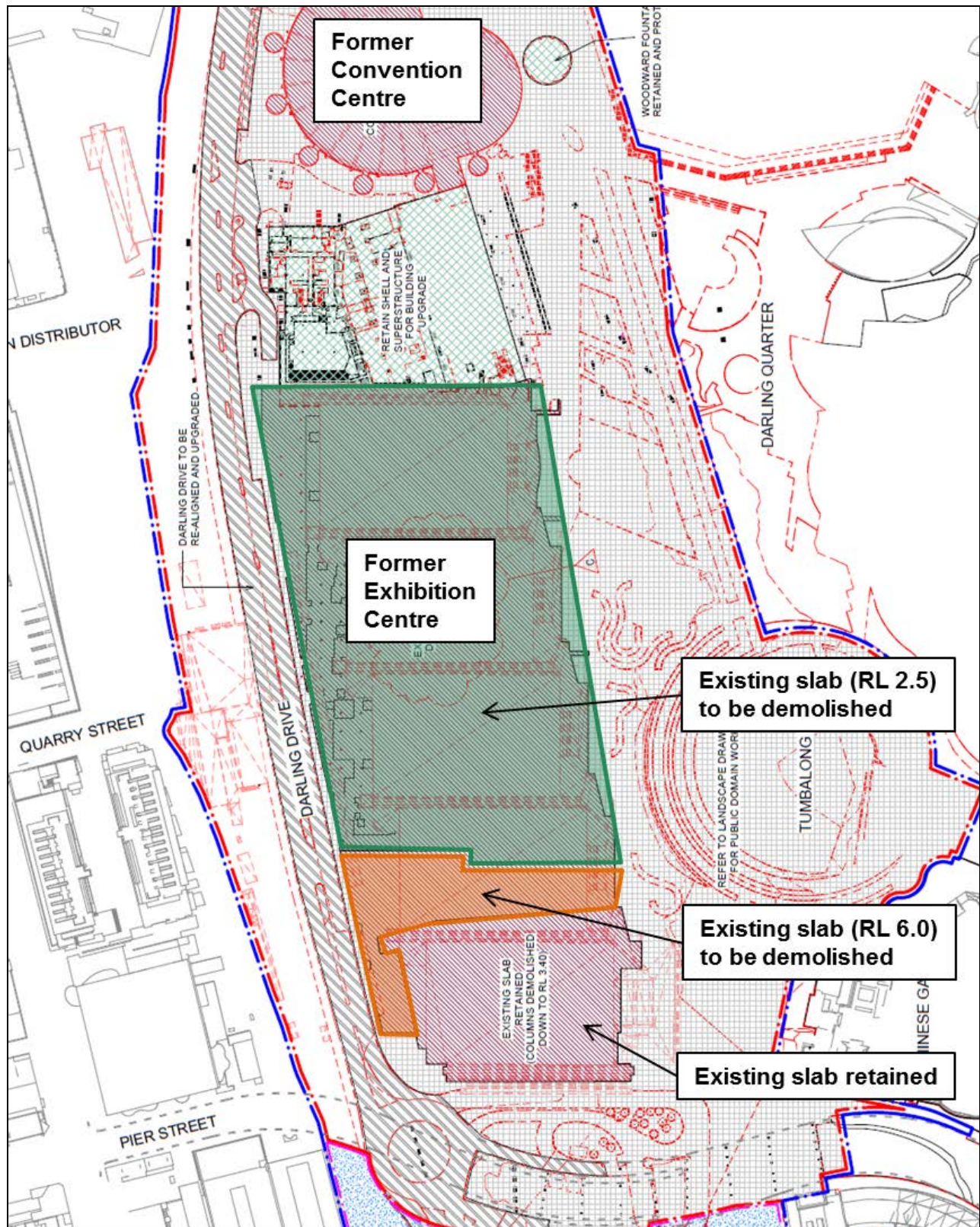


Figure 5: Approximate location of the ground floor slab to be demolished (Base source: applicants EIS)

