

# Response to Submissions

100 Bennelong Parkway, Sydney Olympic Park  
SSD 6246

19 November 2014



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# Contents

**1 Introduction .....1**

**2 Agency and Public Submissions and Response.....2**

    2.1 Agency Submissions .....2

    2.2 Public Submissions .....5

**3 Response to Department of Planning and Environment comments .....6**

    3.1 Key Issues .....6

**4 Conclusion.....8**

- Annexure 1: Copies of Submissions Received**
- Annexure 2: Department of Planning and Environment Comments**
- Annexure 3: Amended Plans and List of Amendments**
- Annexure 4: Solar Access Results**

# 1 Introduction

A State Significant Development application under Section 75W of the Environmental Planning and Assessment Act was lodged with the Department of Planning and Environment (the Department) on 4 August 2014 seeking consent to redevelopment the site at 100 Bennelong Parkway, Sydney Olympic Park. The application (SSD 6246) was publicly exhibited from 20 August 2014 to 19 September 2014.

Following exhibition of the Application, the Department website hosted submissions received during the exhibition period, a copy of which is attached to **Annexure 1**.

On 25 September 2014, the Department forwarded a letter detailing the issues raised in its preliminary assessment of SSD 6246. A copy of the letter is at **Annexure 2**.

In responding to the issues, an amended set of plans has been prepared and is included at **Annexure 3**. Also at **Annexure 3** is a list of the amendments made to the plans.

This Response to Submissions has been prepared in accordance with Section 75 of the Environmental Planning and Assessment Act, 1979. The report addresses all relevant issues raised during the notification period and those raised by the Department in its preliminary assessment of the proposal.

This report:

- Outlines the issues raised in the submissions received during the notification period;
- Details the issues raised by the Department in its letter dated 25 September 2014;
- Identifies and describes the response to the submissions received and issues raised; and
- Provides a conclusion to the report.

## 2 Agency and Public Submissions and Response

SSD 6246 was publicly exhibited from 20 August 2014 to 19 September 2014. Submissions were received by:

- Sydney Olympic Park Authority (SOPA);
- Transport for NSW; and
- Sydney Water.

Copies of the submissions are included at **Annexure 1**.

This section:

- Identifies the issues raised in the submissions; and
- Provides a response to each of the issues raised.

### 2.1 Agency Submissions

#### 2.1.1 Sydney Olympic Park Authority

SOPA has identified issues of concern in relation to Unit Mix; Solar access; Apartment storage; Bicycle Parking; Mailboxes; and Height. These are addressed below.

##### **a) Unit Mix**

SOPA has identified that the proposal was submitted with 3% of the unit mix as 3-bedroom apartments, and suggested that percentage should be increased.

The amended plans and schedule at **Annexure 3** confirm that the amended proposed development provides for 15% of the total mix as 3-bedroom units. This complies with the minimum requirements of the SOPA Masterplan.

##### **b) Solar Access**

SOPA seeks compliance with the solar access requirements of both the SOPA Masterplan and the 3-hour category of the Residential Flat Design Code.

Substantial work has been done on the amended proposed plans (refer **Annexure 3**) to improve solar access to the proposed units. **Annexure 4** contains a solar access report prepared by SLR Consulting assessing the amended development. The following table presents an overview of the SOPA and RFDC requirements and solar access results of the amended proposal.

