



**Planning &
Environment**

**STATE SIGNIFICANT DEVELOPMENT
ASSESSMENT REPORT:
4 Murray Rose Avenue, Sydney Olympic
Park
(SSD 6076)**



Secretary's Assessment Report
Section 89H of the
Environmental Planning and Assessment Act 1979

September 2014

ABBREVIATIONS

Applicant	The GPT Group
CIV	Capital Investment Value
Department	Department of Planning and Environment
EIS	Environmental Impact Statement
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	Environmental Planning and Assessment Regulation 2000
EPI	Environmental Planning Instrument
LEP	Local Environmental Plan
Minister	Minister for Planning
PAC	Planning Assessment Commission
Regulation	Environmental Planning and Assessment Regulation 2000
RtS	Response to Submissions
Secretary	Secretary of the Department of Planning and Environment, or her delegate/nominee
SEPP	State Environmental Planning Policy
SEARs	Secretary's Environmental Assessment Requirements
SRD SEPP	State Environmental Planning Policy (State and Regional Development) 2011
SSD	State Significant Development

Cover Photograph: Perspective showing the building from Murray Rose Avenue (Source: Applicant's EIS)

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EXECUTIVE SUMMARY

This report is an assessment of a State significant development (SSD) application lodged by GPT Group seeking approval for the construction of a six storey commercial building at 4 Murray Rose Avenue, Sydney Olympic Park (SOP).

The project has a capital investment value (CIV) of approximately \$48 million.

The subject site is known as Site 60 in Sydney Olympic Park Master Plan 2030 (SOP Master Plan 2030) which is located in the Parkview Precinct at the eastern edge of the town centre.

The Department publicly exhibited the application from 19 February 2014 to 21 March 2014, and received three submissions from public authorities and 11 public submissions. The key issues raised relate to building design and construction impacts.

The applicant provided a Response to Submissions (RtS), which included minor changes to the design and addressed the issues raised in the submissions.

The Department has considered the merits of the proposal in accordance with relevant matters under Section 79C, the objects of the *Environmental Planning and Assessment Act 1979* (the Act) and Ecologically Sustainable Development. The Department has also considered the issues raised in the submissions.

The key issues considered in the Department's assessment include traffic impacts, parking and access, building design, landscaping and construction impacts.

The Department notes the traffic impacts generated by the proposal would be acceptable noting the construction of the eastern extension to Murray Rose Avenue, which will provide an alternative route to Parkway Avenue and reduce traffic delays at surrounding intersections. The Department considers an increased parking rate is acceptable given there is currently limited capacity in peak hour bus and train services to accommodate the additional workers on the site.

Building design, landscaping and construction impacts are also considered to be acceptable subject to appropriate conditions.

The Department is satisfied the proposed development is generally consistent with the SOP Master Plan applying to the site. The proposed development will assist with the establishment of mixed use precinct, and contribute to the creation of a vibrant town centre at SOP.

The proposal is therefore recommended for approval subject to conditions.

1. PROPOSED DEVELOPMENT AND SITE DESCRIPTION

1.1 The Proposal

GPT Group (the applicant) proposes to construct a six storey commercial building above three basement parking levels at Sydney Olympic Park. The project location is shown in **Figure 1**.

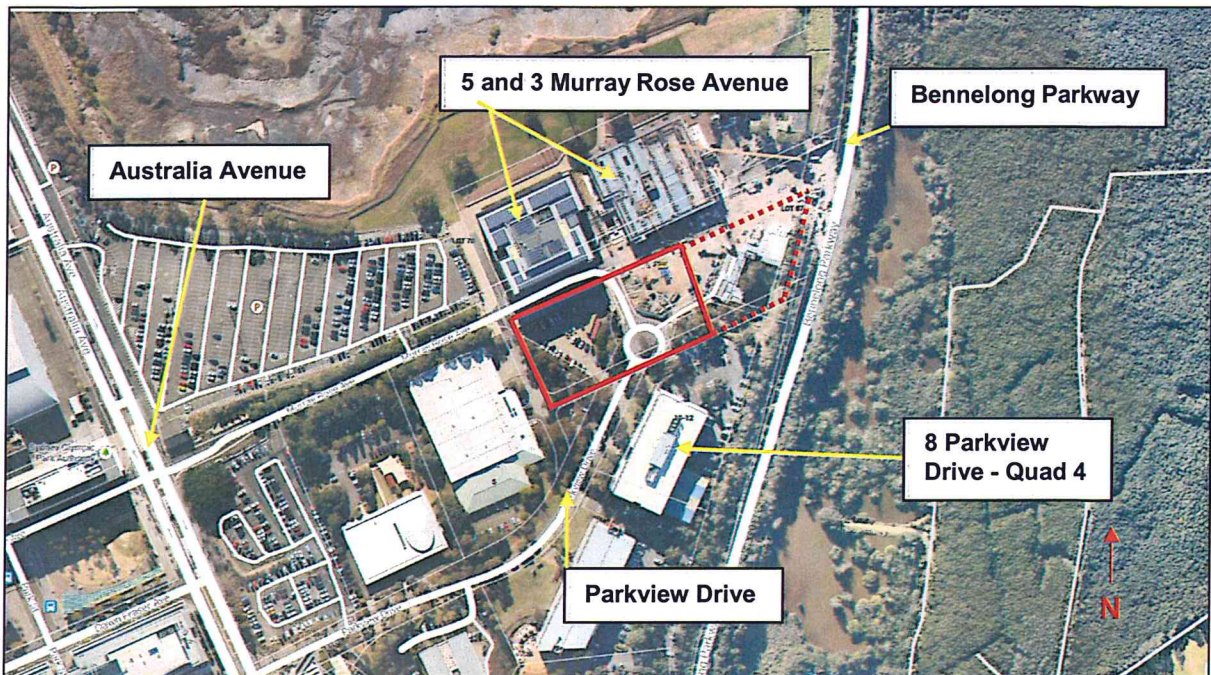


Figure 1: Project Location (subject site bounded in solid red line and No. 2 Murray Rose Avenue shown dotted)

1.2 Site Description and Surrounding Development

The site is known as No. 4 Murray Rose Avenue located at the eastern edge of the SOP Town Centre within the Auburn Local Government Area (LGA). The subject site has an area of 5,014 sqm and forms part of a larger parcel including No. 2 Murray Rose Avenue identified as Site 60B in the SOP Master Plan 2030 (refer to **Figure 2**).

The subject site contains hard paved surfaces used for car parking, a roundabout and temporary road access between Parkview Drive and Murray Rose Avenue.

The locality is currently undergoing transformation from low scale industrial and commercial buildings to denser forms of commercial and residential development.

The northern boundary of the site is formed by Murray Rose Avenue and its future eastern extension to Bennelong Parkway. To the immediate north of the site is an existing commercial building at No. 5 Murray Rose Avenue, and a commercial building under construction at No. 3 Murray Rose Avenue.

The southern boundary of the site will be formed by the future Dawn Fraser Avenue between Bennelong Parkway to the east and Parkview Drive to the west. Land to the immediate south of the site contains an existing commercial building known as 'Quad 4' No. 8 Parkview Drive.

The adjoining land to the east at No. 2 Murray Rose Avenue contains an at-grade parking area adjoining Bennelong Parkway. To the east of Bennelong Parkway are the wetlands and parklands associated with Bicentennial Park.

The adjoining land to the west contains an existing warehouse and hardstand parking areas at No. 6 Murray Rose Avenue. The future extension of Parkview Drive to Murray Rose Avenue will form the western boundary of the site.

Refer to the site's context at **Figure 1**.

