



APPENDIX B STATUTORY COMPLIANCE TABLE

Statutory Reference	Provision	Compliance	Section in EIS
<i>State Environmental Planning Policy (State Significant Precincts) 2005</i>			
Appendix 11 (Sydney Olympic Park Site)			
Clause 7 (Land Use Zones)	The site is zoned B4 Mixed Use	The development remains suitable for the site and does not introduce any new development or land use that has not previously been approved for the site.	<i>Refer to Section 4 of the EIS.</i>
Clause 18 (Height of Buildings)	The Height of Buildings Map in the SEPP specifies a maximum building height for No 2 Murray Rose Avenue of: - 26m fronting Bennelong Parkway (ref: T1) and 50m (ref: Y) on the western portion of the site.	The modification seeks to increase the maximum height of building from 57.6 to 58.3 which is an overall increase of 0.7m.	<i>Refer to Section 4.2.1 of the EIS.</i>
Clause 19 (Floor Space Ratio)	3:1.	The modification does not seek an amendment to the approved GFA for site 2.	<i>Refer to Section 4 of the EIS.</i>
Clause 23 (Public Utility Infrastructure)	The consent authority must be satisfied that <i>“any public utility infrastructure that is essential for the proposed development is available or that adequate arrangements have been made to make that infrastructure available when required”</i> .	As the site is in an established area, public utility infrastructure, including water, electricity, natural gas and sewage disposal, is readily available.	N/A

Statutory Reference	Provision	Compliance	Section in EIS
Clause 24 (Major Events Capability)	<p>Pursuant to Clause 24, consent must not be granted to development on land within the Sydney Olympic Park site, if the consent authority is satisfied that during major events held within the Sydney Olympic Park site:</p> <p><i>“Traffic generated by the development is likely to cause the local road network and connections to the regional road network to become saturated or otherwise fail, and</i></p> <p><i>The development is likely to prevent the effective management of crowd movement and transport services, and</i></p> <p><i>The development is likely to compromise the effective functioning of major event infrastructure, and</i></p> <p><i>The development conflicts with the emergency management plans of government agencies or the emergency evacuation plans of major event venues.”</i></p>	The proposed development, as modified, is not expected to create any adverse traffic and transport issues with the Sydney Olympic Park town centre operating in major event mode.	<i>Refer to Section 5.2.3 and Appendix I for Addendum Traffic Impact Statement</i>
Clause 25 (Transport)	Development consent must not be granted for development on land within the Sydney Olympic Park site unless the consent authority is satisfied that the development includes measures to promote public transport use, cycling and walking.	The proposal, as modified seeks to deliver an addition 2 bicycle parking spaces, whilst retaining the same level of car parking provision. The proposal, will therefore continue to encourage sustainable transport use including, walking and cycling.	<i>Refer to Section 4</i>
Clause 26 (Master Plan)	Development consent must not be granted for development on land within the Sydney Olympic Park site to which a master plan	The Sydney Olympic Master Plan 2030 and subsequent 2018 review are addressed below.	N/A

Statutory Reference	Provision	Compliance	Section in EIS
	applies unless the consent authority has considered that master plan		
Clause 30 (Design Excellence)	<p>In considering whether proposed development exhibits design excellence, the consent authority must have regard to the following matters—</p> <p>(a) whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved,</p> <p>(b) whether the form and external appearance of the building will improve the quality and amenity of the public domain,</p> <p>(c) whether the building meets sustainable design principles in terms of sunlight, natural ventilation, wind, reflectivity, visual and acoustic privacy, safety and security and resource, energy and water efficiency,</p> <p>(d) if a competition is held as referred to in subclause (3) in relation to the development, the results of the competition.</p>	The proposal, as modified, remains substantially the same as the approved development which was assessed as exhibiting design excellence.	<i>Refer to Section 4 and Section 5.2.1 of the EIS</i>
State Environmental Planning Policy (Infrastructure) 2007			
Clause 104	In accordance with Clause 104 development listed as 'traffic generating' under Schedule 3 of the Infrastructure SEPP must be referred to Transport for NSW prior to the determining of a development application.	The proposed modification does not seek to increase the provision of residential units or car parking. Therefore, referral to TfNSW is unlikely to be required.	N/A

Statutory Reference	Provision	Compliance	Section in EIS
State Environmental Planning Policy 65 – Design Quality of Residential Flat Building Development			
Clause 28	<p>In determining a development application for consent to carry out development to which this Policy applies, a consent authority is to take into consideration (in addition to any other matters that are required to be, or may be, taken into consideration)—</p> <p>(a) the advice (if any) obtained from the design review panel, and</p> <p>(b) the design quality of the development when evaluated in accordance with the design quality principles, and</p> <p>(c) the Apartment Design Guide.</p>	The proposal, as modified, is fully compliant with the provisions of the ADG.	<i>Refer to Appendix E for an assessment against the ADG</i>
State Environmental Planning Policy No.55 – Remediation of Land			
	State Environmental Planning Policy No.55 – Remediation of Land states that land must not be rezoned or developed unless contamination has been considered and, where relevant, land has been appropriately remediated.	The proposed modification does not seek any additional excavation or earthworks that would alter the original findings in relation to SEPP 55. The site continues to be suitable for its proposed, as modified, use for the purposes of residential accommodation.	N/A
State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004			
	The aim of this Policy is to ensure consistency in the implementation of the BASIX scheme throughout the State.	The proposed development, as modified, has been designed to satisfy the BASIX requirements and copies of the BASIX assessment and certificates are appended to the modification report.	<i>Refer to Appendix G.</i>