

MAJOR PROJECT ASSESSMENT

***Commercial Office Building
Site 8A Murray Rose Avenue,
Sydney Olympic Park
Proposed by Watpac Developments Pty Ltd
MP 06_0175***

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

April 2008



© Crown copyright 2008
April 2008
NSW Department of Planning
www.planning.nsw.gov.au

Disclaimer:

While every reasonable effort has been made to ensure that this document is correct at the time of publication, the State of New South Wales, its agents and employees, disclaim any and all liability to any person in respect of anything or the consequences of anything done or omitted to be done in reliance upon the whole or any part of this document.

1 EXECUTIVE SUMMARY

This is a report on a Project Application seeking approval to construct a commercial building at Site 8A, Murray Rose Avenue, Sydney Olympic Park (Lot 1021 & Lot 1023, DP 875723). The site is owned by the Sydney Olympic Park Authority and is located within the Town Centre Precinct of Olympic Park on the corner of Australia Avenue and Murray Rose Avenue. The site comprises a total area of 1395m².

Watpac Developments Pty Ltd ("the Proponent") proposes to develop a 6 storey commercial building with a GFA of 7758m² comprising:-

- 5 storeys of commercial office space with a net lettable area of approximately 5,774m²;
- 2 retail units (665m²), a cafe and a lobby off Murray Rose Avenue at ground level;
- 2 basement levels consisting of 89 car spaces and 12 at grade car spaces to the rear, totalling 101 spaces;
- A restricted loading bay within the rear service lane and a designated loading area for Small Rigid Vehicles off the rear service lane;
- 21 bicycle spaces in the basement and 10 visitor bicycle spaces at grade along Murray Rose Avenue;
- 4 business identification signs located on the building's facades and at ground level.
- A rooftop plant area (plant room, cooling tower, chiller plant room, heating boiler plant room); and
- Removal of 6 street trees and retention of 5 street trees. (Replacements at alternative locations are conditioned).

The site is listed in State Environmental Planning Policy (Major Projects) 2005 (MP SEPP) as a State Significant Site, being development of land within Sydney Olympic Park exceeding a CIV of \$5million. The CIV of the proposal is \$19.3 million and under the provisions of the MP SEPP the Minister is the consent authority. The proposal will create 50 full time and 500 part-time equivalent construction jobs and 10 operational jobs.

The site is identified in the Sydney Olympic Park Master Plan 2002 as a development site in the Town Centre Precinct and is earmarked to accommodate an increase in commercial floor areas.

The Project Application was received by the Department on 18 October 2007 and placed on exhibition for a period of 31 days between 7 November 2007 and 7 December 2007. During the exhibition period, the Department received 5 submissions from public authorities. No public submissions were received.

Preferred Project Report

A Preferred Project Report was submitted on 6 February 2008 proposing minor amendments to the ground floor of the commercial office building and additional traffic and parking management measures. The Report also includes an Arborist's report, colours and materials board, parking management plan, additional justification for the proposal and response to the issues raised in the submissions.

Key issues considered in the Department's assessment include:

- Sydney Olympic Park Master Plan 2002
- Built Form, Urban Design and Landscaping;
- Traffic, Access and Parking;
- Sustainability
- Overshadowing
- Contamination and Remediation

The Department has assessed the merits of the project and is satisfied that the impacts of the proposed development have been addressed via the Proponent's Statement of Commitments and recommended modifications to the PA and that the impacts can be suitably mitigated and/or managed to ensure a satisfactory level of environmental performance.

On these grounds, the Department is satisfied that the site is suitable for the proposed development and that the project will provide environmental, social and economic benefits to the region. All statutory requirements have been met.

The Department recommends that the project be approved, subject to conditions.

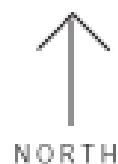
CONTENTS

1	EXECUTIVE SUMMARY	3
2	BACKGROUND.....	6
2.1	THE SITE.....	6
2.1.1	Site context and location	6
2.1.2	Existing site features.....	6
2.1.3	Surrounding development	6
2.1.4	Zoning.....	7
2.2	SITE HISTORY	7
3	THE PROPOSED DEVELOPMENT	9
3.1	Development data.....	10
3.1.1	StagED RELEASE OF SITE 8A DEVELOPMENT SITES	10
3.2	PROJECT CHRONOLOGY	11
4	STATUTORY CONTEXT	14
4.1	MAJOR PROJECT DECLARATION	14
4.2	PERMISSIBILITY.....	14
4.3	MINISTER'S POWER TO APPROVE.....	14
4.4	DIRECTOR-GENERAL'S ENVIRONMENTAL ASSESSMENT REQUIREMENTS (DGRS).....	14
4.5	OBJECTS OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 (EP&A Act)...	15
4.5.1	ESD Principles	15
4.6	SECTION 75I(2) OF THE ACT AND CLAUSE 8B OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT REGULATION 2000.	16
4.7	ENVIRONMENTAL PLANNING INSTRUMENTS (EPIs).....	17
4.8	PRIMARY CONTROLS.....	17
4.8.1	State Environmental Planning Policy (Major Projects) 2005.....	17
4.8.2	State Regional Environmental Plan No.24 – Homebush Bay	17
4.8.3	Sydney Olympic Park Master Plan 2002 (SOP Master Plan).....	18

19

OVERALL PRECINCT MAP

- | | |
|----------------------------|----------------------------------|
| A Town Centre | E Brickpit Edge |
| B Australia Centre | F Southern Events |
| C Northern Events | G Waste Service NSW |
| D Sydney Showground | H Parklands & Ferry Wharf |



19

4.8.4	State Environmental Planning Policy No. 11 – Traffic Generating Developments	20
4.9	OTHER CONTROLS	20
4.9.1	State Environmental Planning Policy No. 55 – Contaminated Land.....	20
4.9.2	State Environmental Planning Policy No. 64 – Advertising and Signage.....	20
4.9.3	Draft State Environmental Planning Policy No. 66 – Integration of Land Use and Transport	20
5	ASSESSMENT OF ENVIRONMENTAL IMPACTS.....	22
5.1	BUILT FORM, URBAN DESIGN AND LANDSCAPING	22

5.2	TRAFFIC, PARKING AND VEHICULAR ACCESS	24
5.3	Sustainability.....	26
5.4	NOISE AND RAIL IMPACTS	27
5.5	SOLAR ACCESS	27
5.6	WIND IMPACTS	28
5.7	PUBLIC SERVICES AND INFRASTRUCTURE	28
5.7.1	RailCorp Infrastructure.....	28
5.8	SECTION 94 CONTRIBUTIONS	28
5.10	Suitability of the site	29
6	CONSULTATION AND ISSUES RAISED	30
6.1	PUBLIC EXHIBITION DETAILS.....	30
6.2	SUBMISSIONS RECEIVED ON ENVIRONMENTAL ASSESSMENT	30
6.3	SUBMISSIONS FROM PUBLIC AUTHORITIES.....	30
6.3.1	Auburn Council	30
6.3.2	Heritage Council of NSW	30
6.3.5	Sydney Olympic Park Authority.....	31
7	CONCLUSION.....	32
8	RECOMMENDATION.....	32
APPENDIX A – DIRECTOR-GENERAL'S ENVIRONMENTAL ASSESSMENT REQUIREMENTS (DGR's)		33

2 BACKGROUND

2.1 THE SITE

2.1.1 SITE CONTEXT AND LOCATION

The subject site is located on the corner of Murray Rose Avenue and Australia Avenue, in Sydney Olympic Park, Homebush (Lot 1021 & Lot 1023, DP 875723), and is identified in the Town Centre Precinct of Sydney Olympic Park. Site 8A is to be formally created upon the subdivision of Site 8, a long and narrow development precinct extending along Murray Rose Avenue, into 4 rectangular development sites to be known as Sites 8A, 8B, 8C and 8D. Site 8A occupies the eastern end of Site 8 and is under the ownership of the Sydney Olympic Park Authority (SOPA). It is the first of these sites to be subject to a development proposal. (See Figure 1 – site location).

2.1.2 EXISTING SITE FEATURES

Site 8A is generally rectangular in shape and has a site area of 1395sq.m. It has a depth of 20m and a length of 70m along the northern boundary and 66m to Murray Rose Avenue, the principal street frontage. The site also has a secondary street frontage to the east along Australia Avenue of 18 metres. The site has a gentle fall from the north-western corner to the south-eastern corner of approximately 1m.

The site is currently used as a car park and a substation occupies a large portion of the north-eastern corner. The site itself is devoid of trees and other vegetation, however there are 11 existing street trees (Ornamental Pear and Jacaranda trees) along Murray Rose Avenue, of which 6 are proposed to be removed. The site is accessed via an existing vehicular cross over off Murray Rose Avenue.

2.1.3 SURROUNDING DEVELOPMENT

Site 8 is located within proximity to Olympic Park Railway Station to the south-west and immediately fronts Jacaranda Square to the south, which is currently under construction. To the north and rear of the site are the Royal Agricultural Society Exhibition Halls that are used for events such as the Royal Easter Show, and a 6m wide Right of Way off Australia Avenue immediately adjoining the northern boundary of the site will provide future access to Site 8 mainly for service vehicles. The Right of Way is referred to as the Service Road and is currently used for parking by the adjoining RAS site to the north.

Sydney Olympic Park's Town Centre Precinct is evolving and nearby development includes:-

- Sites 1 and 2 on Australia Avenue currently used as car parks and identified as future development areas in the SOP Master Plan 2002;

- Site 3 located on Australia Avenue and Parkview Drive with approval for a part 16 and 24 storey mixed use residential apartment building over 3 basement levels, comprising 208 apartments, 4 commercial/retail units and a child care centre;
- Commercial development Sites 5,6 and 7 located on Dawn Fraser Avenue, south of the Railway Station;
- Site 4A on the corner of Olympic Boulevard and Herb Elliott Avenue with approval for an 18 storey Sofitel hotel including 212 hotel rooms, associated facilities and services, and two basement levels of parking; and
- Site 4B located on Olympic Boulevard to the south-west of the site with approval for a 7 storey commercial office building, with a café and a retail/commercial space and 5 basement levels.

2.1.4 ZONING

There are no specific zoning controls applicable to this site, however the site is subject to land use and development controls under *Sydney Regional Environmental Plan No. 24 – Homebush Bay Area* (SREP 24) and the Sydney Olympic Park Master Plan 2002. The SREP 24 provides for a range of permissible uses on the site, subject to compliance with any one or more of the planning objectives for the Homebush Bay area, listed in Clause 12 of the SREP. Section 4.2 of this report demonstrates that the proposal is consistent with these objectives and is therefore permissible with the Minister's consent. Section 4.8.3 provides an assessment against SOP Master Plan 2002.