1.3 Sydney Olympic Park Master Plan 2030

The SOP Master Plan sets out the planning controls to guide future development of SOP. The Sydney Olympic Park Authority (SOPA) is the agency responsible for managing the future development of SOP in accordance with the SOP Master Plan. The subject site is located in the Parkview Precinct which is an emerging mixed use, commercial and residential neighbourhood at the eastern edge of the town centre adjoining the parklands (refer to **Figure 2**).

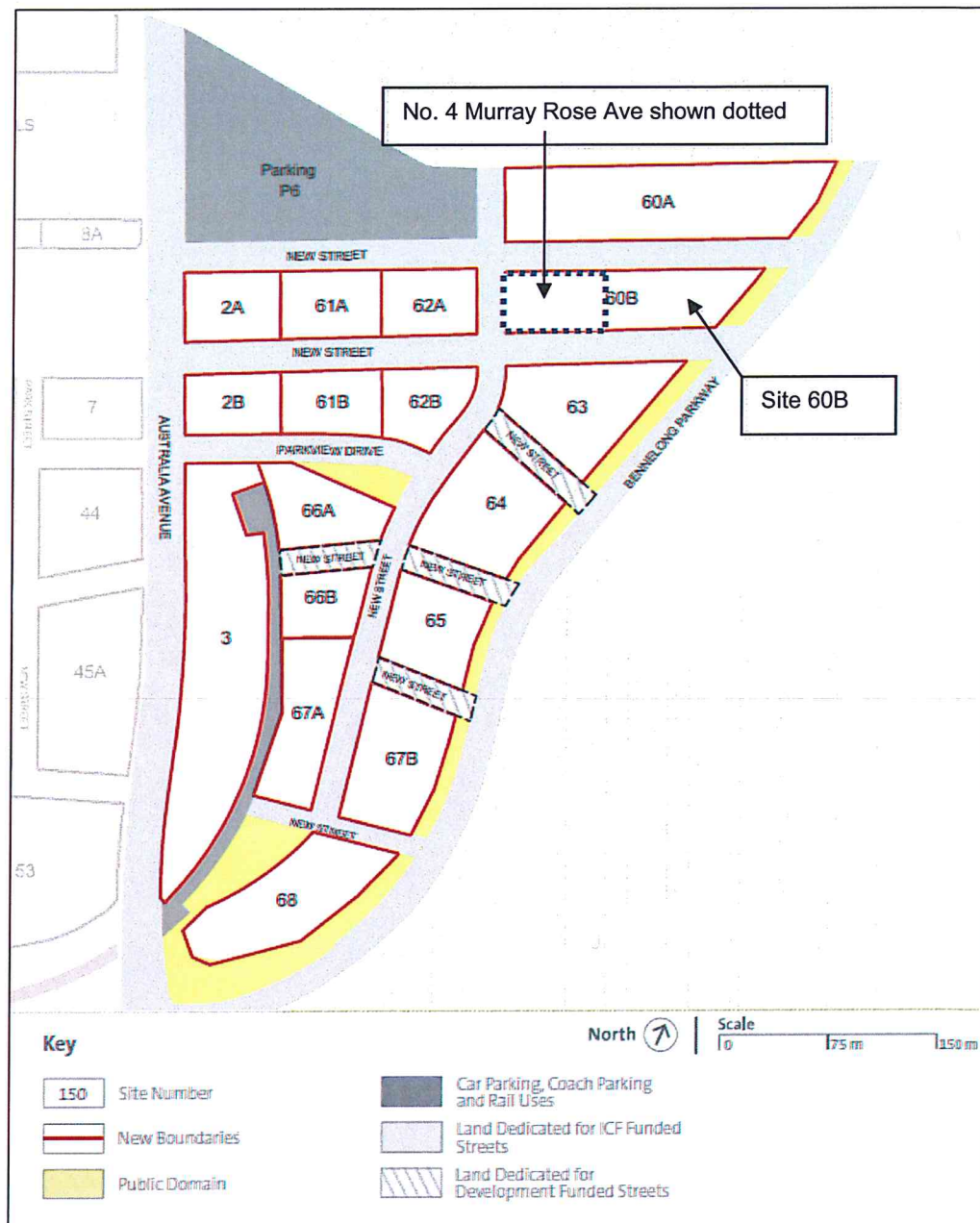


Figure 2: SOPA Master Plan 2030

1.4 Key Development Components and Features

Table 1 provides a summary of the development proposal's key components and features.

Table 1: Key Development Components

Development Summary	<ul style="list-style-type: none"> • Demolition of existing hardstand car park areas, associated roads and roundabout; • construction of a six storey commercial building above three levels of basement parking; and • associated landscaping and tree removal.
Gross Floor Area	15,713 sqm
Height	27.8 m
Car Parking Spaces	287
Capital Investment Value	\$48 million
Jobs	50 construction and 800 operational

Building Design

The proposed building comprises six commercial floors and three basement parking levels with the principal entry fronting Murray Rose Avenue. The internal layout consists of rectilinear open floor plates connected by a central core.

The ground floor of the building will be activated with retail/commercial tenancies and an internal pedestrian connection between Murray Rose Avenue and the future Dawn Fraser Avenue. A colonnade will reinforce the base of the building and provide all weather protection and a connection to the adjoining public domain spaces.

The external design incorporates horizontal projections and façade inflections which assist to reduce the linear nature of the building. The building will be clad with metal panels integrated with louvres, aluminium fins, cement rendering and glazing.

Refer to **Figures 3 to 5** showing the building in elevation and plan.

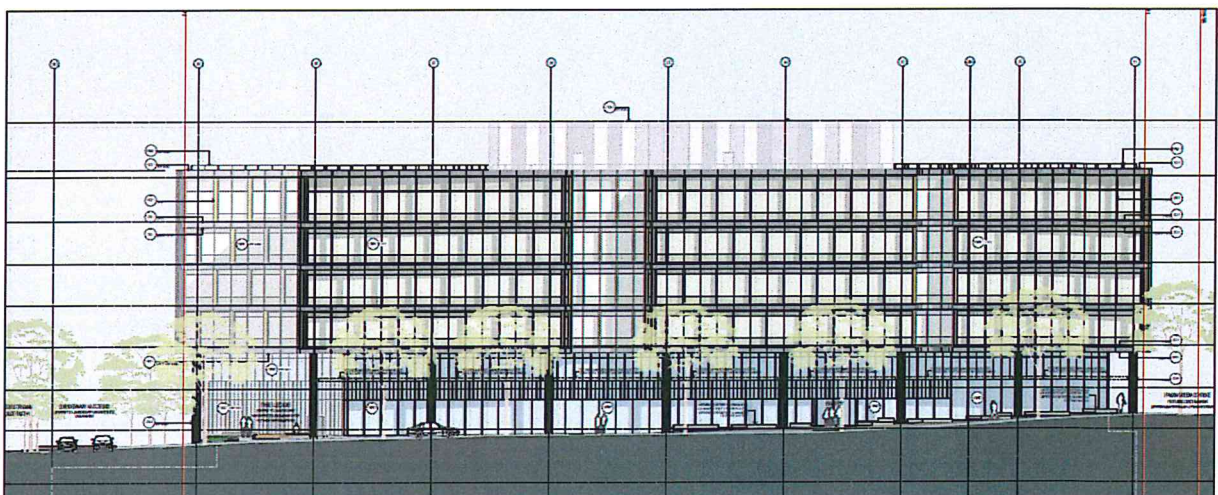


Figure 3: Northern elevation (Murray Rose Avenue)