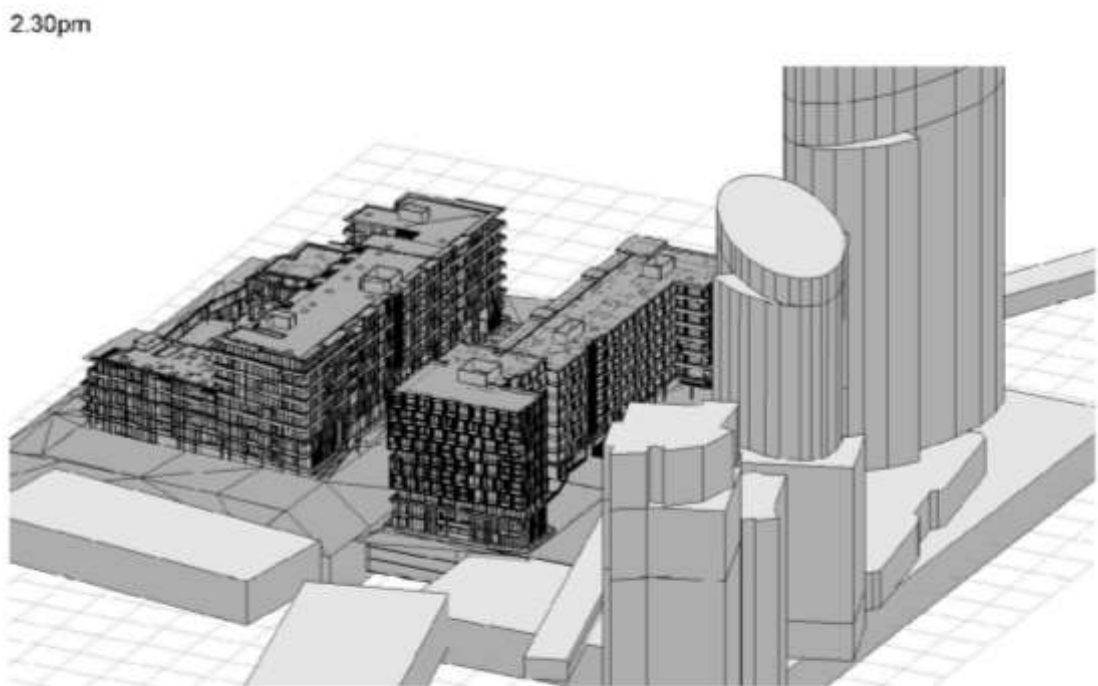
| Requirement                                                                                                                                                                           | Proposal                                                                                                                                                                                                                                                                                   |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>SOPA MP:</b> A minimum of three hours of direct sunlight per day to living rooms and private open spaces in at least 75% of dwellings within a residential development on June 30. | <ul style="list-style-type: none"><li>• 72% of the apartments receive at least 3 hours of sunlight on June 30</li><li>• 86% of the apartments receive at least 2 hours of sunlight on June 30</li></ul>                                                                                    |
| <b>RFDC:</b> 70% of apartments to receive 3 hours of sunlight on June 30 between 9am and 3pm.                                                                                         | <ul style="list-style-type: none"><li>• 68% of the apartments receive at least 3 hours of sunlight on June 21 between the hours of 9.00 am and 3.00 pm</li><li>• 84% of the apartments receive at least 2 hours of sunlight on June 21 between the hours of 9.00 am and 3.00 pm.</li></ul> |

In order to fully comply with the solar access requirements of the above, the proposal would need 10 more units with 3 hours solar access to comply with the SOPA MP; and 5 more units with 3 hours solar access to comply with SEPP 65/RFDC. However, there are significant factors influencing the ability of the development to fully comply with the solar access requirements of both controls.

The proposal has been designed with the footprints of the buildings to accord with the SOPA Masterplan. Further, solar access to the site is adversely affected from 2.30pm onwards by the existing towers to the west of the site. **Figure 1** below contains an extract from the solar access report. It shows that from 2.30pm onwards, the subject site is affected by the buildings to the west in terms of solar access. The extent of this impact is great enough to prevent full 3-hour compliance, as units on the western side of the development will begin to lose sun from this time of the day onwards.

It is noted that in terms of the SOPA requirements, 86% of the apartments receive at least 2 hours of sunlight; and in terms of SEPP 65/RFDC, 84% of the apartments receive at least 2 hours of sunlight. Despite being short of complying with the 3 hours solar access, the proposed units will exceed the percentage when measured in terms of 2 hours. This indicates that a greater number of apartments would be closer to getting 3 hours solar access than 2 hours solar access.

Under the circumstances of the site and its surroundings, the amended proposal is considered to provide for good solar access to units that will ensure a high level of amenity to residents.



**Figure 1: Extract from solar access report showing impacts of towers to the west on solar access to the site**

**c) Apartment storage**

The letter from SOPA requests that a schedule of storage in the proposed units is provided.

Included at **Annexure 3** is an amended development schedule. The schedule includes the internal and basement storage allocation for every proposed unit.

**d) Bicycle Parking**

The letter from SOPA states that bicycle parking can only be provided in storage cages in the basement where the storage requirements of the SOPA Masterplan have been exceeded.

The proposal has been designed to provide for storage that is compliant with the SOPA Masterplan and SEPP 65. Notwithstanding, it is considered that the storage of bicycles in individual residents storage cages is an appropriate means of storing bicycles. Those nominated residents that have a storage cage will be able to slip their bicycle into a space near the entrance to the storage cage.

The main benefit of this proposal is that residents will be certain of individual security of their bicycle storage – without the security risks associated with common bicycle storage space. Wherever possible, storage cages will be allocated adjacent to the car parking space that belongs to the same unit. This will ensure ease of access.

Where resident basement storage is not provided, or is not adequate, bicycle storage will be provided in communal areas of the basement.