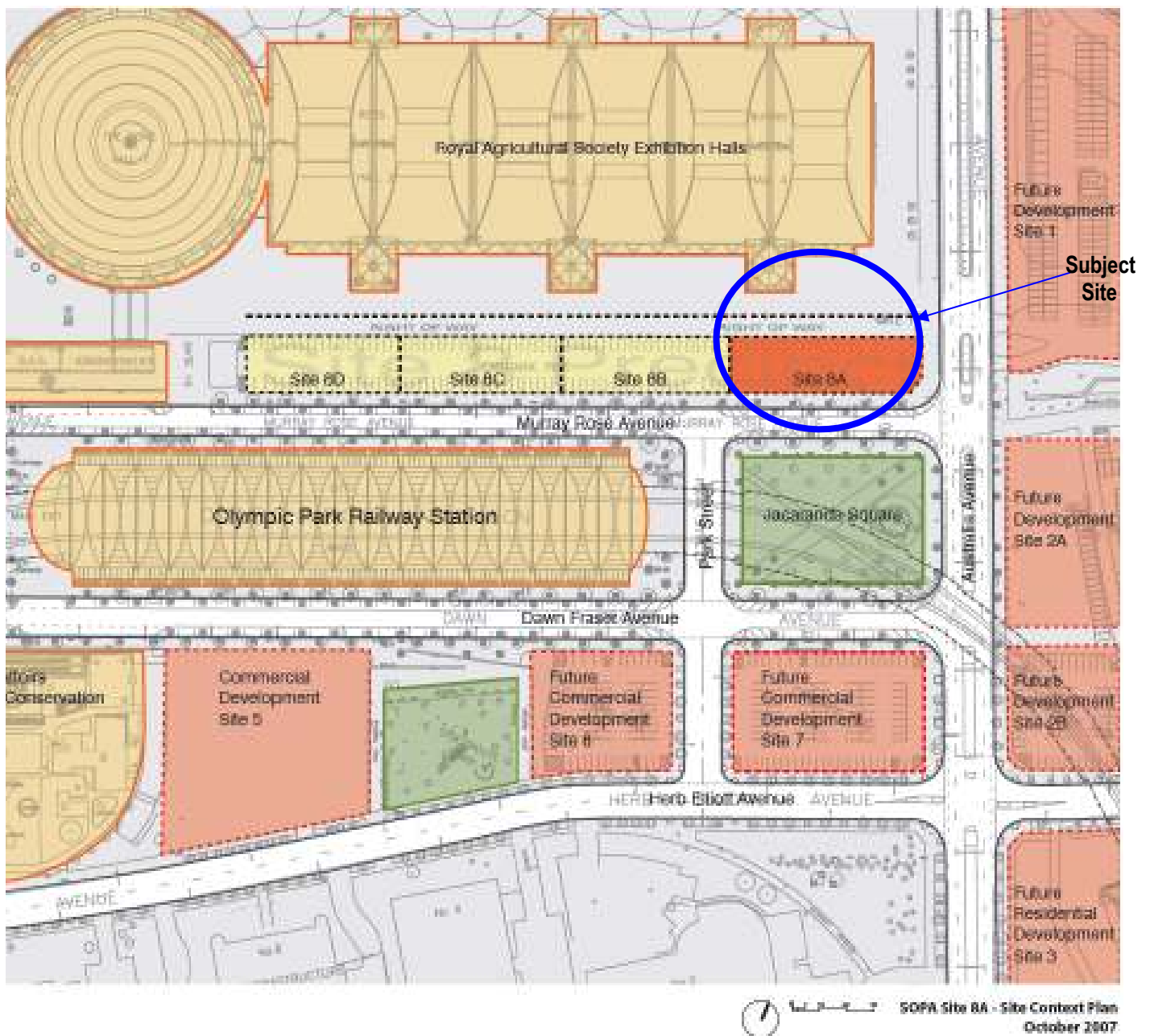
2.2 SITE HISTORY

Site history

The site is currently used as a car park and the dominant historical land uses were industrial uses associated with Homebush Bay.

Previous applications

There is no record of any prior planning applications on the site.



3 THE PROPOSED DEVELOPMENT

Proposed Site 8A, Murray Rose Avenue, Sydney Olympic Park has a corner location with street frontages to both Murray Rose Avenue and Australia Avenue. It is proposed to accommodate a 6 storey, 24.7m high commercial office building with a GFA of 7311m² comprising:-

- 5 storeys of commercial office space with a net lettable area of approximately 5,774m², for several potential tenancies accommodating approximately 480 workers (Refer to Figure 2);
- An active ground floor frontage with a net lettable area of 665m² along Murray Rose Avenue comprising a café, 2 retail units, a lobby and rear service areas;
- 2 basement car park levels consisting of 89 car spaces and 12 at grade car spaces to the rear, totalling 101 spaces;
- A restricted loading bay within the rear service lane and a designated loading area for 3 no. Light Vans off the rear service lane;
- 21 bicycle spaces in the basement and 10 visitor bicycle spaces at street level on Murray Rose Avenue;
- 4 business identification signs located on the southern, northern and eastern buildings facades and at ground level to Murray Rose Avenue;
- A rooftop plant area (plant room, cooling tower, chiller plant room, heating boiler plant room); and
- Removal of a six street trees and retention of 5 street trees along Murray Rose Avenue.

Ground Level

The ground floor accommodates 2 retail tenancies, a café fronting Murray Rose Avenue, a main entry lobby and 3 lifts, building manager's office, plant rooms, a substation, WCs, change rooms, lockers, garbage areas and 12 stacked car spaces and a loading bay accessed from the rear Right of Way service road.(See Figure 3- Ground Floor Plan).

Two Basement Levels

Over the 2 basement levels parking is proposed for 89 cars including two disabled car spaces and stacked car parking, 21 bicycle spaces, lockers, plant equipment, lifts and stairwells. Access to the basement car park is proposed via a shared driveway on Site 8B located off Murray Rose Avenue to the western side of the site (See Figure 3 – Ground Floor Plan).

Levels 1 to Level 5

5 office levels each with a Gross Floor Plate of 1,396m² are proposed to cater for various sized tenancies and includes associated facilities and disabled toilets.

Landscaping / Public Domain Works

Landscaping and public domain works (other than the awnings and lighting) are not proposed as part of this proposal as the building is built to the site's boundaries and a separate lease agreement between SOPA and the Proponent covers the public domain areas from the site boundary to the kerb. A modification to the approval will require replacement street trees given the proposed removal of trees along Murray Rose Avenue.

Site 8B works

To facilitate the proposed development, construction and access is required on the neighbouring Site 8B to the west and under the service road to the north. These arrangements are to be reflected on a future plan of subdivision with easements created regarding the shared access ramp servicing both Sites 8A and 8B; car parking on Site 8B; footings for the benefit of Site 8B to provide structural support for Site 8B structure above the ramp at a later date; and a temporary roof support structure above the shared access ramp to be removed and developed in future as part of Site 8B. This future plan of subdivision by SOPA is to also reflect the revised building corner treatment arrangement as shown on the ground floor plan (Figure 3).

3.1 DEVELOPMENT DATA

	PROPOSED	SOP MASTER PLAN 2002	COMPLIANCE
DEVELOPMENT LOT SIZE	1395m ²	No minimum lot size	N/A
STOREYS	6 storeys	6 storeys maximum	Yes
HEIGHT	24.7m (28.399m including plant roof top area)	No height control – see above.	N/A
GFA	7311m ²	17,000m ² (indicative) for overall Site 8. Actual allocations confirmed through detailed design and development approval process.	Yes
FSR	5.2:1	Master Plan allows for Design guidelines to set the ultimate figures.	Yes
CAR PARKING	89 car spaces over 2 basement levels 12 spaces at grade	Basement car parking only. Maximum 133 spaces	Yes No *
MINIMUM FLOOR HEIGHTS	6m Ground Floor 3.6m-3.7m above Ground Floor	3.6m-4m Ground Floor 2.7m-3.0m above Ground Floor	Yes**
BUILT FORM	High standard architectural and urban design, built to site boundaries and continuous awnings to both street frontages.	High Design quality, defines building edge and local streets and reinforces the character of the public domain	Yes

* The Sydney Olympic Park Master Plan permits basement parking only. However, SOPA has accepted the 12 grade parking spaces. The design guidelines provide a maximum limit of car parking for the development at 133 (rate of 1 space/55m²). However the rate provided is a maximum based on traffic modelling and projections for the future transport uses for the area. In this regard, given the close proximity to the railway station and other public transport links, and the proposal's consistency with Master Plan 2002, it is considered that the 101 car parking spaces proposed are adequate for a development of this nature.

** The SOP Master Plan requires a ground floor to ceiling height of between 3.6m to 4m. SOPA in its detailed Design Guidelines for Site 8A recommended 5m, however the 6m ground floor height of the building is considered to be a better design solution considering the local context and proportions of neighbouring buildings. Similarly the greater floor to ceiling heights proposed above ground floor level is considered desirable by the Department and an appropriate design solution. SOPA have no objections to the heights proposed and as such this aspect of the application is considered acceptable.

3.1.1 STAGED RELEASE OF SITE 8A DEVELOPMENT SITES

The Sydney Olympic Park Authority has confirmed that the remaining Site 8 development sites will be released as market conditions dictate.

The future subdivision of the site will be subject to a separate Development Application.