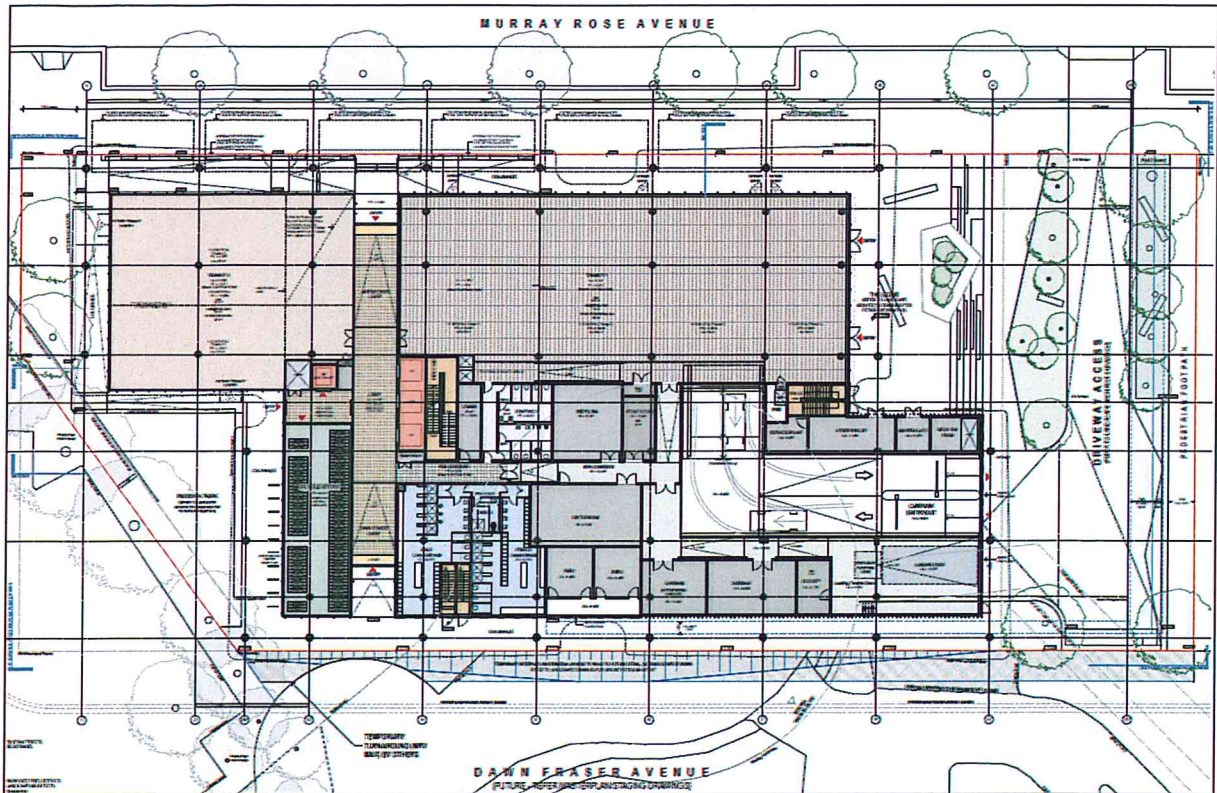


Figure 4: Ground floor layout

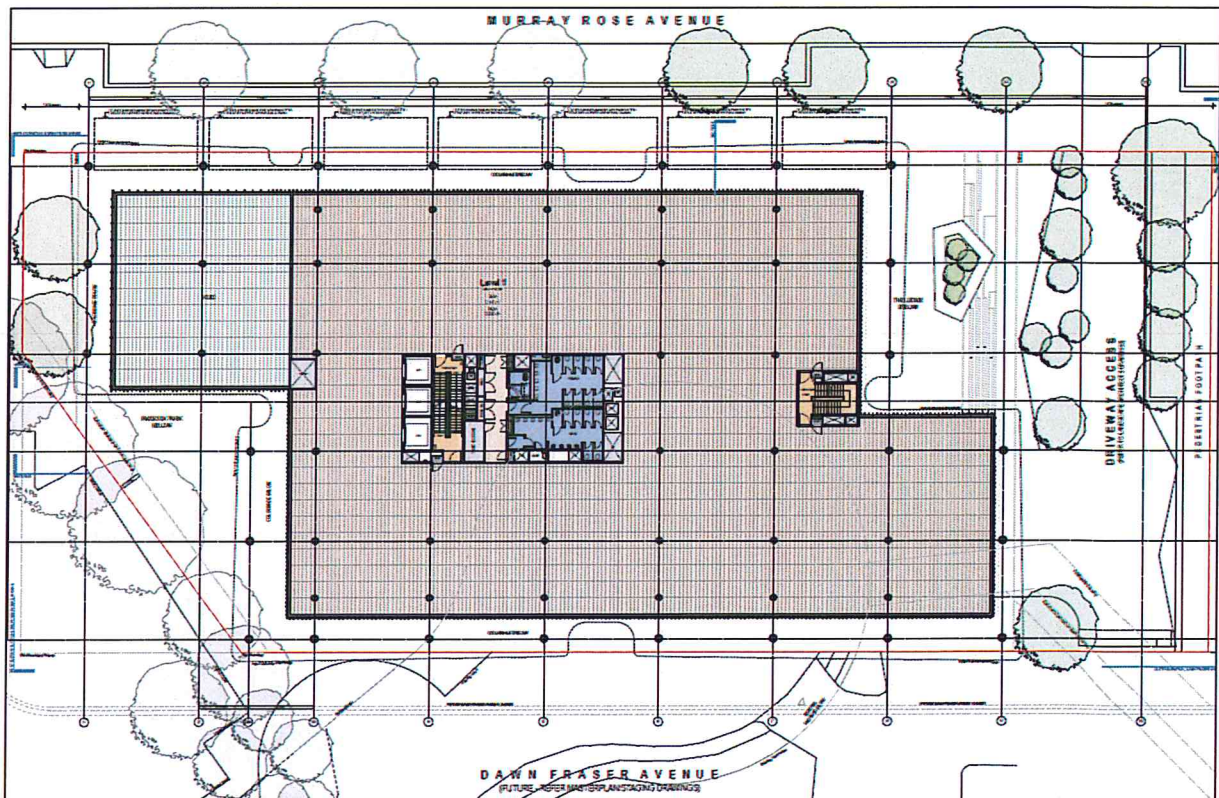


Figure 5: Typical floor plan

Landscape

The eastern side of the building will include a raised platform with seating areas and shade trees known as 'The Ledge.' The eastern part of the site also contains a driveway providing vehicular access from Murray Rose Avenue to a ground level loading dock and basement parking. A dedicated pedestrian zone is proposed along the eastern boundary of the site (refer to **Figure 6**).

The south-western corner of the site will include a public space known as 'Paddock Park' comprising a combination of hard paving, soft landscape and seating. The public space will be completed when the surrounding road network is fully realised (subject to a separate application with SOPA).

