

MAJOR PROJECT ASSESSMENT Mixed Use Development at Site 13, Olympic Boulevard, Sydney Olympic Park MP 06_0176

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

May 2010



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EXECUTIVE SUMMARY

Colston Budd Hunt and Kafes Pty Ltd, on behalf of OD Partnership (the proponent), has lodged a project application seeking approval for the construction of two commercial office buildings with ground floor retail at Site 13, Olympic Boulevard, Sydney Olympic Park, pursuant to Part 3A of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

The site is located on the south-western corner of the Olympic Boulevard and Sarah Durack Avenue intersection. The site adjoins the State Sports Centre, which is located to the southwest. The site is irregular in shape and has a total area of approximately 4,658m².

The project application seeks approval for the construction of a five storey building and a four storey building with a joint basement level of car parking. The proposal comprises 14,476m² of commercial gross floor area (GFA), two retail tenancies and a café, 100 car parking spaces in the basement car park, and 66 bicycle spaces. Tree removal, landscaping and public domain infrastructure works, and subdivision also form part of the proposal. The Capital Investment Value (CIV) of the proposal is estimated at \$32 million and the proposal will contribute to the creation of approximately a total of 600 full time equivalent operational jobs and 45 construction jobs.

On 6 July 2006, the Director General, as delegate of the Minister, formed an opinion that the project is a major project under clause 14 of Schedule 2 of the State Environmental Planning Policy (Major Development) 2005 (MD SEPP), as it has a CIV of more than \$5 million, and is on land described in Schedule 1 of the Sydney Olympic Park Authority Act 2001. The Minister is the approval authority. The site is zoned B4 Mixed Use under the MD SEPP and commercial and retail are permissible within the zone.

The proposal was exhibited for a 30 day period from 9 July 2008 to 8 August 2008. The Department received seven submissions from public authorities, a submission from the Department's Heritage Branch and no public submissions. Key issues raised in the submissions included loading facilities; bicycle facilities; car parking provisions and traffic impacts; subdivision details; landscaping; and noise impacts from surrounding major event facilities.

On 10 March 2010, the proponent submitted a Preferred Project Report (PPR) to address key issues raised. Key revisions to the project include: reduction in GFA by 220m²; reduction in on-site car spaces from 105 to 100; revised site area; and increased bicycle storage and motorcycle parking.

The Department has assessed the merits of the project, and has found the key issues associated with the project include built form and urban design, transport and traffic impacts, noise and vibration impacts, developer contributions and ecologically sustainable development. The Department is satisfied that the impacts of the proposed development have been addressed via the PPR and statement of commitments, and can be adequately managed through the recommended conditions of approval.

The Department is also satisfied that the site is suitable for the proposed use. The proposal is consistent with strategic planning objectives, including the State Plan and draft West Central Subregional Strategy, and will provide significant social and economic benefits to the locality, including providing 14,476m² of commercial floor space, activating the streetscape, and supporting growth of the Sydney Olympic Park.

Accordingly, the Department considers the project is in the public interest and recommends that the project be approved, subject to conditions.

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1 BACKGROUND

1.1 THE SITE

1.1.1 Site Context and Location

The subject site, Site 13, is located on the south-western corner at the intersection of Olympic Boulevard and Sarah Durack Avenue, both major roads within Sydney Olympic Park (SOP), Homebush. The development site is part of a larger allotment (Lot 201 DP 1041756), which also encompasses the States Sports Centre, Hockey Centre, part of Olympic Boulevard, and parking areas P3, P3a, P4 and P7 (refer to **Figure 1**).

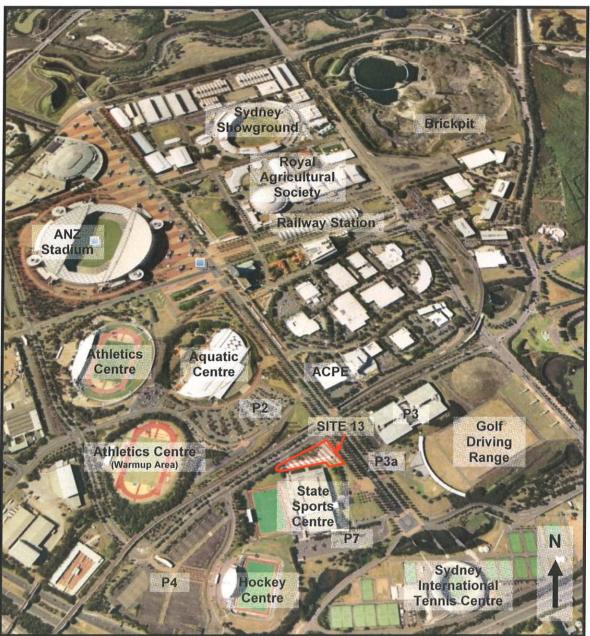


Figure 1: Location plan of Sydney Olympic Park illustrating Site 13

The site was inspected by Department officers on 23 March 2010. Site 13 is in a highly accessible location to the major arterial intersection of Homebush Bay Drive and the M4 Motorway, and within walking distance (750 metres) of the Olympic Park Railway Station and bus stops for a number of feeder services.

Site 13 is under the ownership of the Sydney Olympic Park Authority (SOPA) and is to be formally created as a separate allotment (proposed Lot 2003), upon the subdivision of Lot 201 DP 1041756, which forms a part of this application.

The subject site has frontages of 75 metres to Olympic Boulevard and 99 metres to Sarah Durack Avenue. The development site is irregular in shape, tapering in depth from east to west, with a total land area of 4,658m².

The land covered by the proposed allotment is not subject to any current easement on title. The development site is relatively level, and is identified as being within the 'Southern Events Precinct' of SOP. The 'Southern Sports Precinct' is bound by the M4 Motorway, Sarah Durack Avenue, Shirley Strickland Avenue and Olympic Boulevard.

The site is currently used as a bus parking / drop-off and pick-up area and contains a vegetated landscape mound. The young planted eucalypt trees located within the site will be removed to permit re-development while the verge plantings are to be retained. SOPA advised the proponent that the coaches will be permanently accommodated elsewhere prior to redevelopment. The Department notes that a number of structured and event mode coach parking areas are identified in Master Plan 2030, including proposed structured coach parking directly north of Acer Arena located in the Stadia precinct.