**e) Mailboxes**

The letter from SOPA states that basement mailboxes are not permitted and that they will need to be provided in entry lobbies. It is considered that this may be imposed as a condition on any consent issues.

**f) Height**

The SOPA letter identifies the minor non-compliance with the Major Development SEPP height control. Section 5.2.3 of the submitted Environmental Impact Statement contains an assessment of the proposal in respect of the minor height non-compliance.

**2.1.2 Transport for NSW**

Transport for NSW provides two comments and makes recommendation for the incorporation of conditions on any consent granted. A response to each of the two comments raised by Transport NSW is provided below.

*Section 4 of the Sydney Olympic Park Master Plan 2030, details general controls and guidelines for bicycle access and servicing. Table 4.12 details the minimum bicycle parking rates that need to be provided, by land use type. Section 8 of the traffic report does not provide any detail of how and where bicycles will be stored, or if the proposal adheres to any of the controls contained in the Sydney Olympic Park Master Plan 2030.*

Section 7.2.4 and Table 3 of the submitted Environmental Impact Statement contains details in relation to bicycle parking. The proposal will provide a total of 486 bicycle parking spaces, which complies with the minimum requirement of 485 spaces under the SOPA Masterplan.

*It is noted that the traffic assessment has not addressed the DGRs relating to impacts during major events in the precinct (Key Issue 7).*

A detailed response to Key Issue 7 of the Director General's Requirements is included in section 5.2.7 of the submitted Environmental Impact Statement.

### **2.1.3 Sydney Water**

Sydney Water provides general comments and future requirements to be addressed under a Section 73 Certificate phase. No response is necessary in relation to the contents of the Sydney Water submission.

## **2.2 Public Submissions**

The public exhibition of SSD 6246 did not result in any public submissions.

### 3 Response to Department of Planning and Environment comments

On 25 September 2014, the Department forwarded a letter detailing the issues raised in its preliminary assessment of SSD 6246. A copy of the Department's letter is at **Annexure 2**.

The Department stated in its letter the following:

*The Department has also undertaken a preliminary review of the EIS, and requests the following additional information to enable a proper assessment against the requirements under State Environmental Planning Policy No. 65 - Design Quality of Residential Flat Buildings and the accompanying Residential Flat Design Code:*

- *a dimension on the plans showing the varied depths of both buildings;*
- *a schedule showing the area and dimensions of the private open space for each apartment;*
- *a schedule for the south facing single aspect apartments indicating the apartment depths;*
- *the range of internal areas for each apartment type;*
- *a schedule identifying the amount of storage within each apartment, excluding kitchen cupboards and bedroom wardrobes, and any allocated storage at the parking levels;*
- *a plan identifying the location and the area of the deep soil zones.*

Following is a response to each of the above additional requirements.

#### 3.1 Key Issues

##### ***g) A dimension on the plans showing the varied depths of both buildings***

The amended plans at **Annexure 3** include a new Drawing No. DA-820-002. The drawing includes dimension bars that show (glassline to glassline) the building is 18 metres or less.

##### ***h) A schedule showing the area and dimensions of the private open space for each apartment***

Included at **Annexure 3** is an amended development schedule. The schedule includes the size and dimensions of the private open space area for every proposed unit.

##### ***i) A schedule for the south facing single aspect apartments indicating the apartment depths***

Included at **Annexure 3** is an amended development yield summary schedule. The schedule identifies the south facing units (2% of total) and the depth of those apartments.

##### ***j) The range of internal areas for each apartment type***

Included at **Annexure 3** is an amended development schedule. The schedule includes the size of every proposed unit. The development yield summary schedule stipulates the range of sizes for each of the unit categories. The unit sizes comply with the Residential Flat Design Code sizes.



***k) A schedule identifying the amount of storage within each apartment, excluding kitchen cupboards and bedroom wardrobes, and any allocated storage at the parking levels***

Included at **Annexure 3** is an amended development schedule. The schedule includes the internal and basement storage allocation for every proposed unit.

***l) A plan identifying the location and the area of the deep soil zones***

The amended plans at **Annexure 3** include a new Drawing No. DA-820-003. The drawing shows the communal open space and deep soil areas on the site.

## **4 Conclusion**

Issues raised by the Department of Planning and Environment and arising from the notification period of SSD 6246 have been adequately addressed in this Response to Submissions. The proposed development, with the proposed modifications, is worthy of approval.

## **Annexure 1: Copies of Submissions Received**

## **Annexure 2: Department of Planning and Environment Comments**

## **Annexure 3: Amended Plans and List of Amendments**

## **Annexure 4: Solar Access Results**