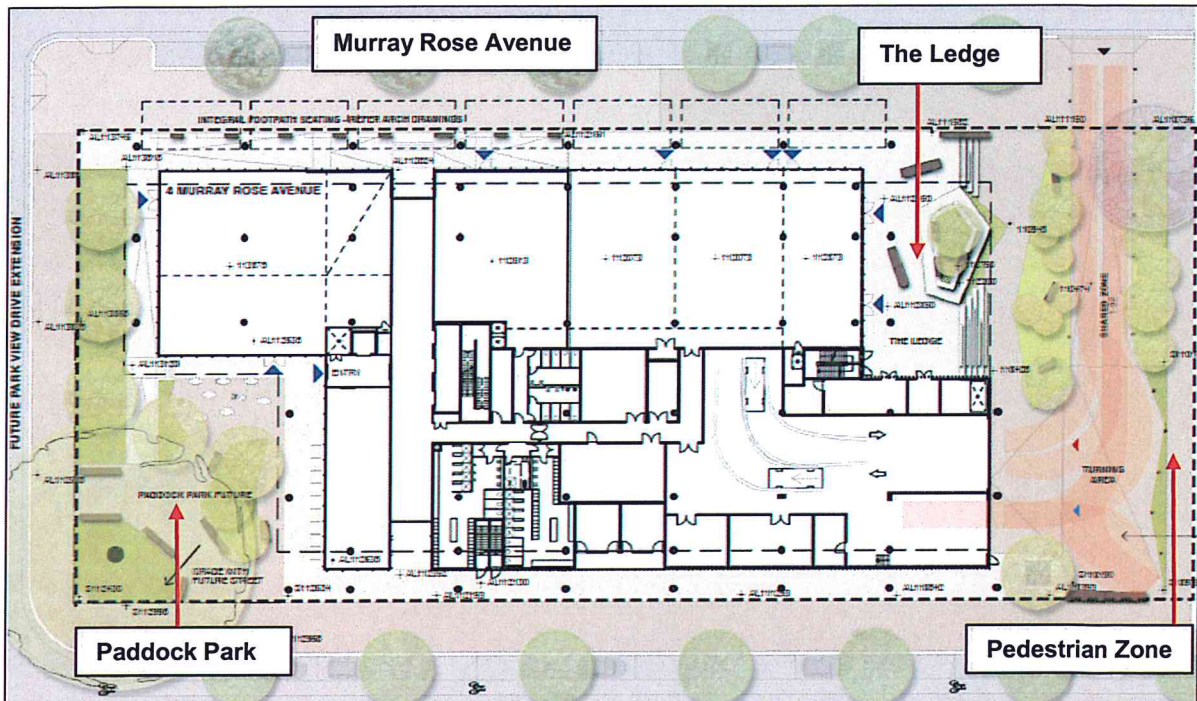


Figure 6: Landscape Arrangement

2. STATUTORY AND STRATEGIC CONTEXT

2.1. SEPP (State and Regional Development) 2011

The proposal is classified as State significant development because it is development with a capital investment value (CIV) in excess of \$10 million on land identified as being within the Sydney Olympic Park Site, under Clause 2(f) of Schedule 2 of State Environmental Planning Policy (State and Regional Development) 2011. Therefore the Minister for Planning is the consent authority.

2.2. Delegated Authority

Under the Minister's Delegation of 27 February 2013, the Executive Director, Development Assessment Systems and Approvals can determine the application as Council has not objected to the proposal, no political disclosure statement has been made and there were 10 public submissions received objecting to the proposal.

2.3. Permissibility and Zoning

The site is zoned B4 Mixed Use under State Environmental Planning Policy (Major Development) 2005. The proposed commercial development is permissible with consent under clause 9(3) of Part 23 of Schedule 3 of the Major Development SEPP

2.4. Environmental Planning Instruments

The Department's consideration of relevant Environmental Planning Instruments (EPIs) (including SEPPs) is provided in **Appendix B**. The proposal is consistent with the relevant requirements of the EPIs.

2.5. Objects of the EP&A Act

Decisions made under the EP&A Act must have regard to the objects of the EP&A Act, as set out in section 5 of the Act (see glossary at **Appendix C**). The proposal complies with the relevant object (a)(ii) because it supports the orderly development of land in accordance with the SOP Master Plan 2030.

2.6. Ecologically Sustainable Development

The EP&A Act adopts the definition of Ecologically Sustainable Development (ESD) found in the *Protection of the Environment Administration Act 1991* (see glossary at **Appendix C**). Section 6(2) of that Act states that ESD requires the effective integration of economic and environmental considerations in decision-making processes.

The Department has considered the project in relation to the ESD principles. The Precautionary and Inter-generational Equity Principles have been applied in the decision making process via a thorough assessment of the environmental impacts of the project. The proposal is considered to be consistent with ESD principles as described in Section 5.14 of the applicant's EIS, which has been prepared in accordance with the requirements of Schedule 2 of the Regulation. The applicant's ESD statement also identifies a number of management, energy, water and environmental measures that will be considered in the detailed design of the building to achieve a high level of sustainability performance.

The Department is satisfied that the proposed sustainability initiatives would encourage ESD, in accordance with the objects of the EP&A Act.

2.7. Environmental Planning and Assessment Regulation 2000

Subject to any other references to compliance with the Regulation cited in this report, the requirements for Notification (Part 6, Division 6) and Fees (Part 15, Division 1AA) have been complied with.

2.8. Secretary's Environmental Assessment Requirements

The EIS is compliant with the Secretary's Environmental Assessment Requirements (SEARs) and is sufficient to enable an adequate consideration and assessment of the proposal for determination purposes.

2.9. Strategic Context

The Department considers that the proposal is consistent with and/or supports the following state and regional strategies because it will:

NSW State Plan

- contribute to the growth and development of SOP which is a key vision in the NSW State Plan;
- increase employment opportunities in an established centre with good access to public transport; and
- exhibit a high standard of environmental design.

Draft Metropolitan Plan for Sydney 2031

- create employment opportunities in SOP which is identified as a 'Specialised Centre' in the draft Metropolitan Plan for Sydney 2031;

- continue to support the growth of SOP and its renewal following the Sydney Olympic Games in 2000; and
- reinforce SOP's role as a major employment area, and contribute towards the target of providing capacity for at least 14,000 more jobs in SOP by 2031.

Draft West Subregional Strategy

- provide local employment opportunities within the Auburn LGA and a direct investment in the region of \$48 million.

3. EXHIBITION CONSULTATION AND SUBMISSIONS

3.1. Exhibition

In accordance with section 89F of the EP&A Act and clause 83 of the EP&A Regulation, the application and accompanying information was made publicly available for at least 30 days following the date of first publication, in accordance with the Regulation. The Department publicly exhibited it:

- on the Department's website from 19 February 2014 until 21 March 2014; and
- at the Department's Bridge Street Sydney Information Centre, Auburn Council and SOPA offices from 19 February 2014 until 21 March 2014.

The Department notified adjoining landholders, and relevant State and local government authorities in writing. The Department received 14 submissions during the exhibition of the application – three submissions from public authorities and 11 submissions from the general public. A summary of the issues raised in the submissions is provided below.

3.2. Public Authority Submissions

A total of three submissions were received from public authorities. Transport for NSW and Sydney Water raised no objection to the proposal. SOPA indicated support for the proposal subject to a range of design and landscape issues being satisfactorily addressed by the applicant. SOPA also requested a Water Management Plan in accordance with SOPA's *Stormwater Management and Water Sensitive Urban Design 2013 Policy*; a Waste Management Plan; Sediment and Erosion Control Plan; and a Public Domain Plan. The issues raised by SOPA have been addressed in **Section 4** and/or by way of conditions in the instrument of consent at **Appendix D**.

3.3. Public Submissions

There were 10 submissions objecting to the proposal primarily on the grounds of construction impacts and one submission in support of the proposal, except for the proposed truck access during the construction phase. The Department has considered the concerns in relation to construction impacts raised in the public submissions in **Section 4**.