1.2 SURROUNDING DEVELOPMENT

Site 13 is located immediately adjacent to the State Sports Centre (refer to **Figure 2** below). The Sydney Aquatic Centre and its associated P2 at-grade car parking area is located approximately 300 metres to the northwest of Site 13, on the northern side of Sarah Durack Avenue. The parking area P3 and the ACPE building are located to the east, across Olympic Boulevard, with a large open car park area known as P4 located to the west of the site. P4 contains parking for 980 cars, in addition to parking spaces for 45 buses / coaches. Olympic Park Railway Station is located approximately 600 metres directly north of Site 13.

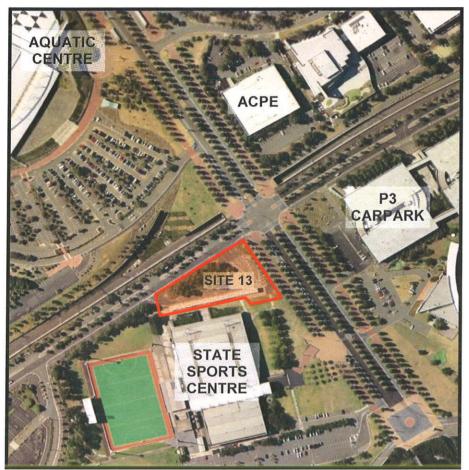


Figure 2 - Site in detail

1.3 STRATEGIC CONTEXT

1.3.1 NSW State Plan

The proposed commercial/retail development is consistent with the relevant objectives of the State Plan, including "to increase business investment and support jobs". The proposal will increase the supply of new commercial development within SOP and support its role as an expanding specialised mixed-use centre.

1.3.2 Sydney Metropolitan Strategy

The Sydney Metropolitan Strategy identifies SOP within the West Central subregion and sets an employment capacity target of 61,000 for the region. SOP is further identified as a specialised centre, within the Olympic Park/Rhodes area, and is required to provide 25,000 jobs by 2031.

With the provision of 45 construction and 600 operational jobs, the proposal will contribute to the provision of these additional jobs for the region. The proposal is also consistent with the Sydney Metropolitan Strategy by supporting growth and diversification of an existing specialised centre and utilising public transport facilities at SOP.

1.3.3 Draft West Central Subregional Strategy

The site is located within a specialised centre in the Draft West Central Subregional Strategy which has an employment capacity target of 61,000 additional jobs by 2031. The proposal is consistent with the objective to deliver a unique employment, education, sporting, cultural and residential centre. The proposal will generate additional employment opportunities and support the growth of SOP.

2 PROPOSED DEVELOPMENT

2.1 THE PROPOSED DEVELOPMENT

Approval is sought for the development of two commercial office buildings with ground floor retail at Site 13, Olympic Boulevard, Sydney Olympic Park, comprising:

- One four-storey (Building A) and one five-storey (Building B) commercial office building above a single level of basement parking with a maximum height of 20.95 metres (see Figures 3 and 4), including:
 - basement car park catering for 100 car parking spaces, 9 motorcycle spaces and 46 bicycle spaces;
 - office space, retail, café, courtyard and lobby areas behind a transitional colonnade space; 20 visitor bicycle spaces; and a loading/unloading area on the ground floor;
 - office space on Levels 1, 2, 3 and 4 of Building A and office space on Levels 1, 2, and 3 of Building B;
- a total GFA of 14,476m² on a site area of 4,658m² (FSR of 3.1:1);
- tree removal, landscaping and public domain works; and
- the subdivision of the development site, Lot 2003, from Lot 201 DP 1041756.

The development is divided into four built form 'elements' serviced by two building cores and lifts from the basement.



Figure 3 – View of the proposed development at the Olympic Boulevard and Sarah Durack Avenue intersection

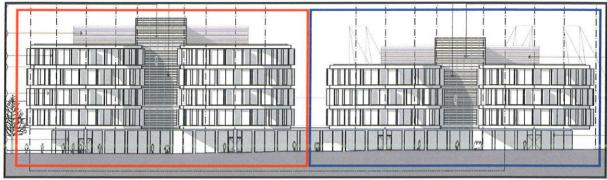


Figure 4 - Sarah Durack Avenue Elevation (Red - Building A and Blue - Building B)

The project has a CIV of \$32 million and will generate 600 operational jobs and 45 construction jobs.

A copy of the Environmental Assessment is included at **Appendix B**.

2.2 PREFERRED PROJECT REPORT

The proponent's PPR was submitted on 10 March 2010, and includes the following amendments to the exhibited proposal:

- a reduction in the GFA of the proposal from 14,696m² to 14,476m²;
- a revised site area from 4,594m² to 4,658m² (resulting in an FSR of 3.1:1);
- a minor reduction in the size of building footprint on the western end;
- the deletion of the northern café between the two buildings and relocation of the southeastern café to the north-east;
- the introduction of mezzanine levels for the two ground floor retail units;
- increased end of trip facilities for cyclists (including lockers and amenities);
- a reduction in five basement car parking spaces from 105 to 100;
- an increase in 26 basement bicycle spaces resulting in 46 basement bicycle spaces and an increase in 10 ground floor visitor spaces resulting in 20 ground floor visitor spaces (resulting in a total 66 bicycle spaces on the site);
- the introduction of nine motorbike basement spaces;
- minor amendments to the façade and finishes;
- relocation of the proposed substation and provision of an additional substation;
- potential staging options; and
- modifications to the landscaping plan, including level changes, removal of trees.

The proponent lodged the PPR to respond to issues raised by the agencies. A copy of the PPR is at **Appendix C**.

3 STATUTORY CONTEXT

3.1 MAJOR PROJECT DECLARATION

On 6 July 2006, the Director General, as delegate for the Minister for Planning, formed an opinion that the project is a major project under clause 14 of Schedule 2 of the MD SEPP, as it has a CIV of more than \$5 million and is on land described in Schedule 1 of the Sydney Olympic Park Authority Act 2001. The Minister is the approval authority.

3.2 PERMISSIBILITY

At the time of lodgement, the provisions of SREP 24 were applicable to the site and the site was unzoned land. However, the proposal was permissible development as it was consistent with SREP 24 planning objectives. On 2 October 2009, the Sydney Olympic Park site was excised from SREP 24 and declared a State Significant Site in Schedule 3 of the MD SEPP. The MD SEPP zones the site B4 Mixed Use zone and the proposal is permissible in this zone.

3.3 DIRECTOR GENERAL'S ENVIRONMENTAL ASSESSMENT REQUIREMENTS (DGRs)

The DGRs and following key issues were considered in the Department's assessment of the Environmental Assessment:

- · compliance with Sydney Olympic Park Master Plans;
- · built form, urban design and landscaping;
- visual impact;
- · sustainability;
- · traffic, access and parking;
- · contamination and remediation;
- rail and noise impacts;
- · operational features and equitable access;
- waste management;
- security; and
- heritage.