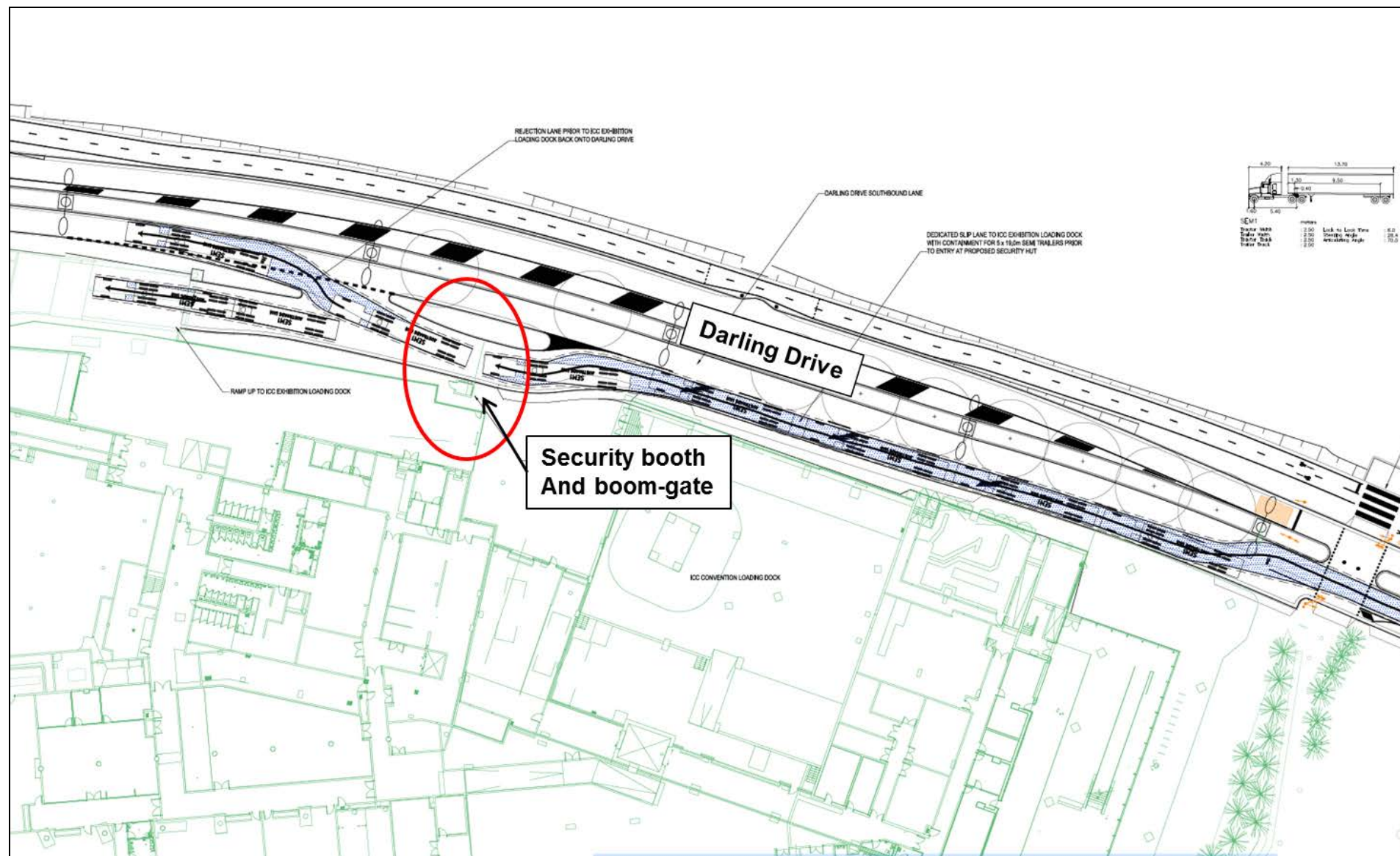


Figure 6: Location of proposed security booth, Core Facilities loading dock slip lane (in context with Darling Drive) and service vehicle manoeuvres (Source: applicant's further information to the EIS)