3.4. Applicant's Response to Submissions

Following the public exhibition of the EIS, the Department placed a copy of all submissions received on its website. The Department requested that the applicant address the issues raised in the submissions. The applicant submitted a Response to Submissions (RtS) on 27 June 2014 (**Appendix A**) which sets out a response to the issues raised by SOPA and the general public. In response to the issues raised in the submissions, the following amendments were made to the building design and its curtilage:

- ground and level 1 façade glass type has been changed from light grey to clear glass;
- the northern elevation of the building (Murray Rose Avenue) includes the provision for the installation of awning structures;
- the car park exhaust flues have been removed from the public domain and integrated into the building fabric;

- a dedicated pedestrian zone has been provided along the eastern boundary of the site;
- the landscape arrangement in Paddock Park has been modified by deleting the ramps and providing hard paving;
- the ground floor tenancy adjacent to Paddock Park includes additional door openings; and
- the roof top plant room has been re-configured.

The RtS was made publicly available on the Department's website, however, it was not re-exhibited or re-notified as the Department considered the changes to be minor, resulting in no additional impact on the locality.

4. ASSESSMENT

4.1. Section 79C Evaluation

Table 2 identifies the matters for consideration under section 79C that apply to State significant development, in accordance with section 89H of the EP&A Act (see glossary at **Appendix C**). The table represents a summary for which additional information and consideration is provided for in Section 4 (Key and Other Issues) and relevant appendices or other sections of this report and the EIS, referenced in the table.

The EIS has been prepared by the applicant to consider these matters and those required to be considered in the SEARs and in accordance with the requirements of section 78(8A) of the EP&A Act and Schedule 2 of the EP&A Regulation.

Table 2: Section 79C(1) Matters for Consideration

Section 79C(1) Evaluation	Consideration
(a)(i) any environmental planning instrument	Complies – Consideration of relevant EPIs has been undertaken in Appendix B .
(a)(ii) any proposed instrument	Not applicable.
(a)(iii) any development control plan	Clause 11 of State Environmental Planning Policy (State and regional Development) 2011 provides that development control plans do not apply to State significant development. Notwithstanding, consideration of the Sydney Olympic Park Master Plan 2030 (deemed a DCP) has been undertaken in Appendix B .
(a)(iiia) any planning agreement	Not applicable
(a)(iv) the Regulation	The development application satisfactorily meets the relevant requirements of the Regulation, including the procedures relating to development applications (Part 6 of the Regulations), public participation procedures for SSDs and schedule 2 of the Regulation relating to environmental impact statements.
(a)(v) any coastal zone management plan	Not applicable
(b) the likely impacts of that development	Appropriately mitigated or conditioned - refer to Section 4.2
(c) the suitability of the site for the development	Suitable - Refer to Sections 4.2.3
(d) any submissions	Consideration has been given to submissions received during the exhibition in Section 3 of this report. Key issues raised in submissions have been considered further in Section 4.2 of this report
(e) the public interest	Refer to Section 4.2.4

4.2. Key Issues

The Department has considered the EIS, the issues raised in submissions and the applicant's response to these issues in its assessment of the proposed development. The Department considers the key assessment issues relate to: traffic, parking and access; building design; landscaping and public domain; and construction impacts.

4.2.1. Traffic, Parking and Access

Traffic

The applicant submitted a Traffic Impact Assessment (TIA) as part of the EIS which reviewed the traffic, transport and parking implications for the proposed development. The traffic analysis demonstrates that the intersections of Australia Avenue/Parkview Drive and Australia Avenue/Murray Rose Avenue have the capacity to accommodate traffic generated by the proposed development (and Nos. 3 and 5 Murray Rose Avenue), except for Australia Avenue/Murray Rose Avenue East during evening peak period resulting in unsatisfactory delays due to traffic departing the site (refer to **Figure 7** for intersection locations).



Figure 7: Surrounding Intersections

The TIA states that the traffic delays identified at the Australia Avenue/Murray Rose Avenue East intersection would be short-lived as the excess traffic will be diverted to the alternative Murray Rose Avenue intersection with Bennelong Parkway once it is constructed. SOPA has advised the Department that the eastern extension to Murray Rose Avenue has been constructed and should be fully formed by late September/early October 2014. The Department considers that the traffic delays are not likely to eventuate as the road upgrade is scheduled for completion well ahead of traffic impacts associated with the completed development. The Department is satisfied that the traffic impacts on the surrounding road network have been adequately addressed in the applicant's TIA.

Parking

The proposed development will provide parking for 287 car spaces on the subject site, which equates to a rate of one space per 55 sqm of gross floor area. The parking provision exceeds the SOP Master Plan 2030 controls which require a maximum of 1 space per 80 sqm (196 spaces). The applicant justifies the departure from the parking controls on the basis that currently there is limited capacity in the peak hour bus and train services to accommodate up to 1,500 additional workers on the site.

The applicant contends that the rate of one space per 80 sqm is not appropriate in this instance given the public transport improvements (West Metro, the proposed metro line connecting Parramatta to Central and strategic bus corridors) that were anticipated to support the change in travel behaviour and reduced reliance on private vehicle modes have not been delivered. The applicant contends that the rate of one space per 55 sqm, identified as an interim rate in the transport strategy informing SOP Master Plan 2030, which targets an initial increase in mode share to 25 per cent for non-car modes, is therefore more appropriate.

The site is supported by public transport services, including access to the Sydney Olympic Park Railway Station, which is located approximately 300 metres from the subject site, and four metropolitan bus services with stops located approximately 350 metres from the site. These services run at a 10 to 15 minute frequency during peak periods and a 20 to 30 minute frequency out of peak periods. The applicant contends that the level of public transport is not adequate, especially outside of peak periods, to support the required modal shift to support the one per 80 sqm vehicle parking rate and this would result in adverse impacts on existing on-street parking provision.

The Department notes that the SOP Master Plan 2030 Transport Strategy recommends that commercial private parking should be decreased over time, linked to major public transport improvements. The Department acknowledges that key transport initiatives at SOP will not be realised in the short or medium term, and the proposed parking rate of one space per 55 sqm is therefore acceptable. The increased parking rate is also consistent with the Department's approval of the commercial development at Nos. 3 and 5 Murray Rose Avenue.

The Department also notes that the development would still encourage a shift to sustainable transport modes as the development provides 120 bicycle spaces for employees and visitors in the building. The applicant's TIA recommends a workplace travel plan to manage travel to and from the workplace, and reduce solo car use and promote alternatives like cycling and car-pooling schemes. Accordingly, the Department recommends a condition on any consent for future tenants to provide a workplace travel plan prior to occupation of the building. The Department therefore considers the proposal is acceptable in terms of parking.

Access

SOPA raised safety concerns in relation to the potential conflicts between vehicles and pedestrian/cyclists associated with the shared vehicle/pedestrian zone on the eastern side of the building. The applicant subsequently modified the proposal and the amended plans submitted with the RtS now indicate a designated pedestrian path along the eastern boundary of the site. The Department considers the safety concerns associated with the shared vehicle/pedestrian arrangement has now been addressed by the applicant.

4.2.2. Building Design

The design of the proposed commercial building has been subject to consultation with SOPA, including its Design Review Panel, and has evolved from a design excellence competition held by the applicant in 2012 for a group of buildings along Murray Rose Avenue, including the recently completed commercial building at No. 5 and the commercial building under construction at No. 3. The Department referred the application to SOPA for comment as part of its exhibition process. SOPA indicated that it supports the proposal, subject to a number of issues being satisfactorily addressed in the design. The key design issues are considered in **Table 3**.

SOPA has advised the Department that the design issues were adequately addressed in the amended plans submitted with the applicant's RtS. The Department considers the proposal is consistent with the planning controls in the SOP Master Plan 2030, and the built form is compatible with the desired future character of the area.