The EA was lodged by the proponent on 15 May 2008 and was subsequently deemed by the Department to be adequate for exhibition.

The DGRs are in Appendix A.

3.4 OBJECTS OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

The Minister's consideration and determination of a project application under Part 3A must be consistent with the relevant provisions of the EP&A Act, including the objects set out in Section 5 of the Act.

The objects of the EP&A 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, and
 - (vi) the protection of the environment, including the protection and conservation of native animals and plants, including threatened species, populations and ecological communities, and their habitats, and

- (vii) ecologically sustainable development, and (viii) the provision and maintenance of affordable housing, and
- (b) to promote the sharing of the responsibility for environmental planning between the different levels of government in the State, and
- (c) to provide increased opportunity for public involvement and participation in environmental planning and assessment.

The Department has considered the objects of the EP&A Act and considers that the application is consistent with the relevant objects. The assessment of the application in relation to these relevant objects is provided in Section 5.

The EP&A Act adopts the definition of Ecologically Sustainable Development (ESD) found in the Protection of the Environment Administration Act 1991. Section 6(2) of that Act states that ESD "requires the effective integration of economic and environmental considerations in decision-making processes" and that ESD "can be achieved through" the implementation of the principles and programs including the precautionary principle, the principle of intergenerational equity, the principle of conservation of biological diversity and ecological integrity, and the principle of improved valuation, pricing and incentive mechanisms. In applying the precautionary principle, public decisions should be guided by careful evaluation to avoid, wherever practicable, serious or irreversible damage to the environment and an assessment of the risk-weighted consequences of various options.

The Department has fully considered the objects of the EP&A Act, including the encouragement of ESD, in its assessment of the application. A detailed assessment of ESD issues is contained at Section 5.5 of this report. On the basis of this assessment, the Department is satisfied that the proposal encourages ESD, in accordance with the objects of the EP&A Act.

3.5 SECTION 75I(2) OF THE EP&A ACT

Section 75I(2) of the EP&A Act and clause 8B of the Environmental Planning and Assessment Regulation 2000 provides that the Director General is to address a number of requirements in the Director General's Report. These matters and the Department's response are set out as follows:

Table 1 - Section 75I(2) requirements for Director General's Report

Section 75I(2) criteria	Response
Copy of the proponent's environmental assessment and any preferred project report	The proponent's EA is located at Appendix B on the assessment file (attached).
Any advice provided by public authorities on the project	All advice provided by public authorities on the project for the Minister's consideration is set out in Section 4 of this report.
Copy of any report of the Planning Assessment Commission in respect of the project	The project was not referred to the Planning Assessment Commission.
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 in Section 3.6.
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 the prevailing environmental planning instruments is provided in Section 3.6 of this report.
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 Department is satisfied that the environmental assessment requirements have been complied with.
Clause 8B criteria	Response
An assessment of the environmental impact of the project	An assessment of the environmental impact of the proposal is discussed in Section 5 of this report.
Any aspect of the public interest that the Director General considers relevant to the project	The public interest is discussed in Section 5 of this report.
The suitability of the site for the project	The proposed uses are permitted in the zone and based on the Department's assessment of key issues, it is considered the site is suitable for the project.
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 4 of this report.

3.6 ENVIRONMENTAL PLANNING INSTRUMENTS (EPIs)

3.6.1 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 EPIs that govern the carrying out of the project and have been taken into consideration in the environmental assessment of the project. The primary instruments guiding the assessment of the proposal are:

- State Environmental Planning Policy (Major Development) 2005;
- State Environmental Planning Policy (Infrastructure) 2007;
- State Environmental Planning Policy No. 55 Remediation of Land;
- Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005; and
- · Sydney Olympic Park Master Plan 2030.

3.6.2 State Environmental Planning Policy (Major Development) 2005

On 6 July 2006, the Director General, as delegate of the Minister, formed an opinion that the project is a major project under clause 14 of Schedule 2 of the MD SEPP, as it has a CIV of more than \$5 million and is on land described in Schedule 1 of the Sydney Olympic Park Authority Act 2001. The Minister is the approval authority.

The site falls within the Sydney Olympic Park site which is identified as a State Significant Site pursuant to Schedule 3 of the MD SEPP. The site is zoned B4 Mixed Use and commercial/retail uses are permissible within that zone. However, clause 6 of Part 23, Schedule 3 of the MD SEPP provides that zoning provisions do not apply where Part 3A of the EP&A Act applies.

The MD SEPP identifies a maximum building height of 22 metres and a maximum floor space ratio (FSR) of 3.5:1. The proposal is below the maximum building height and within the maximum FSR controls with a height of 20.95 metres and FSR of 3.1:1.

3.6.3 State Environmental Planning Policy (Infrastructure) 2007

Development identified in Schedule 3 – Traffic generating development in the Infrastructure SEPP is to be referred to the RTA in accordance with the SEPP requirements. The application was referred to the RTA as the commercial premises component of the gross floor area exceeds 10,000m². Refer to Section 4.2.4 for further discussion on comments received from the RTA.

3.6.4 State Environmental Planning Policy No. 55 - Remediation of Land

SEPP 55 requires a consent authority to consider whether the land is contaminated, and if so, whether the land will be remediated before the land is used for the intended purpose. The Phase 1 Contamination Assessment prepared by Douglas Partners for the proponent ©NSW Government

found that the soil contamination is within commercial/industrial health-based assessment criteria, no gross contaminants were identified on the site, and that the subject site is suitable for the intended uses, as required by clause 7 of SEPP 55. The Department has imposed a condition that requires the proponent to undertake appropriate waste analysis prior to the disposal or re-use of any excavated materials. 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.

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

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

However, SHC SREP contains provisions relating to biodiversity, ecology and environmental protection as well as provisions concerning the maintenance, protection and enhancement of views. These matters have been considered in the EA. The stormwater and drainage systems are satisfactory and will integrate with the existing stormwater design systems for the SOP. The architectural resolution of the building is satisfactory and does not generate any detrimental impacts relating to views and vistas to and from public places and landmarks.