3. STATUTORY CONTEXT

3.1 Modification of approval

Section 96(1A) of the EP&A Act requires the consent authority to be satisfied that the following matters are addressed in respect of all applications which seek modification approvals:

Section 96(1A) matters for consideration	Comment
<i>That the proposed modification is of minimal environmental impact</i>	The department is satisfied that the proposed modifications will have minimal environmental impacts. Relevant environmental impacts are considered in Section 5 of this report.
<i>That the development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all).</i>	The proposed modification does not result in any additional adverse impacts on the surrounding area. On this basis, the proposal would result in development that is substantially the same as the originally approved development.
<i>It has notified the application in accordance with the regulations</i>	The modification application has been notified in accordance with the regulations. Details of the notification are provided in Section 4 of this report.
<i>It has considered any submission made concerning the proposed modification within any period prescribed by the regulations or provided by the development control plan, as the case may be.</i>	City of Sydney Council has advised that it does not object to the proposed modifications. No other submissions have been received.

3.2 Environmental Planning Instruments

The following EPIs are relevant to the application:

- State Environmental Planning Policy (State and Regional Development) 2011
- State Environmental Planning Policy (Infrastructure) 2007
- Darling Harbour Development Plan No 1
- State Environmental Planning Policy No 55—Remediation of Land
- Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005

The department undertook a comprehensive assessment of the redevelopment of the site for new/replacement convention, exhibition and entertainment facilities, against the above mentioned EPIs. Specific consideration was given to the likelihood and impact of contaminants on site and the assessment concluded that the site is suitable for the intended use subject to appropriate monitoring and where necessary remediation.

The department has considered the above EPIs and subject to the additional mitigation measures relating to the demolition and replacement of the Exhibition Centre slab is satisfied that the modification would not result in non-compliance to the above EPIs.

3.3 Delegation

Under Minister's delegation of 1 October 2011, the Director, Industry Key Sites and Social Projects may determine modification applications under delegated authority where:

- the relevant local council has not made an objection; and
- a political disclosure statement has not been made; and
- there are less than 10 public submissions in the nature of objections.

City of Sydney Council has not objected to the proposal and no objections have been received from the public. No political donations have been disclosed in this modification request.

The Director, Industry Key Sites and Social Projects can therefore determine the modification requests under delegated authority.

4. CONSULTATION AND SUBMISSIONS

4.1 Notification

The application was notified in accordance with the Environmental Planning & Assessment Regulation 2000. The modification request was made available on the department's website and referred to the City of Sydney Council and the Sydney Harbour Foreshore Authority (SHFA) for comment. Due to the minor nature of the proposed modification, the modification request was not exhibited by any other means.

City of Sydney Council has advised that it does not object to any aspect of the proposed modifications. SHFA did not provide any comment on the modification request.

No public submissions were received in relation to the modification request.

5. CONSIDERATION OF PROPOSED MODIFICATIONS

5.1 Demolition and replacement of slab

The SCIEEP Core Facilities approval includes the retention and reuse of the existing Exhibition Centre slab for the structural base of the new Exhibition Centre. Following commencement of works, the applicant has conducted further detailed structural analysis of the existing Exhibition Centre slab and found that it is not capable of supporting the required loads for the lifetime of the new Exhibition Centre and it is therefore not suitable for retention/reuse in its entirety. The proposal therefore seeks to demolish and replace the slab (refer to **Figure 5**).

The replacement slab is proposed to be constructed at the same RL as the existing slab and therefore the proposed modification is unlikely to result in any built form, visual or amenity impacts greater than previously assessed in the original application.