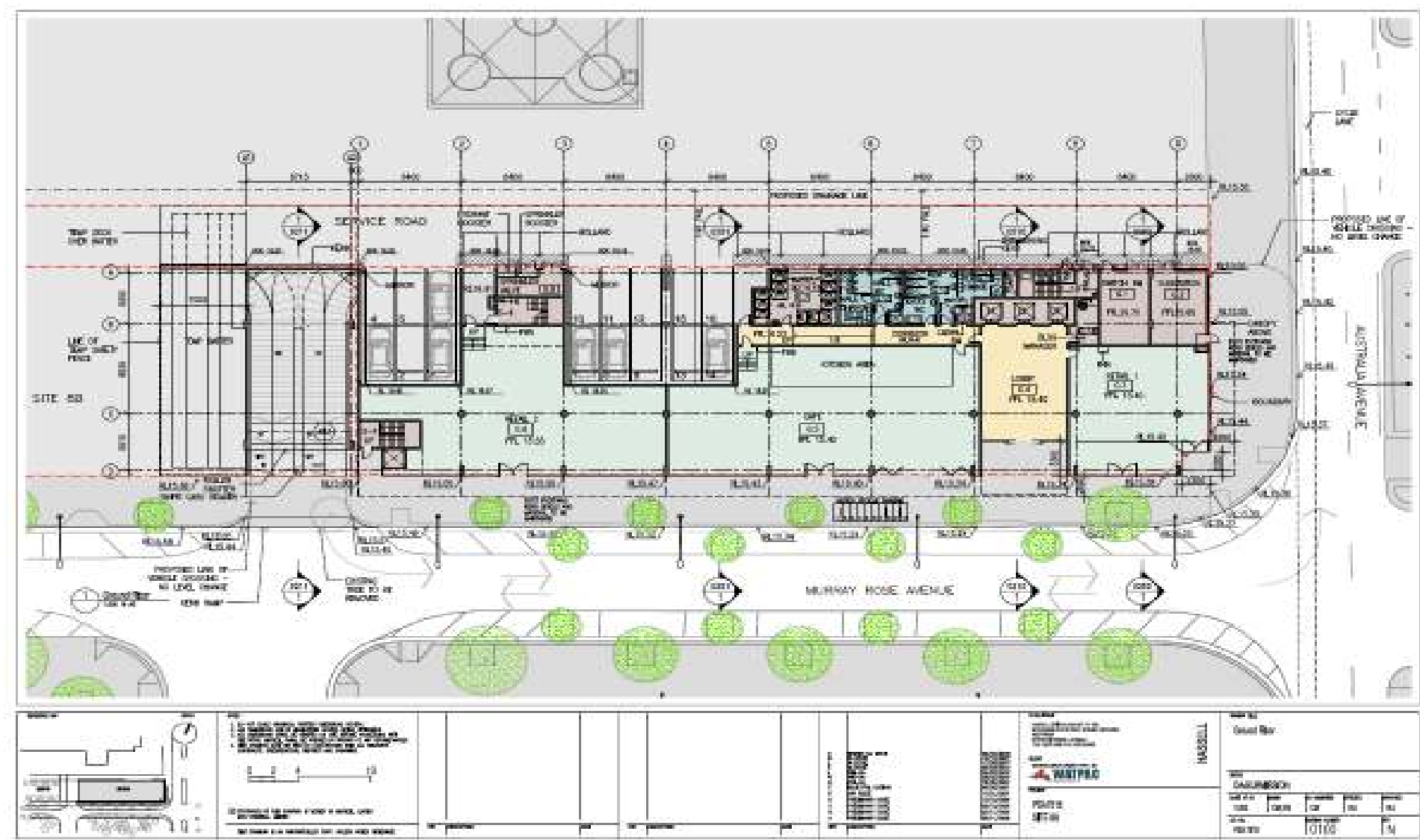
3.2 PROJECT CHRONOLOGY

19 June 2006	Request for clause 6 opinion lodged with the Department
6 July 2006	The Director-General, as delegate for the Minister, formed the opinion that the proposal is a Major Project and that Part 3A of the Act applies;
22 August 2006	Director- General's Environmental Assessment Requirements (DGRs) issued to the Proponent;
31 August 2007	Environmental Assessment lodged with the Department. Assessment deemed inadequate;
18 October 2007	Revised Environmental Assessment (EA) lodged with the Department. Assessment deemed adequate;
7 November 2007	EA placed on public exhibition for 31 Days
21 December 2007	Summary of submissions provided to Proponent and issues from the Department;
6 February 2008	Preferred Project Report is submitted;
18 February 2008	Additional information received addressing inadequacies in the PPR; and
6 March 2008	Additional supporting information received relating to the proposed stacked car parking arrangement.

Figure 2: Southern Elevation



Figure 3: Ground Floor Plan



4 STATUTORY CONTEXT

4.1 MAJOR PROJECT DECLARATION

On 6 July 2006, the Director-General, as delegate for the Minister for Planning, formed the opinion that the proposal is a Major Project under *State Environmental Planning Policy (Major Projects) 2005*. The project has a capital investment value of \$19.3 million and is located within Sydney Olympic Park, thus meeting the criteria established by Schedule 2, Clause 14 in the MP SEPP and exceeding a CIV of \$5million.

4.2 PERMISSIBILITY

Clause 11 of SREP 24 states that development of land within the Homebush Bay Area may be carried out for any purpose that the consent authority considers to be consistent with any one or more of the planning objectives set out in Clause 12 for the Homebush Bay Area.

The Department regards the proposed development to be consistent with the following planning objectives contained within Clause 12 (c), (g) and (h) of SREP 24:

- Promote a variety of types of development and land uses other than those referred to in paragraph (a) (for example, commercial, retail, industrial, residential, recreational, open space, institutional and tourism uses), but only if the type and scale of those uses do not prevent the use or reduce the attractiveness or suitability of the Homebush Bay Area, and Sydney Olympic Park in particular;
- Promote co-ordinated, sensitive and high quality development in the Homebush Bay Area through the adoption of overall guidelines for development relating to, for example, urban design, landscaping and signage; and
- Promote ecologically sustainable development.

Site 8A is within the Town Centre Precinct, as defined by the 2002 Sydney Olympic Park Master Plan. This area is described in the Master Plan as *'the urban heart of Sydney Olympic Park'*, capable of accommodating *'dense and urban development comprising commercial office space, exhibition and entertainment uses and visitor support services (that) will intensify activity and use around the Town Centre'*.

The proposed commercial and retail development is of a high architectural quality and an appropriate scale for the site, incorporates ESD principles, is considered to be consistent with the objectives of Clause 12 of SREP 24 and is permissible subject to the Minister's approval.

4.3 MINISTER'S POWER TO APPROVE

The Department has exhibited the Environmental Assessment (EA) in accordance with Section 75H(3) of the *Environmental Planning and Assessment Act 1979*, as described in section 6 below. The project is permissible and meets the requirements of the MP SEPP. Therefore, the Department has met its legal obligations and the Minister has the power to determine this project.

4.4 DIRECTOR-GENERAL'S ENVIRONMENTAL ASSESSMENT REQUIREMENTS (DGRS)

The DGRs, issued on 22 August 2006, required the following key issues to be addressed:

- Compliance with Sydney Olympic Park Master Plans;
- Built Form, Urban Design, and Landscaping;
- Sustainability;
- Traffic, Access, and Parking;
- Contamination and Remediation
- Rail and Noise impacts
- Operational features and Equitable access
- Waste management; and
- Heritage

The DGRs are contained in **Appendix A**. The EA lodged by the Proponent on 31 August 2007 was inadequate for exhibition. A revised EA was lodged on the 18 October 2007, and deemed adequate on the 29 October 2007.

4.5 OBJECTS OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 (EP&A ACT)

The objects provide an overarching framework that informs the purpose and intent of the legislation and gives guidance to its operation. The Minister's consideration and determination of a project application under Part 3A must be informed by the relevant provisions of the Act, consistent with the objects of the Act.

The objects of the Act in section 5 are as follows:

- (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,*
 - (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,*
 - (vii) *ecologically sustainable development,*
 - (viii) *the provision and maintenance of affordable housing,*
- (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.*

Of particular relevance to the assessment of the subject application is consideration of the Objects under Section 5(a). Relevantly, the objects stipulated under Section 5(a) (i), (ii), (vi) and (vii) are significant factors informing the determination of the application. The proposal does not raise significant issues with regards to (iii), (iv), (v), (viii).

With respect to ESD, the Act adopts the definition of the Protection of the Environment Administration Act 1991 including the precautionary principle, the principle of inter-generational equity, the principle of conservation of biological diversity and ecological integrity, and the principle of improved valuation, pricing and incentive mechanisms.

4.5.1 ESD Principles

There are 5 accepted ESD principles:

- (a) *Decision-making processes should effectively integrate both long-term and short-term economic, environmental, social and equitable considerations (the integration principle);*
- (b) *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 (the precautionary principle);*
- (c) *The principle of inter-generational equity - that the present generation should ensure that the health, diversity and productivity of the environment is maintained or enhanced for the benefit of future generations (the inter-generational principle);*
- (d) *The conservation of biological diversity and ecological integrity should be a fundamental consideration in decision-making (the biodiversity principle); and*
- (e) *Improved valuation, pricing and incentive mechanisms should be promoted (the valuation principle).*

The Department has considered the development in relation to the ESD principles and has made the following conclusions:

- (a) **Integration Principle** – The proposal has positive social and economic impacts supporting the town centre precinct's growth as a long-term regional employment destination. The environmental impacts of the development are appropriately mitigated as discussed in the report. The Department's assessment has duly considered all issues raised by public authorities and the proposal will not comprise stakeholders or hinder the opportunities of others.
- (b) **Precautionary Principle** – There is no threat of serious or irreversible environmental damage as a result of the proposal to the site or wider locality. The proposed development is consistent with the principles contained in the Floodplain Development Manual, will not detrimentally increase potential flood affectation on other

developments or property, will not result in an increased risk to human life, and is unlikely to result in additional economic and social cost.

It is unlikely that this site or the proposed development will be impacted by changes in sea level resulting from climate change.

- (c) **Inter-Generational Principle** – The proposal represents a sustainable use of the site, utilises existing infrastructure within Sydney Olympic Park and contributes to the vibrancy of the town centre precinct for the benefit of future generations.
- (d) **Biodiversity Principle** – Following an assessment of the EA, it is considered with certainty that there is no threat of serious or irreversible environmental damage. The proposal does not impact on biological diversity or ecological integrity. The development site has been cleared for a significant period of time, and has a low level of environmental sensitivity.
- (e) **Valuation Principle** – The approach taken for this project has been to assess the environmental impacts of the proposal and identify appropriate safeguards to mitigate adverse environmental effects. The mitigation measures include the cost of implementing these safeguards in the total project cost.

The Proponent is committed to ESD principles and has reinforced this in proposing a design that demonstrates a high level of environmental performance (see Section 5.3).

4.6 SECTION 75I(2) OF THE ACT AND CLAUSE 8B OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT REGULATION 2000.

Section 75I(2) of the Act and Clause 8B of the Environmental Planning and Assessment Regulation 2000 requires the Director-General's report to address a number of matters. These matters and the Department's response are set out as follows:

SECTION 75I(2) CRITERIA	RESPONSE
Copy of the Proponent's environmental assessment and any preferred project report	The Proponent's EA and Preferred Project Report are located on the assessment files.
Any advice provided by public authorities on the project	The public authorities submissions on this project are set out in Section 6 of this report.
Copy of any report of a panel constituted under Section 75G in respect of the project	No statutory independent hearing and assessment panel was undertaken in respect of this project.
Copy of or reference to the provisions of any State Environmental Planning Policy that substantially govern the carrying out of the project	Each relevant SEPP that substantially governs the carrying out of the project, is identified and assessed immediately below.
Except in the case of a critical infrastructure project – a copy of or reference to the provisions of any environmental planning instrument that would (but for this Part) substantially govern the carrying out of the project and that have been taken into consideration in the environmental assessment of the project under this Division	An assessment of the development relative to all environmental planning instruments is provided below.
Any environmental assessment undertaken by the Director General or other matter the Director General considers appropriate.	The environmental assessment of the project application is this report in its entirety.
A statement relating to compliance with the environmental assessment requirements under this Division with respect to the project.	The Proponent's EA addressed the DGR requirements and is considered to have satisfied those requirements as addressed in this report. Section 7 of this report includes a statement relating to this.
CLAUSE 8B CRITERIA	RESPONSE
An assessment of the environmental impact of the project	The assessment of the environmental impacts of the proposal is discussed in section 5 of this report.
Any aspect of the public interest that the Director-General	The public interest is discussed in section 5.10 of this

considers relevant to the project	report.
The suitability of the site for the project	The site is identified in the SREP 24 Homebush Bay Area the objectives of which are to encourage renewal in this area and a mix of uses. The proposal is consistent with these objectives.
Copies of submissions received by the Director-General in connection with public consultation under section 75H or a summary of the issues raised in those submissions.	A summary of the issues raised in the submissions is provided in section 6 of this report.