3.6.6 Sydney Olympic Park Master Plan 2030 (Master Plan 2030)

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

Master Plan 2030 provides more specific design controls regarding sustainability, public domain, event controls, land use and density, building form and amenity, access and parking, transport strategies and infrastructure, landscaping and community infrastructure. In addition, detailed controls also apply to the individual precincts and for the Southern Sports Precinct the following key development controls apply to the site:

- preferred land use commercial:
- building height of 5 storeys;
- maximum FSR of 3.5:1;
- building zone and setback controls; and
- minimum 90% build to line along Olympic Boulevard and Sarah Durack Avenue frontages.

While Master Plan 2030 does not strictly apply to Part 3A proposals (as per the provisions of clause 6, Part 23, Schedule 3 of the MD SEPP), it has been considered and the proposal broadly complies with Master Plan 2030.

4 CONSULTATION

4.1 PUBLIC EXHIBITION

Under section 75H(3) of the EP&A Act, the Director General is required to make the Environmental Assessment (EA) of a project publicly available for at least 30 days.

After accepting the EA for the project, the Department:

- Made it publicly available from 9 July 2008 to 8 August 2008:
 - on the Department's website; and
 - at the Department's Information Centre, Auburn Council offices, and Sydney Olympic Park Authority offices.
- Notified landowners in the vicinity of the site about the exhibition period by letter;
- · Notified Auburn Council and relevant State agencies by letter; and
- Advertised the exhibition in the Daily Telegraph and the Sydney Morning Herald.

4.2 SUBMISSIONS RECEIVED ON ENVIRONMENTAL ASSESSMENT

In response to public exhibition and notification of the application, the Department received a total of seven public agency submissions, one submission from the Department's Heritage Branch and no submissions from the public.

A summary of the issues raised in the submissions is provided below and copies of the submissions are included in **Appendix D**. The Department's consideration of issues raised in submissions is contained in Section 5 of this report.

4.2.1 Sydney Olympic Park Authority (SOPA)

SOPA supports the proposed development, however, has outlined a number of outstanding matters that required further consideration and resolution including:

- clarification of traffic generation given the additional 240 SOPA car spaces to be made available for five years;
- clarification on car park design as references in technical documents vary between one level of car park and two levels of car parking;
- demonstration that the retail and café components of the proposal have adequate servicing, have provided any outdoor seating in accordance with SOPA requirements and provide further fit-out details;
- further details and measurements in the subdivision plan;
- landscaping treatments and public domain interface including design levels, selection
 of tree planting species, location of large circular benches, paving treatment adjoining
 the hoop pines along Olympic Boulevard, treatment of interface between the inner
 courtyard and the rear pathway, and further details regarding the public artwork in the
 inner courtyard;
- clarification of proposed gross floor area;
- further consideration of the noise and vibration impacts specifically relating to the potential impacts of the State Sports Centre on the proposal;
- vertical fins overhanging greater than the allowable 400mm beyond the property boundary;
- additional details regarding the materials and finishes, including finishes to exposed slab soffits and concrete surfaces, colouring of colour backed glass, details of the aluminium louvres; and
- location of the substation and impacts to views along the access way.

SOPA has also provided a number of recommended conditions regarding sustainability, design modifications, connection to the water reclamation and management scheme, work place travel management, public domain strategy and retail development strategy.

Comment

The proponent's PPR addresses a number of the issues identified by SOPA, including acceptance to prepare a retail development strategy prior to construction, elaboration of subdivision details and clarification of size of the site area, additional bicycle spaces, further consideration of traffic impacts and amendments to the design and finishing of the facades. Furthermore, in its response to submissions the proponent identified that they would be willing to provide additional information regarding public domain works to SOPA prior to obtaining a Construction Certificate as requested by SOPA. SOPA have also indicated that the landscape plans that form part of the PPR have addressed issues raised by SOPA.

The Department has considered these issues in Section 5 of this report and has recommended conditions, where appropriate.

4.2.2 Department of Environment and Climate Change (DECCW)

DECCW has advised that the noise impacts can be addressed through consistency with the intent and contents of Master Plan 2030.

Comment

The Department has considered this issue in Section 5 of this report and recommended conditions, where appropriate.

4.2.3 EnergyAustralia

EnergyAustralia raised no objections to the proposal, however, identified that at least one new zone substation and associated feeder cables and connections and its integration into the distribution network would be required to support development on the site.

Comment

The proponent has provided an additional substation, resulting in a total of two substations in the PPR to address demand generated by the site.

The Department has considered this issue and has recommended conditions to ensure adequate energy utilities are provided to support the development prior to occupation.

4.2.4 Roads and Traffic Authority of NSW (RTA)

The RTA raised no objections to the proposal and acknowledged that the proposed development was consistent with State-wide transport objectives to increase travel by walking, cycling and public transport. The RTA has also provided some general comments as follows:

- clarification that the loading area will not obstruct vehicular access to the State Sports Centre is required;
- the location of the loading area should be reviewed or a greater separation shall be provided to the passenger vehicle entrance to avoid potential conflict between service vehicles and passenger vehicles;
- bicycle and pedestrian facilities shall be designed with consideration of RTA and Department guidelines;
- a Demolition and Construction Management Plan is to be approved prior to the issue of a Construction Certificate.
- car parking and associated areas shall be designed in accordance with Australian Standards and clearly delineated through line marking and signage;
- all vehicles shall enter/leave the site in a forward direction and be wholly contained within the site before being required to stop;
- swept path of longest vehicles to be in accordance with AUSTROADS;
- all works/signposting to be at no cost to RTA; and
- the proponent shall investigate designing and implementing a sustainable travel plan.

Comment

The proponent's PPR has responded to these issues by confirming that there is adequate separation to ensure there is no conflict between service and passenger vehicles, adequate space to allow large heavy vehicle movement, and the proposal adequately complies with relevant guidelines and standards.

The Department has considered these issues in Section 5 of this report and recommended conditions, where appropriate.

4.2.5 RailCorp

RailCorp raised no objections to the proposal, however, has requested the inclusion of a number of conditions to be incorporated into any project approval to: mitigate noise impacts; mitigate potential impacts from stray electric currents from the railway lines; provide additional details to demonstrate that no adverse reflectivity that could distract train drivers will result; further details of any aerial or crane use; and further geotechnical details prior to commencing works.

Comment

The Department does not raise any objections to the recommended conditions proposed by RailCorp and has included the recommended conditions in the instrument of approval.

4.2.6 NSW Transport and Infrastructure (NSWTI)

NSWTI are generally supportive of the development given it is consistent with the sustainable transport objectives of the draft Sydney Olympic Park Master Plan 2030, the State Plan and the draft West Central Sub-Regional Strategy. NSWTI are also supportive of the end of trip facilities for cyclists, however, have identified that placement near entrances should be a priority.