The department considers that the key assessment issues are:

- contamination;
- archaeological impacts; and
- demolition/construction impacts.

5.1.1 Contamination

The proposed removal of the existing slab may expose both known and unexpected contamination as a result of previous imported fill involved in the reclamation of the site in the 1980s and the proximity of the former Ultimo Powerstation to the west of the site. The existing slab capped the soil beneath, however, the removal and replacement of the slab may give rise to additional contamination impacts.

The department notes it is estimated that a total of 26,000m³ of spoil will need to be disposed of from the site and the fill material beneath the slab contains low level petroleum, oil and heavy metals. A Remedial Works Plan was provided with the Core Facilities application which ensures that potentially contaminated materials are managed and disposed of in an appropriate manner.

The applicant has confirmed that the Remedial Works Plan has been updated and includes the following mitigation measures:

- the management of any site contamination and unexpected finds in accordance with the approved protocols of the RWP;
- materials not suitable for reuse on the site will be disposed of in accordance with Waste Classification Guidelines; and
- slab replacement conducted undercover.

The department notes that the proposal does not seek a change of use and consequently the demolished slab and replacement slab would be used for the same purpose of supporting an exhibition facility.

The department notes condition B1 ensures that works are undertaken in accordance with the RWP. The identification and sampling/testing, as necessary, of contamination below the slab can only be undertaken following demolition. The department is satisfied that the RWP and additional mitigation measures provide an acceptable framework for managing known and unexpected contamination and the proposed framework, which includes investigation, sampling, testing, removal of contaminants and auditing will render the site suitable for the development. The department also notes that the site's Contamination Site Auditor is satisfied with the proposed approach and mitigation.

The department therefore recommends that condition B1 be updated to take account of the revised mitigation measures. In addition, the department will require the applicant to obtain a Site Audit Summary and Site Audit Statement and Validation Reports, and comply with the notification requirements (being notification to the Council) of *SEPP 55 – Remediation of Land*.

5.1.2 Demolition/construction impacts

The demolition and replacement of the slab will result in additional demolition and construction impacts, including additional truck movements and potential noise/vibration impacts.

The applicant has advised that:

- the demolition and replacement program is predicted to result in an additional 10 to 16 truck movements per day (being approximately 1.3 trucks per hour between 7am and 7pm) until February 2015; and
- acoustic impacts resulting from the slab demolition and replacement would be managed in accordance with the approved Core Facilities Noise and Vibration Management Plan.

The department notes that the overall SICEEP redevelopment is expected to generate up to 107 truck movements per day. The department considers that the additional truck movements as a result of the demolition and replacement of the Exhibition slab (up to 8 trucks in and 8 trucks out until February 2015) are minor in the context of the overall SICEEP redevelopment. The department therefore considers that the additional truck movements are unlikely to have a significant impact on the surrounding road network. The impacts are considered acceptable and will be managed in accordance with the approved construction traffic management plan.

The department also considers that the additional demolition and construction works are unlikely to result in a significant increase of noise and vibration impacts. The existing conditions of approval, approved Noise and Vibration Management Plan and EPA guidelines are considered adequate to ensure the management and minimisation of impact as a result of the additional demolition and construction works.

5.1.3 Archaeological impacts

State significant archaeology (the Iron Wharf, eastern area) is located between 500-650mm below the existing slab and the demolition and replacement of the slab will expose the fill beneath the slab and therefore potentially impact on a State significant archaeological item.

The applicant has advised that although the upper surface of the fill level will be exposed it is not anticipated that the demolition of the slab will disturb the soil beneath this layer.

Given that the proposal does not include any excavation or removal of soil/fill beneath the existing slab, the department is satisfied that the proposal is unlikely to impact on the Iron Wharf beneath the site. Notwithstanding this, the department recommends a new condition requiring any disturbance, removal or excavation into the 1980s fill to be undertaken in accordance with the archaeological conditions of the Core Facilities approval.