Table 3: Design Issues

Design comments provided by SOPA	Applicant's response
<i>Provide more articulation and a greater variety of materials and finishes</i>	Further clarification was provided in the RtS in relation to the façade treatment, and the use of projecting horizontal lintels and vertical louvre screens to enhance the articulation and depth of the building facades. The amended plans submitted with the RtS show a reconfigured plant room on the roof of similar size to that originally submitted.
<i>Lack of ground level activation along Dawn Fraser Avenue</i>	Further clarification was provided in the RtS in relation to the ground floor activation and the through-site foyer.
<i>Minimise extent dark materials at ground level</i>	The glass type has been amended from light grey to clear to reinforce the building base and provide better visual connection between the street and internal uses.
<i>Increase colonnade widths</i>	Further clarification was provided in the RtS to support the colonnade design.
<i>Increase the window display area along Murray Rose Avenue frontage</i>	Further clarification was provided in the RtS to support the 1.5 m spacing of mullions and the retention of shopfront flexibility to suit future uses.
<i>Provide sun shading for pedestrians and outdoor diners</i>	The amended plans provided with the RtS show the provision of sun shade awnings along the Murray Rose Avenue elevation.

4.2.3. Landscaping and Public Domain

The originally submitted landscape design included exhaust flues associated with the basement car park ventilation system protruding in the public domain space in the south-western corner of the site. SOPA raised concern with the adverse amenity impact on future users of the public space to be known as 'Paddock Park'. The applicant provided amended plans with the RtS which show the exhaust system now integrated into the building fabric.

SOPA also raised concern with the connection between the future internal uses at ground level and the adjoining public domain space. The applicant amended the landscape design by deleting the ramps at the perimeter of Paddock Park, providing more at-grade hard paved area and the opportunity for outdoor seating to allow a better connection to the adjoining use. The adjoining internal area also includes additional door openings to allow for direct access to the open space. SOPA has advised the Department that the issues raised have been adequately resolved in the applicant's RtS. The Department considers that the building provides a strong connection with the landscape setting, and promotes visual and pedestrian connections through the site. The amendments to the landscape design and public domain spaces are shown in **Figure 6** at page 8 of this report.

4.2.4. Construction Impacts

The subject site can be accessed from Murray Rose Avenue to the north or Parkview Drive to the south (refer to **Figure 8**). A future eastern extension to Murray Rose Avenue would also provide direct access to Bennelong Parkway to the east. The Department notes that Parkview Drive is mostly characterised by commercial buildings, but also contains an early learning centre at No. 8 Parkview Drive (immediately to the south) and a residential development at its intersection with Australia Avenue. Murray Rose Avenue (east of Australia Avenue) contains at-grade car parks and a warehouse facility.

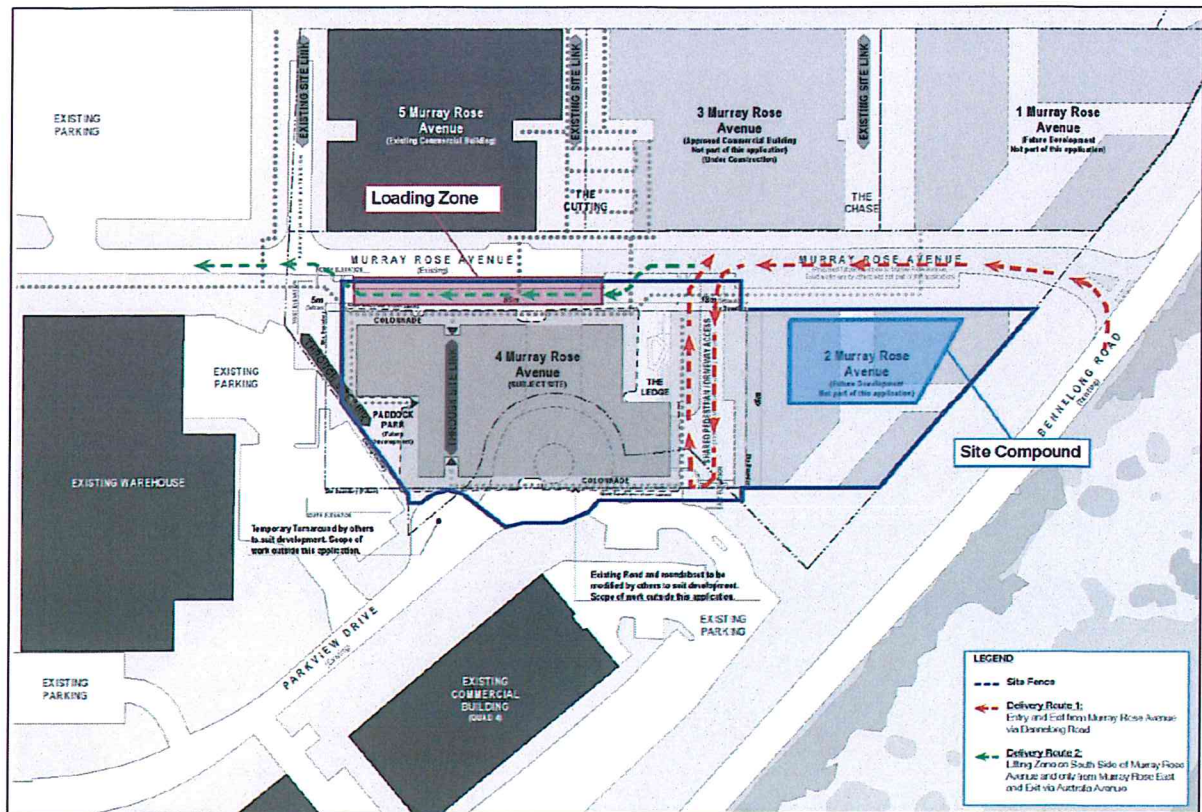


Figure 8: Revised Construction Truck Access Route and Loading Zone

The EIS submitted with the application states that construction vehicles will access the subject site from both Murray Rose Avenue and Parkview Drive. The public submissions raised concerns in relation to construction impacts to the surrounding area, particularly due to the intended use of Parkview Drive for truck access during the construction period. In response to the concerns raised with the use of Parkview Drive for truck access, the revised Construction Management Plan (CMP) submitted with the RtS nominates Murray Rose Avenue as the primary point of access for construction vehicles, with limited truck deliveries via Parkview Drive. The amended construction vehicle route relies on the future eastern extension of Murray Rose Avenue to Bennelong Parkway being completed.

The applicant has advised the Department that the eastern extension to Murray Rose Avenue will be complete before construction commences on the subject site. The Department therefore considers it reasonable to restrict the primary access for construction traffic to Murray Rose Avenue given there are more sensitive land uses in Parkview Drive. A condition to that effect is recommended on the instrument of consent as part of the Traffic and Pedestrian Management Plan required before the issue of a construction certificate.

Concern was also raised in relation to noise impacts during the construction period. The Department considers that the revised CMP submitted with the RtS adequately addresses the potential noise impacts to nearby properties. Notwithstanding, there are appropriate measures identified in the CMP, including the preparation of a Noise and Vibration Management Plan by a qualified acoustic consultant to manage potential noise impacts during the construction period. The Department also recommends a Noise and Vibration Management Plan as a condition on the instrument of consent.

Concern was raised in some of the public submissions as to the draft status of the CMP. The Department notes the final CMP is not validated until prior to the issue of a construction certificate once all the measures required under the conditions of consent are known and can be incorporated into the final document.

4.2.1 Suitability of the Site

The site is suitable for the proposed development because:

- it will contribute towards the emerging mixed use character of the Parkview Precinct within SOP;
- it has good access to public transport, including Olympic Park Railway Station and bus services on Australia Avenue; and
- it is well serviced by utilities, including water, gas, electricity and telecommunications.