Comment

The proponent's PPR has responded to this issue by locating the visitor bicycle spaces along the Sarah Durack Avenue frontage in the vicinity of the entrances to the lobby area and locating the secure bicycle spaces towards the basement entrance and adjacent to the amenities and lockers.

The Department considers the proponent's PPR has adequately responded to the issue.

4.2.7 Sydney Water

Sydney Water advised that existing potable water, recycled water and wastewater infrastructure will need to be extended to service the proposed development. However, this will be addressed through the compliance certificate process which requires the proponent to obtain a Section 73 Compliance Certificate from Sydney Water.

Comment

The Department has recommended appropriate conditions regarding compliance with Sydney Water's infrastructure requirements.

4.2.8 NSW Department of Planning – Heritage Branch

Heritage advice received indicates that the development is proportional to the allowable built forms for this site and reinforces the street alignments of Olympic Boulevard and Sarah Durack Avenue. The rows of hoop pines along Olympic Boulevard contribute to the character of the precinct and are to be retained and protected, as recommended within the Arboricultural Assessment. No known aboriginal places or objects are known to exist on the site. However, if any archaeological relics are to be found, appropriate authorities are to be notified.

Comment

The Department has recommended appropriate conditions to protect the hoop pines and any potential archaeological relics discovered during excavation.

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5 ASSESSMENT

The DGRs and following key issues were considered in the Department's assessment of the EA:

- built form, urban design and landscaping;
- transport and traffic impacts;
- noise and vibration impacts;
- developer contributions;
- ecologically sustainable development; and
- public interest.

5.1 BUILT FORM, URBAN DESIGN AND LANDSCAPING

5.1.1 Built Form and Urban Design

The proposed buildings are located on the corner of Olympic Boulevard and Sarah Durack Avenue, occupying a prominent corner within the Southern Sports Precinct. The proposal has been designed to respond to the future character of the locality and addresses controls set out in the MD SEPP and Master Plan 2030. The proposal's height, depth, bulk, scale, and overshadowing impacts are comparable with the existing and future surrounding built form. The surrounding built form comprises large scale sporting structures and sites identified for future development of up to 26 metres and six-storeys to the north and 122 metres and 32-storeys to the east and north-east, which are currently vacant or used as atgrade car parking areas.

The proposal comprises one five-storey building and one four-storey building, which are separated by a courtyard. However, the two buildings share a common lobby area along the Sarah Durack Avenue frontage and a single basement structure. Due to the modulation of the two buildings and setback of the centralised core areas, the two buildings present as four separate buildings along the Sarah Durack Avenue frontage, which reduces the bulk and scale of the buildings (see Figure 5).



Figure 5 – View north-east along Sarah Durack Avenue towards Olympic Boulevard

The building depths are approximately 47 metres and do not strictly comply with the requirements in Master Plan 2030, which identifies a preferred depth of 25 metres unless atria and light wells are provided. Whilst not complying by approximately 22 metres, the objective to maintain solar access and amenity for occupants is still achieved through the setback of the core areas (refer to Figure 6). This is evident as all areas of the building, apart from a small area around the core in Building A are located 12 metres or less from an external window, as required by Master Plan 2030.

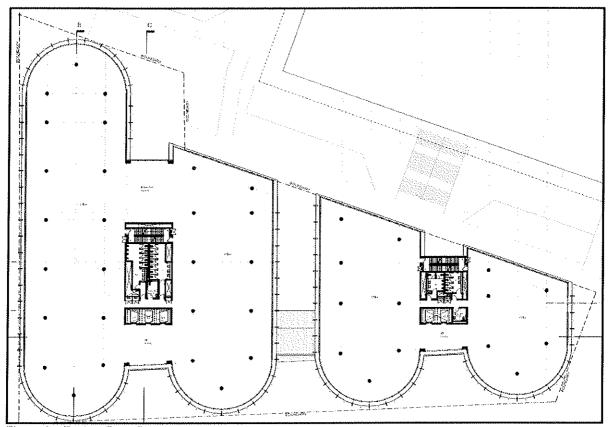


Figure 6 - Typical Floor Plan

The proposal complies with the maximum height of 22 metres in the MD SEPP and five-storeys in Master Plan 2030, with a maximum building height of 20.95 metres and a five-storey building on the east and four-storey building on the west. The proposal's FSR of 3.1:1 also falls within the maximum allowable FSR of 3.5:1 for the site in the MD SEPP. The height is also less than the approved six-storey Private Hospital on the eastern side of Olympic Boulevard directly opposite the site.

The proposal has been designed to define the public realm and activate the streets by incorporating a continuous 'colonnade' to Olympic Boulevard and continuous glass lobby to Sarah Durack Avenue. The 90% build to line is achieved along Olympic Boulevard as Building A, the larger building at five storeys, has been designed to address the more prominent of the two frontages, Olympic Boulevard, the main spine of SOP (see Figure 7). Whilst not achieving the 90% build to line along Sarah Durack Avenue, the continuous glass lobby ensures a defined edge is provided and a clear delineation between the public and private domain is achieved.

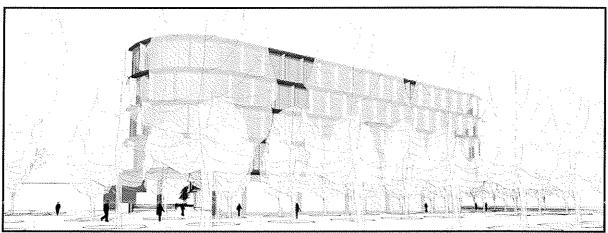


Figure 7 - Olympic Boulevard Frontage

The dominance of the solid frontage along Olympic Boulevard is minimised through the introduction of vertical fin elements along the entire façade, which also perform as sunshading devices. These vertical fins are also found along the Sarah Durack Avenue frontage. The vertical fins provide greater articulation and interest in the appearance of the façades and minimise the monotony of the glazed façades. Concerns by SOPA that the fin elements protrude onto the public domain have been addressed in the PPR through modifications to the size of the fin elements as well as a reduction in the building footprint to the west.

The Department considers that the bulk and scale is appropriate for the site and provides a strong presence to Olympic Boulevard. The proposal is also considered to provide a creative and appropriate response to the secondary frontage along Sarah Durack Avenue through modulation of the two buildings and curved treatment resulting in four distinct elements that respect the bulk and scale required to address Olympic Boulevard.