5.2 Metal screen architectural treatment

As a result of the evolution of the detailed design development following the approval of the original application, the modification proposes the inclusion of a metal screen architectural treatment to the ground floor, part first and part second floor levels of the western and southern elevations of the Convention Centre building (refer to **Figures 4 and 7**). Furthermore, the metal screen treatment will also be incorporated into the design of the sliding gates to the loading docks in these locations.

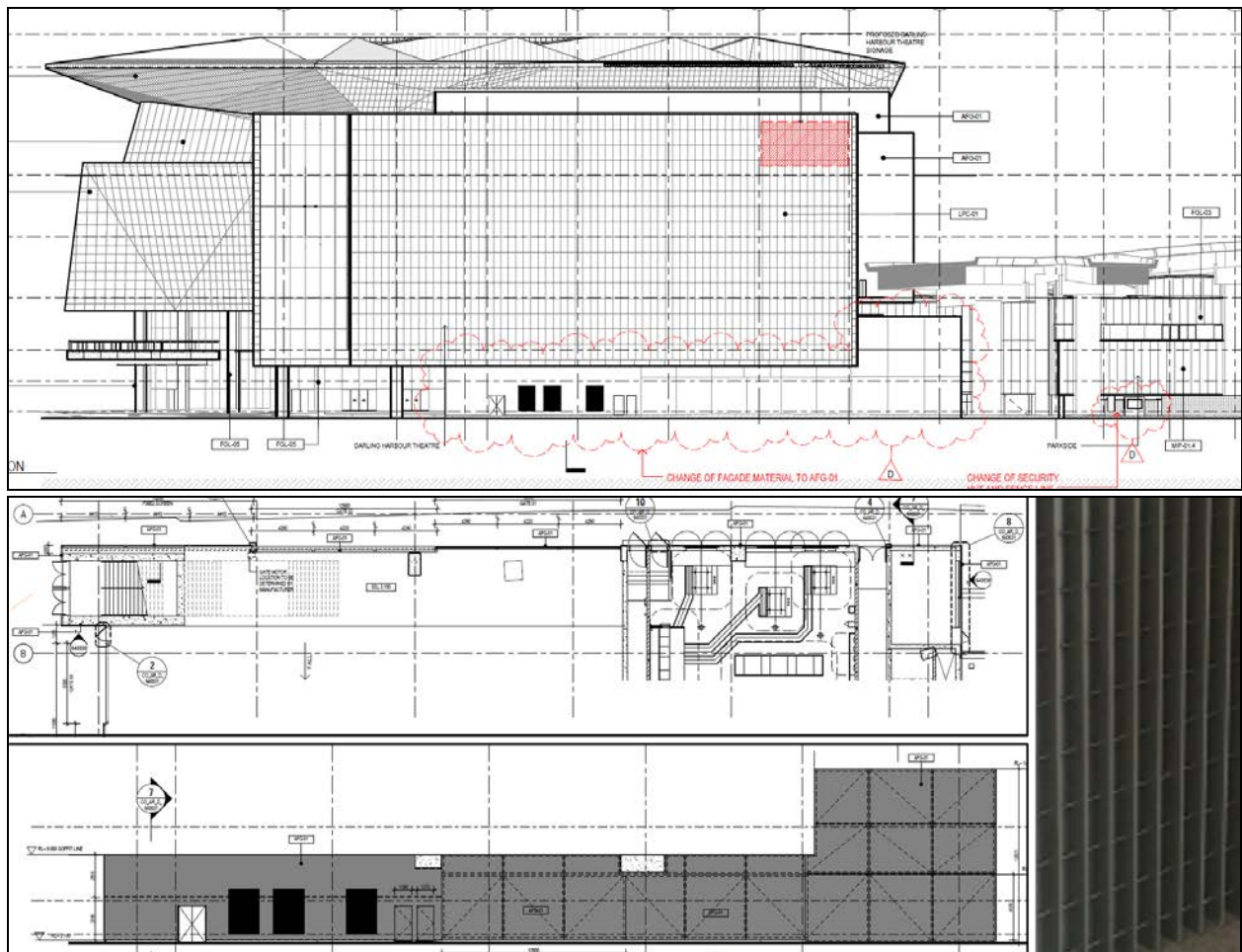


Figure 7: Western elevation of the Convention Centre and location and appearance of proposed metal screen architectural treatment (Source: applicant's EIS)