4.7 ENVIRONMENTAL PLANNING INSTRUMENTS (EPIS)

4.7.1 Application of EPIs to Part 3A projects

To satisfy the requirements of section 75I(2)(d) and (e) of the EP&A Act, this report includes references to the provisions of the environmental planning instruments that govern the carrying out of the project and have been taken into consideration in the environmental assessment of the project. An assessment of compliance with the relevant EPIs is provided immediately below which concludes that the proposal complies with these documents.

The primary controls guiding the assessment of the proposal are:

- *State Environmental Planning Policy (Major Projects) 2005*
- *Sydney Regional Environmental Plan No. 24 – Homebush Bay Area*
- *Sydney Olympic Park Master Plan 2002.*
- *State Environmental Planning Policy No. 11 – Traffic Generating Developments* (now superseded)

Other controls and non-statutory documents to be considered in the assessment of the proposal are:

- *State Environmental Planning Policy No. 55 (Remediation of Land)*
- *State Environmental Planning Policy No. 64 – Advertising and Signage*
- *Draft State Environmental Planning Policy No. 66 – Integration of Land Use and Transport*
- *Sydney Olympic Park Vision 2025*

The provisions, including development standards of local environmental plans, and development control plans are not required to be strictly applied in the assessment and determination of major projects under Section 75R(1) Part 3A of the Act. However, there are no relevant LEPs or DCPs applying to this subject land and the application.

4.8 PRIMARY CONTROLS

4.8.1 State Environmental Planning Policy (Major Projects) 2005

The proposed development is located within Sydney Olympic Park and has a capital investment value of \$19.3 million. This meets the criteria established by Schedule 2 –Specified Sites, Clause 14 – Sydney Olympic Park of the MP SEPP and therefore Part 3A of the Act applies and the Minister is the consent authority for this application. The opinion was formed by the Director-General as a delegate for the Minister on 6 July 2006.

4.8.2 State Regional Environmental Plan No.24 – Homebush Bay

SREP 24 provides a planning framework to guide and coordinate the continued renewal of the Homebush Bay and Sydney Olympic Park. It contains controls in relation to permissibility, planning objectives and relevant issues when determining planning applications.

The proposal is consistent with the SREP's relevant planning objectives for the area and is permissible under Clause 11 with the Minister's Consent. The proposal is considered to be of a high architectural and urban design quality and a scale compatible with and that positively contributes to the attractiveness of Sydney Olympic Park. The proposal also encompasses the principles of ecologically sustainable development by demonstrating a high level of energy-efficiency and is designed to achieve the relevant greenhouse and green star ratings for commercial buildings.

Clause 13 details the matters for consideration in determining DAs. While this is not relevant to Part 3A Major Projects, the Department is satisfied that the matters are addressed in detail in the Environmental Assessment, Appendix C, outlined below:-

- The proposal has been assessed against SOP Master Plan May 2002;
- The proposal demonstrates design excellence and does not impact on any significant views, drainage or flood patterns and the natural environment;
- Ecologically Sustainable Development principles are encompassed in the design of the development as discussed in Section 5.3 of this report.
- The site is not located in an environmental conservation area, a potential historical archaeological area or place of known or potential Aboriginal heritage significance and does not impact on any heritage items.
- The views of other public authorities consulted have been considered in this assessment as outlined in Section 6 of this report.

The proposal was assessed against the special provisions of the SREP No.24 contained in Part 3 and was found to satisfy the objectives and controls contained there within.

4.8.3 Sydney Olympic Park Master Plan 2002 (SOP Master Plan)

The Sydney Olympic Park Master Plan came into effect on 31 May 2002. It provides a framework for the ongoing development of Sydney Olympic Park following the success of the Olympic and Paralympic Games in 2000, and was prepared pursuant to clause 16 of SREP 24 and clause 18 of the Sydney Olympic Park Authority Act 2001.

The SOP Master Plan identifies Site 8A as located within the Town Centre Precinct. Development in this precinct is required to reinforce its role as a vibrant mixed use centre at the heart of Sydney Olympic Park. The Town Centre Precinct is to accommodate a substantial working population of 10,000 and Site 8 specifically is earmarked to provide commercial floor space of 17,000sqm. The Masterplan allows for Design Guidelines to set the ultimate figures for development of each site and a figure of some 45,000 m² exists for the entire town centre, of which the ground floor of site 8a is allowed to borrow from.

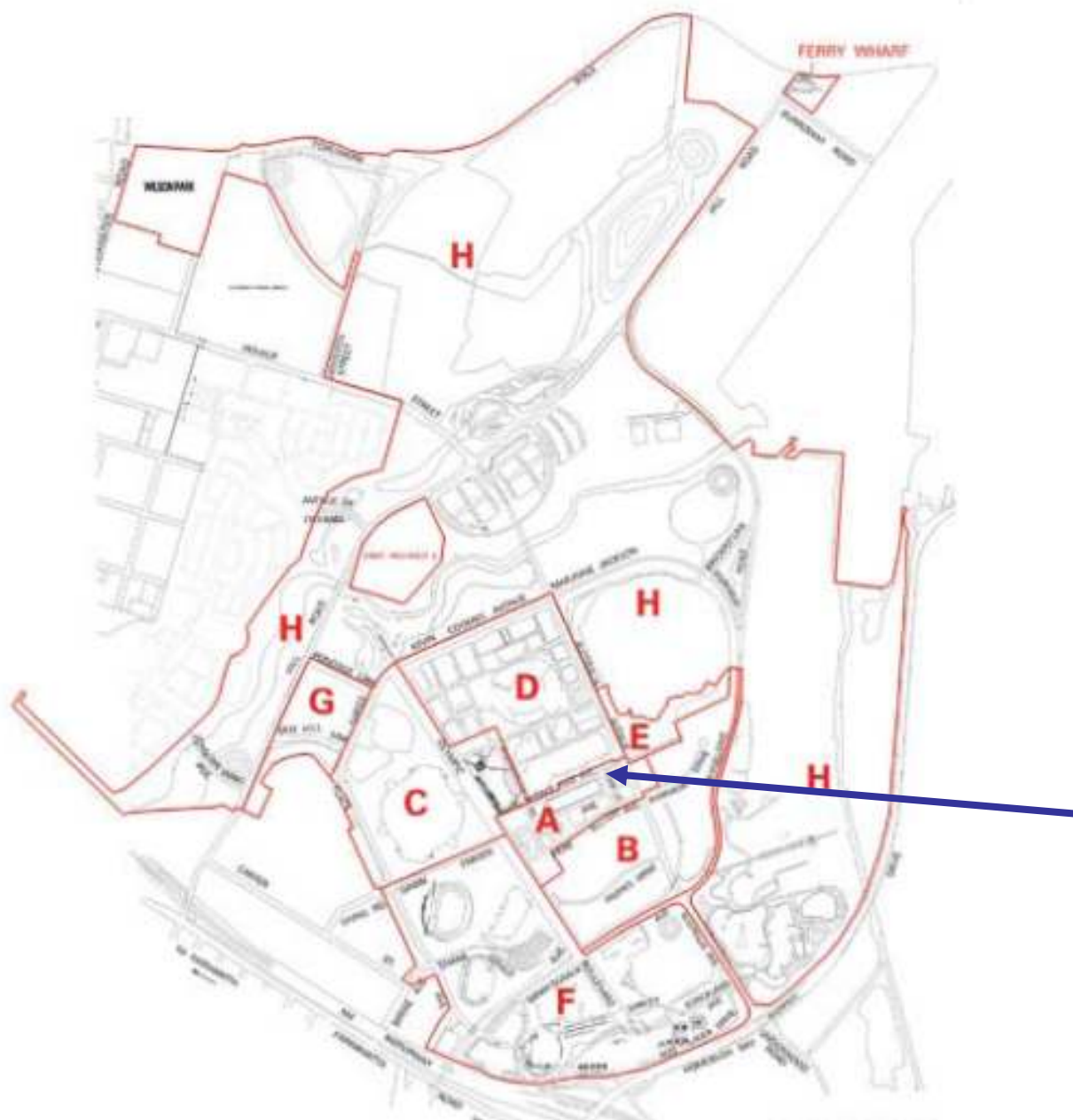
The development satisfies the guidelines and objectives specific to Site 8 as well as the generic urban design guidelines and environmental standards for all development within Sydney Olympic Park.

The specific precinct guidelines applying to Site 8A are detailed in Section 5 and summarised as follows:-

- **Objective** – The proposal satisfies the objective to contribute to an active street edge as the café and retail uses along the frontage will assist to activate the area around Olympic Park Railway Station and Jacaranda Square.
- **Use** – The proposal is consistent with the commercial and retail land-uses sought within the town centre precinct.
- **Height** - The height complies with the 6 storey control and a uniform height is achieved along the entire of both frontages.
- **Amenity** – The proposal incorporates an awning to both site frontages thereby providing pedestrian shelter.
- **Vehicle Access** - Car parking is provided within two basement levels, accessed from Murray Rose Avenue. Minimal parking and loading areas are provided at grade off the 6m rear service road.
- **Other** - The existing substation is integrated into the design and adequately screened from the street.

The generic design guidelines for all development subject to the Sydney Olympic Park Master Plan are detailed in Section 6 and are addressed by the proposal as follows:

- **Public Domain** –The proposal has been designed to integrate with the public domain areas to its dual street frontages and is discussed in Section 5.1.6.
- **Building Form and Character** – The building design is of a high standard consistent with existing materials and buildings in Olympic Park. Refer to Section 5.1 for a detailed assessment.
- **Environmental Considerations** – The development incorporates ESD principles into the design and the building has been designed to achieve a high level of environmental performance. Refer to Section 5.3 and Section 5.6.