There are no building setback controls that apply to the site except rooftop setbacks in Master Plan 2030. Master Plan 2030 requires the roof top services zone to be setback three metres from the parapet. The rooftop setbacks do not comply as the roof top services zone is not setback from the building parapet on the northern and southern elevations where the services core area of the building is setback from the street frontage and access way. The Department notes that the rooftop elements have been designed to occupy a centralised area directly above the services cores. Whilst not being setback from the parapet, the roof top services zone is setback from the two main frontages, a minimum seven metres from Olympic Boulevard and nine metres from Sarah Durack Avenue (see Figures 8 and 9). SOPA raised no issue regarding the location, size or setbacks of the rooftop plant and equipment. Accordingly, the Department considers adequate consideration has been given to the design of the rooftop elements as the rooftop plant and equipment are setback an appropriate distance from the street frontages.

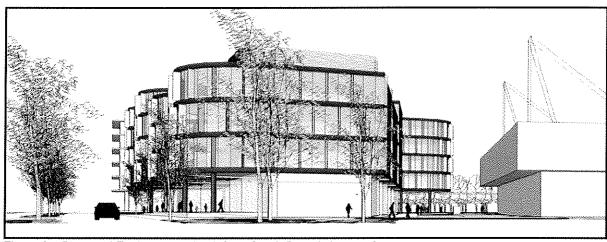


Figure 8 – Plant and Equipment setback from Sarah Durack Avenue frontage

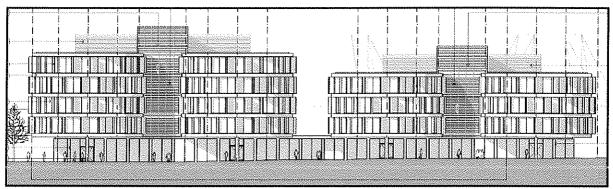


Figure 9 - Plant and Equipment setback from Sarah Durack Avenue frontage

The Department considers the proposed scale and density of the development is suitable for this site, which is in keeping with the character envisaged for the 'Southern Sports Precinct' under Master Plan 2030. The design also allows views to the State Sports Centre to be maintained through the variation of the heights of the building and separation between the two buildings. The bulk and scale of Building A also provides a comparable and sympathetic building along the Olympic Boulevard frontage. The height, bulk and scale of the proposal will also not result in any adverse amenity impacts on adjoining land uses.

5.1.2 Landscaping

The proposal has been designed with a building footprint that will occupy the bulk of the site and will require the removal of young planted eucalypt trees on the site. The proposal does not propose any substantial landscaping, with only a landscaped courtyard area being provided between the two buildings and landscaped areas adjoining the proposed substation. The Department considers appropriate landscaping has been provided for the site given the commercial use of the site and the various formal and informal open space areas in the vicinity of the site.

The proposal is considered to integrate well with the public domain along Sarah Durack Avenue and Olympic Boulevard through the provision of ground floor setbacks and colonnades. All of the street trees along Olympic Boulevard are to be retained and Olympic Boulevard paving is to be continued through to the landscaped areas around the substation. The Department notes that the Wind Assessment required tree planting at a minimum height of 6 metres on the western boundary of the site. The Department has recommended an appropriate condition to ensure that the tree planting is provided to mitigate any wind impacts to pedestrians.

An Arborist's Report was prepared by Urban Tree Management consultants detailing the condition of the 20 street trees along the site's Olympic Boulevard frontage and appropriate tree protection measures to be implemented. These street trees require preservation and protection as they contribute to the character of the precinct. The report concludes that subject to the implementation of the recommendations and procedures detailed within the report, the trees will remain stable and viable and will continue to develop.

SOPA raised issues regarding the interface with Sarah Durack Avenue, Olympic Boulevard and the State Sports Centre, including: design levels; the location of the bench seating; use of gravel mulch; potential damage to street trees from paving treatments; treatment between courtyard and service lane; and details of the public artwork in inner courtyard.

The PPR has responded to these issues by including amended landscape plans that were prepared in consultation with SOPA officers. SOPA has confirmed that the revised landscape plans address the issues raised in SOPA's submission.

The Department has recommended appropriate conditions with consideration of SOPA's comments and recommendations in the Arborist's Report, including a detailed Landscape and Public Domain Upgrade Plan to be submitted to SOPA for approval prior to construction.

5.2 TRANSPORT AND TRAFFIC IMPACTS

5.2.1 Traffic

The traffic report prepared by Transport and Traffic Planning Associates describes the surrounding road network, and indicated that under normal traffic circumstances the operation of intersections in the SOP area are satisfactory.

The traffic impacts have been calculated on the assumption that 60% of office staff arrive/depart within one hour during the morning and afternoon peak periods. On this basis and the original provision of 105 on-site car spaces, approximately 70 vehicle trips would be generated during peak periods. The report reviewed the impact of the proposed development upon the locality and concluded that:

- the projected traffic generation would be consistent with land use, traffic and transport planning for the area;
- the proposed traffic generation would be relatively modest in the context of the total precinct and would disperse over a number of approach and departure routes; and
- there would not be any localised problems in relation to the site access.

A rate of 1.66 vehicle trips per 100 m² was adopted for the broader traffic studies for Master Plan 2030 for commercial uses. This resulted in a maximum of 244 vehicle trips for the proposal during peak periods. The Department notes that the traffic studies that informed the Master Plan concluded that the traffic generation is acceptable provided a range of traffic upgrades were undertaken. These upgrades form part of the infrastructure works identified in Master Plan 2030. These works will be funded by developer contributions in accordance with SOPA contributions plans.

Whilst the proposal originally only provided 105 car spaces, which has now been revised to 100 car spaces, SOPA advised that it has entered into an agreement with the proponent for use of 240 car spaces in three of SOPA's public car parks in the vicinity of the site for five years. The car spaces have been provided to support the development of the commercial use in the short term to support its commercial viability at SOP, whilst avoiding the overprovision in the medium and long term when public transport services will have been upgraded. The proponent has provided further traffic assessment that identifies that the traffic generation of the proposal is below that attributed to the site in broader investigations for the Master Plan.

The proponent has identified the peak traffic generation for the proposal would be 60% of the total number of car parking spaces provided for the proposal (i.e. 340 car spaces). This would result in the generation of a total of 204 vehicle trips, which is below that identified in the traffic modelling for Master Plan 2030, and therefore acceptable. The proponent has further concluded that given the various locations of the car parking, including on site and at three public car parks, the traffic generation can be accommodated as it will be dispersed due to different approach and departure routes.