4.2.2 Public Interest

The proposed development will provide benefits for the region by:

- providing additional commercial uses within the growing mixed use precinct of Sydney Olympic Park;
- promoting sustainable travel modes, including public transport, walking and cycling;
- incorporating ESD initiatives in the design, construction and on-going operation of the development;
- contributing towards employment through the provision of 50 construction jobs and 800 operational jobs; and
- increasing investment opportunities, including a \$48 million CIV project.

The Department therefore considers the proposal to be in the public interest.

5. CONCLUSION AND RECOMMENDATION

5.1. Conclusion

The issues raised in the submissions have been considered and all relevant environmental issues associated with the proposal have been thoroughly assessed. The Department is of the view that the recommended conditions will adequately mitigate any environmental impacts of the proposal.

The Department also considers the proposed development is generally consistent with development envisaged in the SOP Master Plan and the desired future character of the area.

The proposed building will achieve a minimum 5 star Green Star rating and 5 star NABERS energy efficiency rating resulting in a building with a high standard of environmental design.

The proposal will not have any significant adverse impact on the surrounding road network and is generally in accordance with the quantum of development planned for under the SOP Master Plan 2030. Furthermore, the site has good access to public transport and future transport demands will be met through a number of initiatives, including implementation of workplace travel plans, and the upgrade of intersections and other transport enhancements for the entire precinct.

The proposed development will provide additional commercial uses within an emerging mixed use precinct, and contribute to the creation of a vibrant town centre at SOP. The Department therefore considers the proposal is in the public interest.

Accordingly, the Department recommends that the application be approved, subject to conditions.

5.2. Recommendation

In accordance with section 89E of the *Environmental Planning and Assessment Act 1979*, it is recommended that the Executive Director, Development Assessment Systems and Approvals:

- (a) **consider** the findings and recommendations of this report;
- (b) **approve** the State significant development application for the construction of a six storey commercial building (SSD 6076), subject to conditions of consent set out in the attached instrument at **Appendix D**; and
- (c) **sign** the attached development consent at **Appendix D**.

Prepared by: Thomas Mithen

Endorsed by:



David Gibson
Team Leader
Industry, Key Sites and Social Projects



Ben Lusher
Manager
Industry, Key Sites and Social Projects

Approved by:



16.9.16

Chris Wilson
Executive Director
Development Assessment Systems and
Approvals

APPENDIX A RELEVANT SUPPORTING INFORMATION

The following supporting documents and supporting information to this assessment report can be found on the Department of Planning and Environment's website as follows.

1. Environmental Assessment
http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=6107.
2. Submissions
http://majorprojects.planning.nsw.gov.au/index.pl?action=list_submissions&job_id=6107.
3. Applicant's Response to Submissions
http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=6107.

APPENDIX B CONSIDERATION OF ENVIRONMENTAL PLANNING INSTRUMENT(S) (INCLUDING DRAFT) AND DCP(S)

State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP)

The aims of the SRD SEPP are to identify State significant development (SSD) and State significant infrastructure (SSI) and provide the necessary functions to joint regional planning panels to determine development applications.

The proposed development is SSD in accordance with s. 89C of the Environmental Planning and Assessment Act 1979 (EP&A Act) because it has capital investment value of more than \$10 million on land identified as being within the Sydney Olympic Park Site, under clause 2(f) of Schedule 2 of State Environmental Planning Policy (State and Regional Development) 2011.

State Environmental Planning Policy (Major Development) 2005 (MD SEPP)

The aims of the MD SEPP are to facilitate the development, redevelopment or protection of important urban, coastal and regional sites of economic, environmental or social significance to the State so as to facilitate the orderly use, development or conservation of those State significant sites for the benefit of the State, and to facilitate service delivery outcomes for a range of public services and to provide for the development of major sites for a public purpose or redevelopment of major sites no longer appropriate or suitable for public purposes.

SOP is identified as a State Significant Site under the MD SEPP, and Part 23 of Schedule 3 of the MD SEPP identifies a number of provisions relating to the carrying out of development within SOP, which are considered below.

Clause 7 Lane Use Zones

Pursuant to clause 7(2), Part 23, Schedule 3 of the MD SEPP, a consent authority must have regard to the objectives for development in a zone when determining applications. Consideration of proposed development against the objectives of the B4 Mixed Use Zone is provided below.

Clause 9 Zone B4 Mixed Use

The subject site is zoned B4 Mixed Use under the MD SEPP. The objectives of the B4 Mixed Use Zone are:

- a) *to protect and promote the major events capability of the Sydney Olympic Park site and to ensure that it becomes a premium destination for major events;*

- b) to integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling;
- c) to ensure that the Sydney Olympic Park site becomes an active and vibrant town centre within metropolitan Sydney;
- d) to provide for a mixture of compatible land uses;
- e) to encourage diverse employment opportunities;
- f) to promote ecologically sustainable development and minimise any adverse effect of land uses on the environment; and
- g) to encourage the provision and maintenance of affordable housing.

The proposed development is consistent with the objectives of the B4 Mixed Use Zone in that:

- it would not adversely affect the major events capabilities of Sydney Olympic Park;
- the site is located in close proximity to accessible public transport services;
- it will provide a mix of compatible land uses;
- it will incorporate a number of ESD initiatives; and
- it would generate construction and operational employment opportunities.

The proposed development is permissible with consent under Clause 9(3) of Part 23 of Schedule 3 of the MD SEPP.

Clause 16 Subdivision – Consent Requirements

Subdivision of land within the Sydney Olympic Park requires consent, with the exception of subdivision which relates to widening a public road, minor boundary realignment, lot consolidation, rectifying an encroachment on a lot, creating a public reserve or exercising a lot to be used for public purposes. The proposed development does not involve subdivision.

Clause 18 Height of Buildings

The height of a building on any land within the Sydney Olympic Park site is not to exceed the maximum height shown for the land on the Height of Buildings Map or the Reduced Level Map, whichever is applicable. The site has a maximum height of 33m on the Height of Buildings Map.

The proposed building will have a maximum height of 27.8 m and therefore complies with the 33 m height limit.

Clause 19 Floor space ratio

The maximum floor space ratio for a building on any land within the Sydney Olympic Park site is not to exceed the floor space ratio shown for the land on the Floor Space Ratio Map. The Floor Space Ratio Map identifies that the site has a FSR control of 2.5:1 for the site.

The GFA of the proposed development and Nos 3 and 5 Murray Rose Avenue would result in an FSR of 1.74:1 for the entire development site (site 60A and 60B under SOP Master Plan 2030), and therefore complies with the FSR control.

Clause 20A Demolition Requires Consent

The demolition of a building or work requires consent, unless it is identified as exempt development in an applicable environmental planning instrument. The site is currently used for at-grade parking and road access and there are no buildings on the site.

Clause 22 Exceptions to development standards—other development

Development consent may be granted for development, even though the development would contravene a development standard imposed by the MD SEPP or any other environmental planning instrument, provided the consent authority considers a written request from the

applicant that seeks to justify the contravention of the development standard, the proposal is in the public interest and the concurrence of the Secretary is obtained.

The proposed development complies with the development standards under the MD SEPP.

Clause 23 Public utility infrastructure

The consent authority is required to be satisfied that any public utility infrastructure that is essential for the proposed development is available or that adequate arrangements have been made to make that infrastructure available when required.

The EIS's and appendices for the development identify that the site has access to a full range of utility services, including potable and non-potable water, sewer, gas and electricity. A condition has also been included requiring the applicant to consult and obtain written advice from various utility service providers regarding connection, relocation and/or adjustment of any services affected by the development.