OVERALL PRECINCT MAP

- | | |
|---------------------|---------------------------|
| A Town Centre | E Brickpit Edge |
| B Australia Centre | F Southern Events |
| C Northern Events | G Waste Service NSW |
| D Sydney Showground | H Parklands & Ferry Wharf |

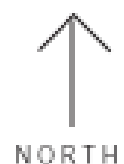


Figure 4: Location of Site within Sydney Olympic Park from Master Plan 2002.

4.8.4 STATE ENVIRONMENTAL PLANNING POLICY NO. 11 – TRAFFIC GENERATING DEVELOPMENTS

Schedules 1 & 2 of SEPP 11 apply to the proposal as the commercial premises gross floor area exceeds 2,500m² and requires referral to the RTA. The RTA raised concerns with the extent of stacked car parking spaces proposed and requested a comprehensive parking management plan. This was submitted with the Preferred Project Report which recommended tenancy allocation or user designation for the parking spaces. The RTA's response is discussed in Section 6.3.4.

SEPP 11 has been superseded by the SEPP (Infrastructure) 2007, gazetted on 21 December 2007.

4.9 OTHER CONTROLS

4.9.1 State Environmental Planning Policy No. 55 – Contaminated Land

The Supplementary Contamination Assessment prepared by Douglas Partners confirms that the site is suitable for commercial development of this nature and concludes:

- Levels of chemical contaminants from analysed soil samples were consistently low and did not exceed the selected assessment criteria for commercial/industrial sites. No building rubble was observed in the filling material (apart from some concrete gravel) and no asbestos was detected in analysed samples.
- A review of the *Acid Sulphate Soils Risk Map* Edition 2 (DLWC, 1997) indicates that the area has no known occurrences of Acid Sulphate Soils and hence has a low probability of acid sulphate soils being present.
- In relation to the subsurface profile, significant variations of fill depths were observed, thus having a significant bearing on the quantity of filling material that may need to be transported from the site. In this regard, further sampling and analysis (by an environmental) consultant will need to be undertaken in order to provide a final waste classification of the filling material (to be conditioned).
- The (perched) groundwater suggests that water management may be required and water may need to be discharged during basement excavation/construction. This water should be tested by an environmental consultant for appropriate disposal.

The report concludes that based on the assessment undertaken, the site is suitable for the proposed office building and basement car parking. The Department is satisfied that the proposal complies with the requirements of SEPP 55 and the site is suitable for the development proposed subject to conditions.

4.9.2 State Environmental Planning Policy No. 64 – Advertising and Signage

A total of four building identification signs are proposed on the north, south and east elevations. The signs are considered compatible with the desired amenity and visual character of the area and do not detract from the streetscape on the basis that:-

- The size and scale of each sign is minimal relative to their positioning on each elevation.
- The signage is visible from the two street frontages effectively communicating the occupant of the building to pedestrians without obscuring or compromising any views.
- Adverse impacts on safety and amenity are not envisaged as a result of illumination and no residential developments are located nearby.
- The signage materials and finishes are consistent with the SOPA Guidelines for Outdoor Advertising, Identification and Promotional Signs.

A modification to the Project Application requires the Proponent to prepare a signage strategy for the retail units. (Figure 5).

4.9.3 Draft State Environmental Planning Policy No. 66 – Integration of Land Use and Transport

Draft SEPP 66 aims to ensure that new development achieve the following objectives:

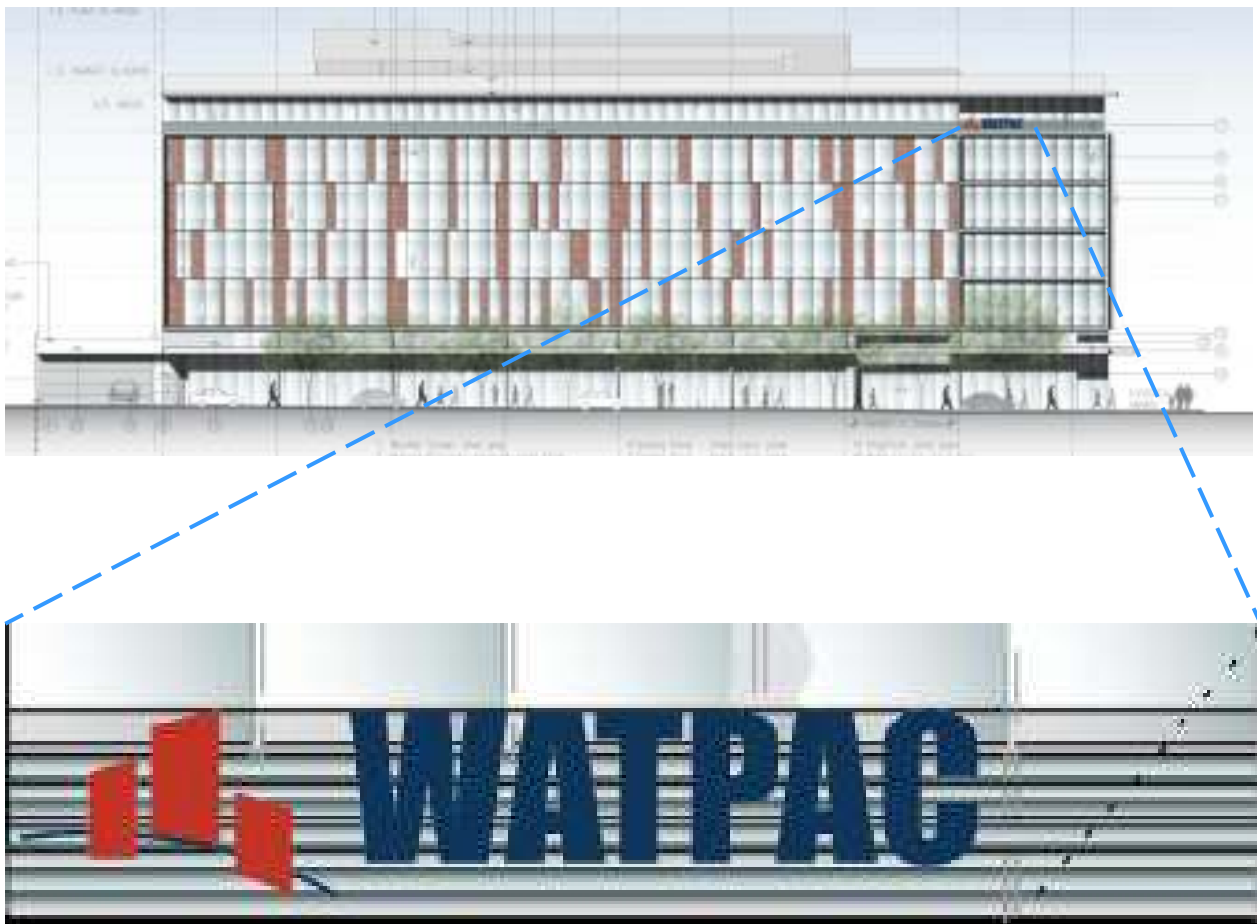
- Improve accessibility to housing, employment and services by walking, cycling and public transport;
- Improving the closure of transport and reducing dependence solely on cars for travel purposes;
- Moderating growth in the demand for travel and distances travelled, especially by car;
- Supporting the efficient and viable operation of public transport services; and

- Providing the efficient movement of freight.

The proposal has been assessed having regard for the above objectives and is determined as being satisfactory for the following reasons:

- The site is highly accessible to existing public transport infrastructure being located opposite Sydney Olympic Park Railway Station and regional bus services, and opportunity exists for workers and visitors of the development to make good use of the services provided, particularly for journey to work purposes.
- On-site parking is limited to 101 spaces with provision for 6 visitor spaces and meets the maximum parking controls for the site.
- 31 bicycle parking spaces are proposed, 10 of which are visitor cycle spaces located on the public footpath.

Figure 5: Example of Signage



5 ASSESSMENT OF ENVIRONMENTAL IMPACTS

Key issues considered in the Department's assessment of the Environmental Assessment include:

- Built form, urban design and landscaping;
- Traffic, parking and vehicular access;
- Sustainability;
- Noise and rail impacts
- Solar access
- Wind impacts;
- Contamination and remediation
- Public services and Infrastructure
- Section 94 Contributions
- Public Interest

5.1 BUILT FORM, URBAN DESIGN AND LANDSCAPING

The proposed development provides a high quality urban and architectural design response for a narrow site, and has been developed in consultation with the Sydney Olympic Park Authority Design Review Panel. The development recognises the central importance of the Town Centre Precinct to the Sydney Olympic Park and makes a positive design contribution to this evolving Precinct, consistent with the requirements of the SOPA Master Plan 2002.

5.1.1 Design and Articulation

The building has been designed to present a contemporary and defining built form to emphasise the prominent location on the corner of Murray Rose Avenue and Australia Avenue. The building form responds to the shape of the site, is built to the street alignment and incorporates a well defined base, middle and top.

The main façade elevation along Murray Rose Avenue is composed of a feature curtain wall system with feature infill panels. The panels are of a brown timber veneer surface of varying sizes and create visual interest along this façade. The top floor of the development incorporates a minor setback and a continuous awning that helps to define a roof line and a balcony is positioned towards the south-eastern corner of the site.

A feature elevation is proposed along the Australia Avenue frontage, which introduces a curtain wall style façade treatment that wraps around part of the northern elevation. The introduction of both vertical and horizontal deeper reveals ensures that the corner treatment is subtly different and articulated. The corner facade treatment also defines the termination of the continuous elevation of all four buildings given the likely future development of Site 8 in its entirety.

However, the location of a substation in north-eastern corner of the building at ground floor fronting Australia Avenue, is of concern to the department. Its location results in a lack of activation of this corner and it would be desirable for this frontage to have a retail use, particularly given that Australia Avenue is an important street frontage. This concern will be addressed by the inclusion of a condition requiring that the Substation is relocated and that the retail space be extended into this north-eastern corner of the building. The awning will also be required to be extended. This will ensure that this corner of the building is appropriately activated at the ground level.

The depth of the commercial building is a maximum of 20m and the service areas have been concentrated together along the northern section of the building at ground floor level to allow for maximum flexibility in floor layouts (1,396m² typical floorplate). The buildings expansive window areas provide good daylight access with passive solar design elements such as awnings and metal sunshades to control solar access and enhance the building elevations.

The proposed design and built form has a positive relationship with the surrounding context and the Royal Exhibition Halls to the north, and is considered to be an appropriate response to the site.

5.1.2 Height and Density

The Sydney Olympic Park Master plan 2002 states that new development on Site 8A should not exceed 6-storeys. The proposal complies with the 6 storey height limit and maximum 5m guideline for roof top plant equipment. The overall building height is 24.7m based on the Top of Parapet RL 40 to the lowest N.G.L 15.3, and the roof top plant equipment is 4.5m high.