The Department considers the potential traffic generated by the proposal is acceptable as:

- it will not be adversely impacted by the traffic associated with special events;
- the RTA raised no objection to the proponent's assessment and its findings which concluded the traffic impacts were acceptable;
- the 240 car spaces are a short term solution and are only provided for five years (see Section 5.2.2);
- the additional short term car parking is required to allow improvements to the public transport services to be undertaken to support non-vehicle trip mode share targets;
- any traffic upgrades required will be funded through developer contributions and the proposal is subject to those developer contributions (see Section 5.4); and
- the potential traffic generated by the permanent 100 car spaces is well within that attributed to the site in traffic studies for SOP.

Accordingly, the Department is satisfied with the assessment undertaken and considers that the road network has sufficient capacity for the additional traffic generated by the proposal.

The report does not detail the number, type and arrangements for construction vehicles, and defers this information to the preparation of a Construction Traffic Management Plan. The Department notes that construction traffic generation was not raised as an issue by SOPA and has not been an issue for other major projects at SOPA. The Department has recommended that the proponent prepare a Construction Management Plan detailing construction vehicle routes, number of trucks, hours of operation, access arrangements and traffic control to be submitted for approval of SOPA prior to the issue of a Construction Certificate.

5.2.2 Parking

Master Plan 2030 identifies a maximum car parking rate of 1 space per 80m² for commercial uses. This equates to a maximum of 181 spaces given a total proposed GFA of 14,476m². The development provides a total of 100 parking spaces, 66 bicycle spaces and nine motor cycle spaces. In addition, 240 car spaces will also be temporarily available through a licensing arrangement with SOPA for five years. This results in a rate of 1 car space per 43m².

Therefore, the proposed car parking does not comply with the maximum car parking rate. However, it is noted that the improvement to public transport services is an on-going process and the shift in modal share to non-private vehicular trips will require time. Given that 240 of the car spaces are licensed spaces and are provided on a short term basis, the Department considers the provision of the 240 leased car spaces is acceptable to support the development while public transport services are progressively improved (in this regard, the Department has also recommended a condition of approval requiring the preparation of a Work Place Travel Plan aimed at reducing private vehicular trips).

The Department has recommended a condition that allows 100 on-site car spaces for the duration of the operation of the development and 240 off-site car spaces during the first five years of operation and a maximum of 81 off-site car spaces thereafter (subject to a license arrangement with SOPA), in accordance with Master Plan 2030 maximum car parking rate. This is considered a reasonable balance between ensuring adequate and commercially viable car parking is provided and, over the longer term, contributing to a mode shift from private vehicles to public transport. NSWTI support a minimalist approach to car parking and the Department notes that the car parking provided for existing commercial premises at SOP have higher car parking provisions as they were approved in accordance with SOPA's earlier Sydney Olympic Park Master Plan 2002.

The site enjoys good level of access to public transport and is located approximately 750 metres from the Sydney Olympic Park Railway Station and is within 10 minutes walking distance from the Station. The location of the site also allows access to the existing cycleway routes particularly along Sarah Durack Avenue and Olympic Boulevard. The proposal includes the provision of 46 bicycles spaces, 20 visitor bicycle spaces (at-grade on Sarah Durack Avenue frontage) with lockers and showers within the basement car parking area. This amount of bicycle spaces is below the 97 bicycle spaces and 20 visitor bicycle spaces required under Master Plan 2030 requirements.

Whilst the bicycle spaces provided do not meet Master Plan 2030 requirements, the provision complies with the 5% of staff required to achieve a 4 star Green Star rating. The proposal is also only marginally below the total minimum 8% of staff (48) required under NSW Planning Guidelines for Walking and Cycling. The Department considers the site is well supported by cycleway routes and has provided adequate and well located bicycle parking spaces.

5.2.3 Access and servicing

The site will be accessed via a connection to the existing access way on Sarah Durack Avenue at the eastern site boundary and would comprise:

- a 6m wide combined ingress/ egress connection for the basement; and
- a 6 m wide fire access along the southern side of the building.

The proposed point of access complies with one of the recommended access points in Master Plan 2030. A second access point in the middle of the Sarah Durack Avenue frontage, as identified in Master Plan 2030, is not proposed. The proponent has stated that this is in order to ensure that the design achieves an uninterrupted building presentation and uninterrupted pedestrian activity. The proponent has further advised that the access provisions and internal circulation system for vehicles would comply with the AS 2890.1 and

AS 2890.2 design criteria and the requirement of all vehicles requiring access to the site. The RTA has advised that these standards are appropriate.

The temporary closure of Olympic Boulevard north of the intersection with Sarah Durack Avenue during special events may result in minor modification to traffic routes. However, as access to the site is provided via Sarah Durack Avenue, which will not be closed, the vehicle access arrangements for Site 13 precinct during special event periods would be sufficient. Furthermore, the proponent's traffic assessment states that given the commercial use would result in traffic being confined generally to the morning and afternoon peak periods it would not compound peak event traffic movements, apart from potentially during the State of Origin events. SOPA raised no concerns regarding traffic movement during special event periods.

The development incorporates a loading area on the western side of Building B to accommodate vehicles for garbage collection and delivering supplies. The RTA raised concern about the proposed location of the loading area and service bay, and would prefer a separation of service vehicles and passenger vehicles entering the sites. The RTA also emphasised that SOPA is to be satisfied with the layout of the proposed service bay and that any service vehicles do not obstruct the access drive to the State Sports Centre. The proponent's traffic consultant undertook further analysis of service vehicle movements and has stated that the vehicle entrance and loading bay will not obstruct access and egress from the State Sports Centre, and can accommodate turning paths of larger vehicles.

The Department is satisfied that the access to and use of the loading bay is appropriate and will not adversely impact the State Sports Centre. However, the Department notes that the loading area is not located in close proximity to the retail uses and the café and no on-street parking is provided along Olympic Boulevard or Sarah Durack Avenue. This may result in service vehicles stopping illegally to make deliveries. Accordingly, the Department recommends a condition requiring the proponent investigate providing a secondary loading bay in the landscaped area near the substation for smaller service vehicles and also provide access to the service corridors.

