

25 March 2013

Mr Peter McManus
Metropolitan and Regional Projects North
Department of Planning and Infrastructure
GPO Box 39
SYDNEY, NSW 2000

Dear Mr McManus,

MODIFICATION TO SITE 4B COMMERCIAL DEVELOPMENT – SYDNEY OLYMPIC PARK (MP06_0273 MOD 4)

Thank you for forwarding SOPA's correspondence (dated 4 March 2013) regarding the above mentioned application. Please find a response below to each of the matters raised by SOPA.

The relocation of the Foyer and reconfiguration of Retail Space has resulted in the smaller of the two Retail Spaces (FFL 22.580) to be non-compliant with the DDA. Accordingly, the Public Domain plan should be revised to ensure compliance with the DDA and SOPA's Accessibility Guidelines.

As outlined in the application, lifting the southernmost retail area to match the height of the external public domain was considered necessary and practical for the following reasons:

- The approved floor level of the southern-most retail tenancy is currently approximately 1.6 metres below the external level of the public domain for the majority of the tenancy frontage. A 3 metre wide entry point therefore becomes the only area with exposure to the public domain at the entry level (FFL20.950). This tenancy would become difficult to lease based on its lack of exposure;
- Lifting the floor level of the southern-most retail tenancy (to FFL22.580) to match the external public domain provides greater opportunities for activating and utilising the public domain, particularly if the tenancy is occupied by a restaurant / cafe operator.

FDC has reviewed the currently approved landscape plan and accept that, although equitable access is available, it does not reflect a direct route given that the development is being constructed in two stages. Furthermore, SOPA has also made ongoing suggestions that the approved boardwalk should be removed given the potential for impact to existing trees.

On this basis, FDC is proposing to modify the Public Domain Plan to delete the approved boardwalk and replace it with a walkway and ramp along the western edge of the northern building structure. Three sketches are attached to illustrate how such access will be maintained for Stage 1, during construction of Stage 2 and at completion of the development.

FDC has engaged Access Associates Sydney to undertake an assessment of the access provisions illustrated in the attached plans. This assessment has concluded that compliant access can be provided for each stage of development. This correspondence is attached for your consideration.

Although the attached plans differ from the approved landscape plan prepared by Aspect Studios Sydney, FDC is not yet able to submit a final Landscape / Public Domain plan for approval. However, SOPA currently has provision to review and approve a Public Domain Plan prior to the issue of a Construction Certificate (Condition B21). SOPA has confirmed that the proposed changes to the Public Domain can be endorsed as part of this process.

It is important to note that FDC is obliged to comply with the DDA through the Building Code of Australia and cannot obtain either a Construction Certificate or Occupation Certificate without a relevant Certificate of Compliance from Access Associates Sydney. The Department can therefore be assured that compliance will be achieved on this basis.

Condition B1 and other relevant conditions in the consent which refer to the Staging of the development should be reviewed and amended to reflect the proposed staging of the development. In particular, it is requested that Condition B14 (Landscape Plan) and Condition B15 (Public Art) be amended to require the proponent to provide Landscape / Public Domain Plans and Public Art Plans that reflect the proposed development, to SOPA's satisfaction, prior to the issue of the Construction Certificate for Stage 1.

FDC does not believe there is any need to amend any conditions relating to staging (including B1) within the current consent. Condition B1 reflects FDC's approach to detailed documentation and thus the issuing of Construction Certificates. To date, Blackett Maguire + Goldsmith (PCA) has issued a 'Stage 1' (including early works, excavation, piling etc...) and 'Stage 2' (building structure and basement services) Construction Certificate, with the remaining two Construction Certificates to be issued when documentation is finalised. This process will then be replicated for the southern building when it is eventually constructed. Other conditions throughout the consent that relate back to the staging nominated within Condition B1 therefore remain relevant and will be complied with as required for the northern and southern building.

In regard to existing conditions for Landscaping and Public Art (Condition B14 and 15), SOPA has confirmed that Condition B21 (introduced as part of MOD 2) provides the necessary authority for a final public domain plan (including landscaping and public art) to be endorsed by SOPA prior to the issue of the relevant Construction Certificate. SOPA is satisfied that the proposed variations to the public domain plan (described above) can be considered by SOPA during this process, despite the approved landscape documentation.

Should you have any queries or require any further detail, please do not hesitate to contact Jamie Stewart (8117 5105) or the undersigned on 8117 5104.

Yours Sincerely,
FDC Construction & Fitout



Tim Bainbridge
Planning Manager

Encl. SK17 – Proposed On Grade Temporary Car Park for Stage 1 Access, Leffler Simes Architects
SK18 – Proposed Access Paths for Duration of South Building Office Tower, Leffler Simes Architects
SK19 – Proposed Access Paths for Completed Development Stage 3
Access Report – Prepared by Access Associates Sydney (Robyn Thompson)

CC. **Andrew Brown**
Sydney Olympic Park Authority
8 Australia Avenue,
Sydney Olympic Park, NSW 2127