Density/FSR controls do not apply to Site 8A under the SOP Master Plan 2002, however an indicative GFA for the overall Site 8 of 17,000m² is provided. The SOP Master plan 2002 states that '*actual floor space allocations will be confirmed through detailed design and development processes*', however it does not detail how this floor area should be allocated to the individual development sites - Sites 8A, 8B, 8C or 8D. Given this, it is noted that site 8A is the largest of all four lots and proposes a GFA of 7311m² that equates to an FSR of 5.2:1.

Cumulatively, the development's floor area will not prejudice the potential opportunities for future development on the remainder of Site 8, and enables the remaining sites to be redeveloped to sustain viable commercial and retail developments. The Master Plan allows for Design Guidelines to set the ultimate figures and actual floor space allocations for development on each site, and approximately 45,000sqm exists for retail uses in the entire town centre, of which part can be borrowed for the ground floor of Site 8A.

The proposed scale and density of the development is considered suitable for this site, which is in keeping with the high-density character envisaged for the Town Centre Precinct under the Sydney Olympic 2002 Master Plan.

5.1.3 Materials and Finishes

The proposal uses a small palette of materials with glass and aluminium used extensively in the curtain wall facades to establish a subtle language of material and colour in combination with quality detailing.

The main southern elevation is comprised of grey tinted vision glazing panels with high quality brown feature infill panels (composite panels with timber veneer surface) of varying sizes placed, in a randomised manner to create visual interest in the streetscape.

The awning to all frontages is a silver-grey metal panel, whilst the top floor terrace balustrade is a clear glazing, consistent with the predominant materials of the building. Clear glass is applied to the full height of the ground floor retail and café uses in visual contrast to the glazing on Levels 1 to 5 that will better link with the public domain and activate the street frontage.

The eastern façade consists of tinted glazing with expressed feature frames for articulation and the northern elevation utilises tinted vision glazing panels interspersed with rendered panels to reduce direct solar access.

The visible light reflectivity of the glazing utilised will not exceed 20%.

The metal sunshades located on the eastern and northern elevations are consistent with the overall buildings colours and materials and will help to control solar access. The roof level plant is enclosed using a combination of silver grey metal screens and a dark grey rendered painted finish. The ground floor substation is incorporated into the development and adequately screened by silver or grey metal louvres along the east and north elevations. The western elevation with a painted finish has been left untreated as it will be screened by future development on Site 8B.

Subject to extensive feasibility tests and modelling as part of the greenstar ratings submission process, minor changes may occur to the shade of glass tinting and the feature infill panels. A modification to the Project Application is to be included in the event of significant changes to the materials.

The proposed materials and finishes are acceptable and commensurate with a major commercial development and glass treatment for buildings within Sydney Olympic Park.

5.1.4 Views

The roof structures are to be screened and setback from the boundaries, to minimise the visual impact on Jacaranda Square. Public views of this roof plant area will be limited as it will be setback 6.7m from the southern building edge and this is demonstrated in the View Analysis Plan that shows pedestrians views of the roof plant at 40m from the southern elevation.

The proposal will not significantly impact on primary views in and around the site which are identified through Jacaranda Square and the station. The proposed development closely follows the built form parameters in the SOP Master plan 2002, such as height and street alignment. The top floor balcony will take advantage of views across Olympic Park.

The impact of the development on views from neighbouring buildings and on the town centre precinct is minimal and considered acceptable.

5.1.5 Landscaping/Trees

The proposal is built to all site boundaries and thus does not propose landscaping, however the proposal integrates with the public domain along Murray Rose Avenue and Jacaranda Square.

An Arborist's Report was prepared by Urban Tree Management consultants detailing the condition of the 11 street trees along the sites frontage and appropriate tree protection measures. It considers the 11 street trees, being Jacaranda's and Ornamental Pear Trees, 5 of which are proposed for retention and 6 for removal. The 6 trees proposed for removal (Trees 3, 5, 7, 9, 10 & 12) are identified as having low retention value, poor structure and are inappropriate species for the new space provided. Tree 10 is also proposed to be removed to facilitate the vehicular access into the site. The Jacaranda's are young specimens and over pruning has removed half the crowns, resulting in asymmetrical crowns and poor branch structures. Trees 1, 2, 4, 6 and 8 are to be retained and protected within a Tree Protection zone and minor pruning works undertaken to Trees 1, 2, 4 & 8. Compensatory replanting is required and will be conditioned accordingly.

The proposed tree removal and replacement is considered acceptable.

5.1.6 Public Domain/Safety

The commercial building is to be built to the street frontages and the ground level retail, lobby and cafes uses with clear glazing to their frontages allows informal surveillance of public areas and helps activate the Murray Rose Avenue frontage. The café will incorporate on street dining that will enhance activity to the public domain and provides for a clear demarcation of the private and public areas addressing Crime Prevention through Environmental Design principles such as access card entry systems and CCTV.

Works within the public domain comprise of the awning above the ground floor and additional under awning lighting to Murray Rose Avenue to supplement the street lighting. The area of the public domain is under SOPA's control and subject to a lease agreement with the Proponent. SOPA has requested that a Public Domain Plan be subject to a negotiated outcome acceptable to both the Proponent and SOPA and this is to be conditioned.

Given the sites wide frontage and the main vehicular access being well located away from the main pedestrian entry, conflicts with pedestrians will be minimised. The pedestrian lobby entry is recessed into the building and identified through a skylight in the canopy. It is fairly wide at 7m and unlikely to provide concealment opportunities. Further, direct and unimpeded access between the street and the interior is provided and the proposal complies with the relevant AS 1428 'Design for Access and Mobility' and the SOPA Access Guidelines 2002.

Secure basement parking is provided as a roller shutter is proposed at the entry with CCTV cameras proposed in key areas including the basements, service areas, car park entrance and the main ground floor lobby.

5.2 TRAFFIC, PARKING AND VEHICULAR ACCESS

5.2.1 Traffic

A Traffic and Parking assessment of the potential access and traffic implications, the appropriateness of the proposed parking provision, internal circulation and servicing arrangements states that the proposed development represents a normal commercial office use and applies a comparable peak traffic generation rate based on office development on the Rhodes Peninsula (acknowledged by the RTA and DoP) to arrive at a rate of 98 vehicle trips per hour.

The projected traffic generation of the proposed development will be relatively modest in the context of the total precinct. The traffic assessment report states the proposal is consistent with land use, traffic and transport planning for the area specifically the SOP Master Plan and SOP Traffic Assessment Study. Further, the report states there will not be any localised problems in relation to site access (particularly given the proposed access treatments and the proposed 'opening up' of vehicle access along Holker Avenue programmed to occur within 12 months).

The Department is satisfied with the assessment undertaken in the traffic report and considers that the road network has sufficient capacity to absorb the additional traffic generated by the development, with no upgrades to existing intersections required.

5.2.2 Parking

The SOP Master Plan 2002 requires all parking provision for the site to be accommodated underground, however the development provides some at grade parking to the rear. The Department considers that this minimal amount is acceptable.

SOPA's Design advice controls for Site 8A requires car parking to be provided at the **maximum** rate of 1 space per 55m², equating to 133 spaces. The development provides a total of 101 parking spaces with 89 car spaces including 2 disabled spaces over a two-level basement, 12 car spaces located at grade off the rear service lane and a further 2 spaces designated as a loading area. The majority of the car spaces are in a stacked car parking arrangement (See Figure – Basement Level 1 car parking plan), this is discussed further in Section 5.2.3.

The site enjoys good access to public transport and is opposite the Sydney Olympic Park Railway Station. Public parking facilities for visitor parking or particular peak demand services are available in the vicinity of the site, however provision needs to be made on site for visitor parking. In discussions with the RTA, a visitor parking rate of between 2-5% was considered adequate to apply to a retail and commercial development. As such a modification to the Project Application requires 6 spaces to be designated for visitor parking.

The proposal includes 31 bicycle spaces with lockers; 21 located in the basement nearby to the lifts and 10 for visitors along Murray Rose Avenue and is greater than the 15 spaces required under the SOP Master Plan 2002 guidelines. The location of the site also affords direct access to the existing cycleway routes particularly along Australia Avenue and Olympic Boulevard.

The proposed car parking is considered sufficient given the close proximity of the Sydney Olympic Park Railway Station, and the public parking available elsewhere within the Town Centre Precinct. The development also provides for adequate and well located bicycle parking spaces.

5.2.3 Stacked Car Parking

Stacked car parking comprises 25% of the on site car parking (30 spaces). The stacked parking concept was developed by the Proponent in consultation with SOPA and is a response to the constrained dimensions of the site whilst ensuring the building is commercially viable. The Parking Management Plan attached to the PPR addresses the allocation and management of the stacked car spaces stating that "stacked parking in a small commercial building is efficient and effective without any perceptible consequences where spaces are allocated to the same tenancy".

The RTA's comments on the PPR and Parking Management Plan confirms that A.S. 2890.1 -2004 does not recognise stacked parking as an acceptable arrangement for car parking facilities and that stacked parking at the scale proposed for the subject development (25% of the total parking provision) is not favoured by the RTA for safety and efficiency reasons. Further, the RTA does not accept the Management principles in the Parking Management Plan, on the basis that management of the amount of stacked parking is impractical, there is no control over the size of the tenancy and number of employees increasing the likelihood of vehicles being blocked, the increase in vehicle manoeuvres and creation of an undesirable precedent for future development in Sydney Olympic Park and wider Sydney Region.

Given the above concerns, a minimal number of stacked spaces will be permitted not more than 10% equating to approximately 12 stacked car spaces. This will result in a total of 18 stacked spaces being deleted, achieved by removing 16 stacked spaces from Basement Levels 1 and 2 and further by converting 2 stacked spaces at grade off the rear service lane to loading areas to accommodate 2 x Small Rigid Vehicles (6.4m length x 2.3m width). A condition will be imposed to require the removal of these spaces and the Proponent will be given the flexibility to select which 16 spaces to delete from the basement levels. This may result in a possible reconfiguration of the basement.

5.2.4 Access and Circulation

Vehicular access to the existing car park on site is via Murray Rose Avenue. The proposed access is as follows:

- 7.8m wide shared access driveway (located on site 8B) off Murray Rose Avenue and a 6.0m wide service road (R.O.W) to the north of the site that provides access to the rear of the building, 16 at grade parking spaces and for service vehicles/loading. These arrangements are considered adequate by the Department in terms of parking provision and pedestrian and highways safety.