5.3 NOISE AND VIBRATION IMPACTS

A Rail Noise and Vibration Assessment was undertaken by Renzo Tonin Associates and forms part of the EA. The report found that internal noise complies with RailCorp modified criteria for commercial/office premises provided the development is fitted with minimum 6mm thick glass. The assessment also found that due to the proximity of the site to the rail tunnel, ground-borne noise levels would be close to the acceptable maximum. Vibration levels from the rail tunnel would also be below DECCW criteria for human annoyance. The assessment also found that while it is unlikely that construction vibration would result in structural damage to the rail tunnel, safe working distances should be established prior to construction, or vibration monitors with an alarm be installed and operated during construction. The Department has recommended appropriate conditions to ensure the recommendations in the Rail Noise and Vibration Assessment are incorporated into the design of the proposal, during construction and operation.

Whilst SOPA accepted that 6mm glass would be acceptable to address any rail noise impacts, SOPA identified that consideration had not been given to the potential noise generation from major sporting events at the State Sports Centre. A further noise assessment was prepared where consideration was given to this issue. The noise assessment identified that noise levels generated from major sporting and entertainment events can result in noise levels of up to 70dB(A) at the site's boundary. However, the noise assessment concluded that provided a minimum building envelope insulation of Rw35 is provided, no negative noise implications would arise.

The Department notes that given the character of the sporting and entertainment precinct and the nature of the surrounding land uses, increased noise levels during major events are to be expected and the proponent has demonstrated that with appropriate attenuation the

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noise impacts can be managed. The Department is satisfied that the identified noise attenuation works will mitigate any major event noise and has recommended a condition that requires the recommendations of the noise assessments to be complied with.

The noise emissions expected from the operation of the proposal are mainly associated with mechanical plant on the roof level. The Department notes that there are no noise sensitive residential receivers in the vicinity of the proposed development. Nevertheless, given the evolving nature of SOP and the potential for residential development in the vicinity, the Department has recommended a condition that requires the operational noise resulting from the proposal to not exceed 5dBA above background noise levels or result in offensive noises. The Department has also recommended appropriate conditions that require the proponent to address construction noise impacts in a Construction Management Plan.

5.4 DEVELOPER CONTRIBUTIONS

The Department notes that the Infrastructure Contributions Framework 2030 (ICF) has been prepared by SOPA and is the developer contributions guideline referenced in Master Plan 2030. However, SOPA has advised that as the ICF does not incorporate the site within its calculations then the *Development Contributions Strategy - Briefing Note for Developers, Sydney Olympic Park Master Plan Development (November 2002)* (Contributions Strategy) is the relevant document for Site 13.

The Contributions Strategy sets out a schedule of contributions, including funding for community facilities, movement systems (public transport and the road network), and urban domain works. For the purposes of the Contributions Strategy, the proposal is defined as "Commercial Development".

In accordance with the Contributions Strategy, the rate payable for commercial development is \$3,657 per 100m² of gross floor area. The gross floor area of the proposal is 14,476m². On this basis, the development contribution payable for this development is \$529,387 subject to relevant adjustments for the Consumer Price Index (CPI). A condition of approval has been recommended that requires the proponent to pay this contribution to SOPA prior to the issue of the Construction Certificate.

5.5 ECOLOGICALLY SUSTAINABLE DEVELOPMENT (ESD)

The proposal is located within an urban footprint on a previously developed and disturbed site and will not result in loss of any threatened or vulnerable species, populations, communities or significant habitats. The site is not subject to any known effects of flooding and is not subject to bushfires. The site is also unlikely to be impacted by changes in sea level rising resulting from climate change.

An ESD report prepared by Cundall accompanies the EA and outlines how the proposal will incorporate ESD principles in the design, construction and on-going development of the project. The proposal aims to achieve a minimum 4 star rating under Green Building Council of Australia's (GBCA) sustainability tool, Green Star. The proponent has committed to the principles of ESD. ESD measures incorporated in the proposal include:

- 80% construction waste recycled;
- utilising re-cycled water and connection to Sydney Olympic Parks' Water Reclamation and Management Scheme;
- developing a commercial facility in walking distance to public transport facilities and provision of secure bicycle storage for 5% of the staff;
- incorporating energy efficient building technologies into the development, taking into account passive solar design principles and achieving a 4.5 star AGBR rating; and
- accommodating a landscape design that utilises plant species that have low water demand and high drought tolerance.

The proposal involves a sustainable development of the site that provides both positive short-term and long-term economic and social outcomes by supporting the development of a major mixed used centre and supporting employment generation at SOP. The Department is satisfied that the proposal adequately incorporates ESD principles into the design of the facility.

5.6 PUBLIC INTEREST

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

- all relevant environmental, amenity and health related impacts can be appropriately managed;
- it is in accordance with the type of development envisaged for the site under Master Plan 2030, and will make a significant economic contribution to SOP;
- it provides significant employment opportunities within SOP and is estimated to generate employment for approximately 600 workers thereby strengthening the role of the SOP as a regional employment destination;
- the proposed ground floor retail and cafés uses activate the street frontage, add to the diversity of uses at SOP and will contribute to the creation of a vibrant town centre;
- it represents an economic use of existing infrastructure at SOP, thereby contributing to the overall commercial viability of the area;
- it provides for a high quality architectural and urban design outcome on an irregular shaped site;
- it incorporates ESD principles; and
- it will optimise and encourage use of Sydney Olympic Park Railway Station.

6 CONCLUSION

The Department has assessed the project application and considered the submissions in response to the proposal. Key issues assessed by the Department included built form and urban design; transport and traffic impacts; noise and vibration impacts; developer contributions; ESD; and the public interest. The Department has determined that the proposal is well designed and addresses the objectives of SOP. The Department has determined that these matters have been satisfactorily addressed in the proponent's EA, PPR and statement of commitments to ensure there are minimal environmental impacts as a result of the proposal, subject to conditions.

The proposal is consistent with key objectives in the NSW State Plan, the Sydney Metropolitan Strategy and the Draft West Central Subregional Strategy, particularly those which seek to promote employment and encourage the expansion and diversification of SOP.

The Department is therefore satisfied this proposal would have a low level of impact on the surrounding environment and can be suitably managed to ensure a satisfactory level of environmental performance, pursuant to section 75J of the EP&A Act. Accordingly, the Department recommends the project application be approved, subject to conditions.

7 RECOMMENDATION

It is recommended that the Deputy Director General:

- a) Consider all relevant matters prescribed under section 75J(2) of the EP&A Act, including those relevant matters prescribed by 75I(2) as contained in the findings and recommendations of this report;
- c) **Approve** the project application, subject to conditions, under section 75J(1) of the EP&A Act, having considered all relevant matters in accordance with (a) above; and
- d) **Sign** the attached Instrument of Approval (**TAG A**).

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23/5/10