The applicant has confirmed that the NSW SICEEP Design Review Panel has considered the proposal and supports the change.

The department notes that the proposed metal screen treatment will be applied to blank concrete walls and the incorporation of this material into the design of the large sliding loading dock doors would result in a uniform material treatment for the elevation at this level. The proposed material

would have a grill-like appearance, which the department considers appropriate given the back-of-house nature of the lower levels of these facades of Convention Centre building.

The department notes that there are no other changes to the design, cladding or signage zones of the building. The department also considers that despite the external alterations, the proposed buildings maintain a similar facade and architectural design to the original approval. Accordingly, the proposed alterations do not result in any visual or amenity impacts.

5.3 Loading dock security booth

The SICEEP Core Facilities approval includes a large loading dock facility located over multiple floors of the Exhibition Centre. Vehicular access to this facility is from a slip lane off Darling Drive and a figure-8 shaped ramped structure located behind the Exhibition Centre. The proposal seeks to provide a security booth and associated boom-gate at the entrance to the loading dock facility in order to provide for the efficient management of operational traffic associated with the Core Facilities.

The applicant confirmed that the location of the security boom gate allows for sufficient space for service vehicles to dwell, if necessary, while waiting for security clearance without obstructing south bound traffic on Darling Drive and also allows for unauthorised vehicles to exit back on to Darling Drive (refer to **Figure 6**).

The department notes that the security booth and boom gate is necessary for the management of vehicles into the loading dock and considers that the proposal is acceptable as:

- the design incorporates a sufficient vehicle lay-by space for approximately five 19 metre service vehicles and would not therefore impact on Darling Drive; and
- the proposal will improve the security and management of the Core Facilities.

6. CONCLUSION AND RECOMMENDATIONS

The modification application has been assessed in accordance with the matters for consideration under section 96(1A) and 79C of the EP&A Act, and all relevant environmental planning instruments and is considered to comply with all relevant items subject to conditions.

The department considers that the proposed modification is consistent with the originally approved development application (SSD 5752). The proposed modification does not result in any additional adverse impacts on the surrounding area and the development is considered to be substantially the same as the originally approved development.

The proposed demolition and replacement of the existing slab will not result in significant traffic, noise/vibration or amenity impacts greater than what was originally approved and will be managed in accordance with the relevant conditions of the Core Facilities. The department is satisfied that the site can be remediated following removal of the slab and made suitable for the development. In addition, the proposal is unlikely to have any impact on the Iron Wharf State significant archaeology.

The inclusion of a metal screen treatment to the western and southern elevations of the Convention Centre will complement the overall design of the building and would result in a unified architectural treatment at the ground and part first and second floors. The proposed security booth and boom gate are necessary for the management of vehicles into of the loading dock and would not result in any adverse impacts on traffic movements along Darling Drive.

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

- (a) **consider** the findings and recommendations of this report

- (b) **approve** the modification under delegated authority, subject to conditions
- (c) **sign** the attached Instrument of Modification for SSD 5752 MOD2

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Endorsed by

 17/7/14

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 18/7/14

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APPENDIX A RELEVANT SUPPORTING INFORMATION

The following supporting documents and supporting information to this assessment report can be found on the Department of Planning and Environment's website as follows:

1. Modification request

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=6512

2. Submissions

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=6512

APPENDIX B RECOMMENDED MODIFYING INSTRUMENT