- During special events, access to the basement entry ramp on Murray Rose Avenue will be permitted via Park Street and entry to the rear service lane will be across Site 8B via a temporary vehicle cross over in accordance with the Traffic Management Plan. This would be a safe and acceptable alternative on these occasions.
- The internal circulation system accords with AS2890.1 and AS2890.2 criteria for a simple two-way system. A turning path assessment for cars demonstrates compliance with these standards.
- The proposed roller shutter in the driveway will remain open during the morning peak arrival and afternoon peak departure times. Operation at other times will be by 'swipe card' for ingress and automatic induction loop for egress. A condition will require its monitoring and review to ensure no ingress queuing occurs.
- An access controlled boom gate is proposed on the service lane at the Site 8A end to prevent illegal parking during events and is subject to an agreed management plan. The final location needs to be determined in consultation with relevant authorities and the building's managers will have control over the operation of this. This is to be conditioned.

Given the site's frontage of 66m, good sight lines will be maintained at the main vehicular entry point and conflicts with vehicles/pedestrians minimised. Also, the service road provides access for loading areas that further minimises vehicular/pedestrian conflicts. The design provides a high level of accessibility and an ease of circulation that therefore achieves the access requirements as set out in the SOP Master Plan 2002.

5.2.5 Loading

The Proponent's design response provides for a temporary 20m loading bay to the rear (north) of the building along the 6m wide service lane. This loading bay can accommodate Large Rigid Vehicles (LRV) – up to 12m for garbage collection, supplies, delivery etc and will not impede egress from the building. There is sufficient width for vehicles to pass by a service vehicle temporarily parked in this loading area. This commercial building is likely to be serviced by small service vehicles, such as light vans for cleaners, service personnel, couriers and Small Rigid Vehicles and the loading bay could accommodate up to 3 SMRs or up to 2 Medium Rigid Vehicles at any one time. The Traffic report in the PPR states that movements in the service lane will be quite minor given the one-way movements and the minor access needs for service vehicles and the few accessed parking spaces for Sites 8A & 8B.

The Department is not satisfied given the cumulative impact on traffic and service flows on this R.O.W when Site 8 is fully developed and offers an alternative loading area for Small Rigid Vehicles incorporated within the building footprint off the rear service lane. There is sufficient clearance height of 3.5m to designate a loading bay for SRV's in car spaces 14 and 16 and a modification will be included in the Project Application.

5.3 SUSTAINABILITY

The principles of ESD are discussed in Section 4.5.1 of this report and The SOP Master Plan 2002 requires new developments to adopt the highest standards of best practice, to ensure the optimal environmental performance of the building and its surrounds. The proposal also satisfactorily addresses the *Environmental Guidelines for the Summer Olympic Games (September 1993)* and SOPA Environment Policy and Environment Strategy by ensuring:

- There is no impact on any significant natural or cultural environments within Sydney Olympic Park. The site has a low level of environmental sensitivity and does not contain any threatened or vulnerable species, populations, communities or significant habitats.
- The proposal is designed to achieve a high level of energy efficiency meeting the 4.5 Star Australian Building Greenhouse Rating (ABGR) rating and the 4 Green Stars' Green Building Council Australia's Office DesignV2 rating.
- The existing WRAMS system is utilised and the proposal has a low level of daily water consumption.

The ESD Strategy Report prepared by Bassett Consulting Engineers outlines the strategies that will be adopted to achieve the best practice performance ratings as follows:

- **Management.** An Environmental Management Plan is required to ensure environmental standards are maintained during construction. This includes 85% of construction waste to be reused or recycled.
- **Indoor Environmental Quality** is maximised as the building's orientation optimises internal solar access with sun shading devices for additional control. The VAV air conditioning system accords with the Green Star criteria. Operable windows are not proposed due to SOPA internal noise criterion requirements given nearby noise sources.

- **Energy Consumption** will be minimised through high efficiency mechanical appliances.
- **Water consumption** will be minimised through the use of water efficient fixtures and fittings and the proposal will achieve a 5 Star Water Efficiency and Standards (WELS) rating.
- **Materials** with minimal environmental impact will be used in the building, including non composite wood and low emission formaldehyde products and materials with low Volatile Organic Compound (VOCs).
- **Land Use and Ecology.** The site is currently a car park with no vegetation and the proposal does not impact on any existing ecology. The subject site is not on or within 100m of a natural wetland.
- **Emissions** will be minimised through the use of selected HVAC refrigerants and thermal insulation materials with an Ozone Depletion Potential (ODP) of zero.

The site is not within an environmentally sensitive area or sensitive coastal location and is not identified as having cultural heritage or high biodiversity significance. It is not located in a State Conservational Area, or an area of critical habitat.

5.4 NOISE AND RAIL IMPACTS

The Acoustic Assessment undertaken examines the impacts of noise on the development from road traffic, during events and the nearby underground railway. It also outlines the noise attenuation measures incorporated into the design to mitigate any impacts and concludes:-

- There are no acoustic site conditions that would preclude the proposed development from complying with the relevant noise criteria of the DECC and relevant Australian Standards;
- Road traffic noise intrusion into the development can be adequately attenuated by acoustically designed façade treatments and the use of closed windows and alternative ventilation systems whilst noise emission from the site can be controlled by standard noise control techniques;
- Airborne noise generated by the underground railway and also regenerated noise, the later to be confirmed at the detailed design stage, is not considered significant at the subject site and will meet all applicable criteria.
- The noise impacts of events, mainly the Royal Easter Show have been considered in the design of the development to minimise potential land use conflicts.
- Environmental noise emissions from mechanical and air conditioning plant will be assessed during the detailed design stage, when details of the selected plant are known. External noise controls are likely to include barriers, enclosures and attenuators to satisfy the internal criteria and the NSW Industrial Noise Policy. A modification will be included to this effect on the Project Application.
- A construction noise management plan is to be compiled by the developer and this can be conditioned.

The proposed development is not located near residential development and as such the proposed noise reduction measures are considered acceptable. The Statement of Commitments proposes to adopt the recommendations of the submitted Acoustic Assessment Report and the noise impacts of surrounding uses and the development itself can be satisfactorily mitigated.

5.5 SOLAR ACCESS

5.5.1 Surrounding Impacts

Summer:

There is no impact on Jacaranda Square located to the south of the site or the building to the north.

Equinox (March and September):

At 9am a shadow is cast to the west of the site onto Site 8B (currently a car park). At midday the shadow falls over the road and in the late afternoon there is a minor and insignificant impact on Jacaranda Square.

Winter:

The shadows cast at 9am fall mainly to the south but do not affect Jacaranda Square. At 12pm the shadow impact is minimal to the south and the majority of the Square will be in full sunlight. At 1pm, 60% of the Square is in full sunlight whilst at 2pm, 43% of Jacaranda Square is in sunlight. 4 hours of sunlight is still achieved between 9am and 1pm where the majority of the Square, that is an area greater than 50%, is in sunlight.

Jacaranda Square

The SOP Master Plan requires public spaces to receive optimised sunlight between the critical hours of 11.30am and 2.30pm. During these critical hours, the square receives over 1 ½ hours of sunlight between 11.30am and 1pm to more than 50% of its area. At both 1pm and 2pm, the square still obtains sunlight to a reasonable area.

5.6 WIND IMPACTS

A Wind Environment Statement concludes that the proposal does not affect the existing local wind climate. Though the site is exposed to all three prevailing wind directions, the proposed awnings ameliorate the effect of the north-easterly and south-easterly winds thereby minimising the impacts on pedestrians. The proposed development is not expected to exacerbate the existing effect of the westerly winds, and the proposed design measures minimise adverse wind impacts on the pedestrian environment.

5.7 PUBLIC SERVICES AND INFRASTRUCTURE

5.7.1 RAILCORP INFRASTRUCTURE

A Rail Impact Statement identifies that the structural integrity of the rail corridor tunnel, the existing structure of RailCorp's railway tunnel and structural integrity of RailCorp's infrastructure will not be affected by the construction of the proposed Site 8A building structure.

RailCorp reviewed the proposal in preparation of the key issues for inclusion in the Director-General's requirements. They requested a number of issues be addressed in the conditions for the development such as property searches, dilapidation surveys, noise and vibration, stray currents and electrolysis risk, geotechnical and structural stability and integrity, demolition, excavation and construction impacts. A modification to the Project Application includes these requirements.

5.8 SECTION 94 CONTRIBUTIONS

Contributions are to be levied in accordance with the provisions of the Sydney Olympic Park Development Contributions Strategy created under Section 23 of the Sydney Olympic Park Authority Act. The Contributions Strategy provides for open space, sport and recreation facilities, community facilities, community services, movement systems, and public domain works.

A contribution is calculated at a rate (indexed to May 2007) of \$3657 per 100 sq.m of the Gross Floor Area (GFA) of the development. The proposal has a GFA of 7,311m² and therefore generates a contribution requirement of **\$268,313.70**.

The breakdown of the contribution sub-categories is as follows:

Element	Rate (\$ per 100 sq.m)	Contribution (\$)
Childcare	573	41,892.03
Public Transport – Railway Station	1,445	106,375.05
Public Transport – Transitway	362	26,685.15
Roads & Traffic Management	1,152	84,222.72
Workplace Travel Plans	28	2,047.08
Streetscapes	97	7,091.67
TOTAL		\$268,313.70

It is recommended that a condition of consent be imposed requiring payment of all Section 94 contributions to be levied to the Sydney Olympic Park Authority prior to issue of the Construction Certificate.

5.9 PUBLIC INTEREST

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

- The proposal is in accordance with the type of development envisaged for the site under SREP 24 and the SOP Master Plan 2002, and will make a significant economic contribution to the Town Centre Precinct and the wider Sydney Olympic Park;

- The proposal provides significant employment opportunities within the town centre and is estimated to attract 480 workers thereby strengthening the role of the Sydney Olympic Park as a regional employment destination;
- The proposed ground floor retail and cafés uses activate the street frontage, provide for a valuable local resource for the Town Centre Precinct, add to the diversity of uses at Sydney Olympic Park and will contribute to the creation of a vibrant town centre;
- The proposal represents an economic use of existing infrastructure at Sydney Olympic Park, thereby contributing to the overall commercial viability of the area;
- The proposal does not result in any adverse environmental impacts and provides for a high quality architectural and urban design outcome on a constrained development site;
- The proposal incorporates ecologically sustainable development principles; and
- The proposal is well located in close proximity to Sydney Olympic Park Railway Station and will encourage maximum use of public transport.

5.10 SUITABILITY OF THE SITE

The site is considered suitable for the proposed commercial and retail development for the following reasons:-

- The site is currently vacant and has been identified in the SOP Master Plan 2002 for redevelopment for commercial purposes.
- The proposal makes a positive design contribution to the evolving Town Centre Precinct and sets a high standard of design excellence for the development of the remainder of Site 8;
- The proposed commercial and retail uses will assist in reinforcing the role envisaged for the Town Centre Precinct, and will add to the diversity of activities and uses at Sydney Olympic Park; and
- Its proximity to Sydney Olympic Park Railway Station will minimise the impact on the existing road network.

6 CONSULTATION AND ISSUES RAISED

6.1 PUBLIC EXHIBITION DETAILS

The major project application was exhibited from 7 November 2007 to 7 December 2007 for 31 days and was published in the newspaper. The EA was made available to the public in the Department's Information Centre, Auburn Council and the Sydney Olympic Park Authority offices.

A Preferred Project Report was lodged on the 6 February 2008 and as the changes to the project were not significant, it was not re-exhibited but was placed on the Department's website, in accordance with S75 of the Act.

6.2 SUBMISSIONS RECEIVED ON ENVIRONMENTAL ASSESSMENT

The Department received a total of 5 submissions from public authorities, and no public submissions.

6.3 SUBMISSIONS FROM PUBLIC AUTHORITIES

The following is a summary of submissions received from public authorities.

6.3.1 Auburn Council

Auburn Council wished the following matters to be considered:

- Adequate and accessible disabled parking spaces to be provided.
- A dedicated loading space and development should not rely on on-street parking for deliveries.
- Bicycle Parking/Lockers to be provided on basement level 1.
- No dedicated staff shower facilities and staff change rooms.
- Development of a signage strategy for individual tenants.

The Proponent has responded to the Council's concerns through the Preferred Project Report (PPR). Specifically, the PPR makes provision for separate male and female changing rooms with showers on the ground level and provides a satisfactory response to the provision of disabled parking spaces and bicycle parking. The PPR also addresses the signage strategy to be included as a modification to the Project Application. With regard to dedicated loading areas, the PPR provides for a temporary 20m loading area along the rear service lane and also a designated loading area within the site itself for SRV's accessed off the rear service lane. The Proponent's response through the PPR is satisfactory and relevant conditions have been placed onto the Instrument of Approval.

6.3.2 Heritage Council of NSW

The Heritage Council recommends that an archaeological assessment be prepared if disturbance and excavation is proposed in areas where relics are likely to be exposed. Whilst the EA does not address this matter, the subject site is not an identified heritage item nor located within a heritage precinct and as such, the Heritage Council recommends its incorporation into the conditions of approval.

6.3.3 Sydney Water

Sydney Water did not raise any objections and provided conditions of approval including a Section 73 Compliance Certificate.

6.3.4 RTA

The RTA raised concern with the extent of stacked car parking spaces and the workability of the car parking areas without the implementation of a comprehensive Car Parking Management Plan. The RTA also requested a Construction Traffic Management Plan.

The Proponent has responded to these issues within the Preferred Project Report, Section 3 as follows:-

The stacked parking concept has been developed in consultation with SOPA and is a response to the constrained dimensions of the site. As the site is only 20m deep, stacked parking is necessary to provide sufficient car spaces upon the site to ensure the building is commercially viable. In addition, the Parking Management Plan addresses the

access, enforcement, control and use of all stacked car parking spaces including the at-grade spaces located at the rear of the building.

The Proponent's traffic consultant refers to AS 2890.1 which does not preclude or limit stacked parking while the provision for stacked parking in a small commercial building is efficient and effective without any perceptible consequences where spaces are allocated to the same tenancy.

The Department will allow a minimal number of stacked car spaces will be permitted on this site up to 10% to ensure this proposal does not set an undesirable precedent for the development of the remainder of Site 8 and address the RTA's concerns. A total of 18 stacked car spaces is required to be deleted from the proposal and is included as a modification to the Project Application.

6.3.5 Sydney Olympic Park Authority

The Sydney Olympic Park Authority outlined a number of outstanding matters that required further consideration and resolution as follows:

- Concerns relating to access and parking including the interface between the service lane and the building, sightlines to rear spaces, delivery vehicle parking, need for a parking and operational management plan, the traffic report content and analysis and the access advisory committee's comments;
- Cyclist facilities including provision, location on basement level 2, storage and locker facilities and placement of showers in disabled WCs;
- Noise issues emitted from the plant and equipment to be addressed at detailed design stage; and
- Preparation of a signage strategy for the building.

The Proponent has responded to these issues in detail in the Preferred Project Report by;

- Outlining the location of bollards, kerbing and reversing mirrors, loading areas, and a parking and access management plan.
- Cyclist parking, access and associated facilities.
- Committing to an acoustic assessment of the plant equipment.
- The submitting of a signage strategy.

SOPA was provided with the opportunity to comment on the Preferred Project Report. On 15 February 2008, SOPA advised, via email, they were satisfied that the PPR has satisfactorily addressed all previously raised issues.

7 CONCLUSION

The Department has assessed the Project Application and the Preferred Project Report, and considered the submissions made on the proposal.

The Department has considered these issues and the detailed responses provided within the Preferred Project Report satisfactorily address these subject to a number of conditions.

The proposal will contribute to the creation of a vibrant town centre, encourages sustainable travel for future occupiers in line with the principles of ESD by virtue of its location next to the train station and assists in creating a significant employment base in Sydney Olympic Park. Furthermore, the Project Application demonstrates design excellence and an appropriate urban design solution for a narrow site. The environmental impacts of the development are considered to be minimal and can be satisfactorily mitigated through the implementation of a range of measures as indicated by the Proponent in the Statement of Commitments and as set out in the Instrument of Approval.

The proposed commercial office development is consistent with the uses proposed for the site in the Town Centre Precinct as envisaged in the Sydney Olympic Park Master Plan 2002, and meets the master plan generic and specific urban design controls. The development complies with and satisfies the relevant objectives under the SREP 24 - Homebush Bay Area and is a permissible form of development.

8 RECOMMENDATION

It is recommended that the Minister :

- (1) **Consider** the findings and recommendations of this Report; and
- (2) **Approve** the carrying out of the project, under Section 75J *Environmental Planning and Assessment Act, 1979*; subject to modifications of the project and conditions and sign the Determination of the Major Project (**Tag A**).

Prepared by:

Luke Downend
Planner, Urban Assessments

Endorsed by:

Josephine Wing
**Team Leader, Special Authorities
Urban Assessments**

Michael Woodland
Director, Urban Assessments

Jason Perica
**Executive Director
Strategic Sites and Urban Renewal**

APPENDIX A – DIRECTOR-GENERAL'S ENVIRONMENTAL ASSESSMENT REQUIREMENTS (DGR's)

Application number	06_0175
Project	Commercial Development
Location	Site 8A, Sydney Olympic Park
Proponent	Sydney Olympic Park Authority
Date issued	22 August, 2006
Expiry date	22 August, 2008
General requirements	<p>The Environmental Assessment for the Project Application must include:</p> <ul style="list-style-type: none"> • An executive summary; • An outline of the scope of the project including:- <ul style="list-style-type: none"> (i) Any development options; (ii) Justification for the project taking into consideration any environmental impacts of the project, the suitability of the site and whether the project is in the public interest; (iii) Outline of the staged implementation of the project if applicable; • A thorough site analysis and description of the existing environment; • Consideration of any relevant statutory and non-statutory provisions, in particular relevant provisions arising from environmental planning instruments (including justification of any non-compliances); • An assessment of the potential impacts of the project and a draft Statement of Commitments, outlining environmental management, mitigation, and monitoring measures to be implemented to minimise any potential impacts of the project; • A signed statement from the author of the Environmental Assessment certifying that the information contained in the report is neither false nor misleading; and • An assessment of the key issues specified below and a table outlining how these key issues have been addressed.
Key issues	<p>Key Issues to be addressed</p> <p>(a) Compliance with Sydney Olympic Park Master Plans</p> <p>The Environmental Assessment (EA) must have regard to the Sydney Olympic Park Master Plan 2002 and Sydney Olympic Park – Vision 2025 – A Town of the Future. All departures must provide compelling justification.</p> <p>(b) Built Form, Urban Design and Landscaping</p> <p>The Environmental Assessment must include, but not be limited to, consideration of the design quality of the proposal with specific consideration of the façade presentation, massing inclusive of, setbacks, proportions to openings, building articulation, and amenity; consideration of landscape setting and retention of existing significant trees; consideration of the architectural merit of the development within the existing and likely future character of the locality with specific consideration in regards to height, depth, bulk, scale, and overshadowing impacts; consideration of the operational characteristics of the proposed development to ensure suitability in the context of the locality and ensure effective ongoing management; and consideration of measures to ensure appropriate levels of safety and security in the locality for residents, workers, and visitors. In particular the EA must address the comments of the SOPA Design Review Panel.</p> <p>(c) Sustainability</p>

	<p>The Environmental Assessment must include, but not be limited to, consideration of best practice measures to improve environmental performance of the building and surrounds. Specific consideration of energy efficiency best practice must be made. Reference must also be made to the following documents:</p> <ul style="list-style-type: none"> • SOPA Towards Sustainability – Sustainability Strategy for Sydney Olympic Park December 2002; and • The Environmental Guidelines for the Summer Olympic Games September 1993. <p>(d) Traffic, Access, and Parking</p> <p>Detailed assessment of the:</p> <ul style="list-style-type: none"> • Traffic, parking, and access arrangements for the site, particularly at peak times; • Management of traffic, access, and parking during special events on the SOPA site. Particular regard must be given for the operation of the subject site during road closures for these events. <p>This report must be prepared in accordance with the RTA's Guide to Traffic Generating Developments.</p> <p>(e) Other Matters for Consideration</p> <p>The following issues will need to be addressed in the form of reports from suitably qualified experts:</p> <ul style="list-style-type: none"> • Contamination and remediation, particularly with regard to the proposed excavation of the basement car park; • Rail impacts both during and after construction; • Noise impacts; • Operational features and capacity to equitable access measures; • Waste management; and • Heritage. <p>Test of adequacy</p> <p>If the Director General considers that the Environmental Assessment for the Project does not adequately address the Environmental Assessment Requirements, the Director General may require the Proponent to submit a revised Environmental Assessment to address the matters notified to the Proponent. The Director General may modify these requirements by further notice to the Proponent.</p>
Consultation	<p>During the preparation of the Environmental Assessment, consultation should occur with the relevant local, State or Commonwealth government authorities, service providers, community groups or affected landowners. In particular a relevant level of consultation with;</p> <ul style="list-style-type: none"> • Sydney Olympic Park Authority (inclusive but not limited to the Design Review Panel); • RailCorp; • Roads and Traffic Authority; • Auburn Council; and • NSW Heritage Council. <p>The consultation process and the issues raised should be described in the Environmental Assessment.</p>
Deemed refusal period	<p>Under clause 8E(2) of the <i>Environmental Planning and Assessment Regulation 2000</i>, the applicable deemed refusal period is 120 days from the end of the Proponent's Environment Assessment period for the project.</p>