Clause 24 Major events capability

The consent authority is required to consider impacts of the proposal during major events held within the Sydney Olympic Park site, including consideration of traffic, crowd management, functioning of major event infrastructure, and emergency evacuation plans.

The Department has recommended the preparation of an Event Management Assessment in consultation with SOPA prior to the issue of an occupation certificate.

Clause 25 Transport

Development consent must not be granted for development on land within the Sydney Olympic Park site unless the consent authority is satisfied that the development includes measures to promote public transport use, cycling and walking.

The site is 330 m walking distance of Sydney Olympic Park Railway Station. The site is also close to bus routes along Australia Avenue which service Olympic park opposite Sydney Olympic Park Railway Station and close to bus services on Australia Avenue and Murray Rose Avenue.

A Workplace Travel Plan to promote public transport use, cycling and walking will be prepared by the future tenants in consultation with SOPA.

Clause 26 Master Plan

Development consent must not be granted for development on land within the Sydney Olympic Park site to which a Master Plan applies unless the consent authority has considered that Master Plan.

Detailed consideration of the relevant provisions of the Master Plan is provided below within **Appendix B**.

Clause 30 Design excellence

Development consent must not be granted for development that is the erection of a new building or external alterations to an existing building unless the consent authority has considered whether the proposed development exhibits design excellence.

In considering whether proposed development exhibits design excellence, the consent authority must have regard to the following matters:

- whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved;
- whether the form and external appearance of the building will improve the quality and amenity of the public domain;

- whether the building meets sustainable design principles in terms of sunlight, natural ventilation, wind, reflectivity, visual and acoustic privacy, safety and security and resource, energy and water efficiency; and
- if a competition is held in relation to the development, the results of the competition.

The consideration of the proposal is provided in **Section 4.2.1** of this report, and on the basis of this assessment, the Department is satisfied that the proposed development has regard to the principles for design excellence.

State Environmental Planning Policy No. 55 – Remediation of Land

State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55) is the primary environmental planning instrument guiding the remediation of contaminated land in NSW. SEPP 55 aims to:

- provide a state-wide planning approach to the remediation of contaminated land;
- identify when consent is required or not required for a remediation work;
- specify certain considerations that are relevant to applications for consent to carry out remediation work; and
- require that remediation work meet certain standards and notification requirements.

Clause 7 of SEPP 55 identifies that a consent authority must not consent to the carrying out of any development on land unless:

- it has considered whether the land is contaminated;
- if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out; and
- if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.

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.

A detailed site investigation prepared Douglas Partners (DP) included a review of available historical information, the drilling of boreholes, the installation of groundwater monitoring wells, soil and groundwater sampling, laboratory analysis and interpretation of the results.

The site history information indicates the site was used for commercial or industrial purposes in the past. No specific contaminating activities were identified although industrial processes undertaken on the site may have included the use of selected chemicals such as hydrocarbons. Several buildings constructed in the mid-20th century have also been demolished on the site which indicates the possibility of asbestos being present. The soil samples analysed from the 11 test locations exhibited contaminant concentrations within the adopted assessment criteria for the site. This result differs from the two development sites to the north (3 and 5 Murray Rose Avenue) and is likely to be due to the fact that very little filling was encountered on 4 Murray Rose Avenue when compared to the other sites.

Asbestos was not observed in the boreholes nor detected in the laboratory samples analysed, although the possibility of asbestos being present on the site should not be discounted due to previous demolition activities that have been undertaken.

On the basis of the results of this Detailed Site Investigation, the soils that will remain on the site following bulk excavation works are considered suitable for the proposed commercial land use.

Groundwater samples contained elevated concentrations of several organic compounds, although a specific on-site source of the contaminants is not apparent.

If the source is found to be on the site (e.g. underground storage tanks, buried drums etc.) then it will be removed as part of the basement excavation works. If the source is not on the site then the quality of the groundwater in the wells is likely to be indicative of regional groundwater quality.

On the basis of the results of this Detailed Site Investigation, the quality of the groundwater should not hinder the proposed redevelopment of the site for commercial purposes provided that disposal of seepage water is undertaken in accordance with regulatory requirements.

The Department is satisfied that the proposal adequately addresses the requirements of SEPP 55.

State Environmental Planning Policy (Infrastructure) 2007

The aim of the Infrastructure SEPP is to assist in the effective delivery of public infrastructure throughout the state and identifies matters to be considered in the assessment of development adjacent to particular types of infrastructure, such as classified road and rail corridors.

Where development lies within 25 m of an existing rail corridor, clause requires the consent authority to consult with the rail authority prior to any determination. The proposed development is located opposite Olympic Park Railway Station to the south of Murray Rose Avenue. The proposed development was referred to RailCorp, however no comments were received. Notwithstanding, the Department has included standard conditions on the consent similar to those imposed on the adjoining site 8B in relation to dilapidation surveying and reporting, electrolysis, noise and vibration impacts, demolition, construction and operation impacts and geotechnical requirements.

In accordance with clause 104 (Traffic-generating development), the proposed development was referred to the Roads and Maritime Services (RMS) however, no comment was received. Notwithstanding, the applicant prepared a traffic assessment report that has demonstrated that the proposed development can be accommodated within the existing road network.

State Environmental Planning Policy (Sydney Harbour Catchment) 2005

The Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (Harbour REP) aims to ensure that the catchment, foreshores, waterways and islands of Sydney Harbour are recognised, protected, enhanced and maintained as an outstanding natural asset, and as a public asset of national and heritage significance, for existing and future generations.

Although the Harbour REP applies to the entire Sydney catchment area (including the subject site) and provides a number of broad planning principles in clause 13 of the Harbour REP, it primarily provides planning provisions relating to the foreshores and waterways area of the Harbour REP. The site is a significant distance from the immediate waterways or foreshore areas and is unlikely to be visible from Homebush Bay and Parramatta River due to intervening development. Accordingly, the proposed development is unlikely to impact on the visual qualities of Sydney Harbour.

The proposed development includes stormwater drainage which would provide for the controlled management of stormwater and runoff from the site.

The Department therefore considers the proposed development is consistent with the relevant planning principles of clause 13 of the Harbour REP.

Sydney Olympic Master Plan 2030

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

SOP Master Plan provides 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 controls would apply. The relevant controls are addressed in Table 1 below.

Table 1: Sydney Olympic Park Master Plan 2030 Compliance Table

General Controls and Guidelines	Applicable Requirements	Compliance
4.2 Sustainability		
4.2.1	- Engage an ESD consultant as a project team member.	Yes – Lend Lease
	- Connect all new development to SOP's recycled water system.	Yes
	- Priorities sustainable material selection.	Yes
	- Non-residential development to achieve min. v3 5 star GreenStar Green Building Council of Australia rating and 4.5 Star NABERS Energy rating.	Yes
	- Consideration of rising sea levels.	N/A
4.3 Public Domain		
4.3.1	- Provide a continuous and accessible pedestrian network within streets, public spaces and parks as shown in Figure 3.6 Street Hierarchy	Yes
	- Connect to the local and regional pedestrian network as shown in Figure 3.6 Street Hierarchy	Yes
	- Use the standards for furniture and lighting set out in Sydney Olympic Park Urban Elements Design Manual 2008	Yes
	- Building heights and setbacks should be configured to ensure urban domain receives daily min. of 2hrs direct sunlight between 9am and 3pm, 30 June.	Partial. The new park will be overshadowed due to the orientation of the building
	- Provide weather protection at communal entrances.	Yes
	- Max. surveillance of public domain and views of public areas from building.	Yes
	- Activate ground floor levels with primary retail uses.	Yes
	- Introduce multiple entrances to activate the public domain wherever possible.	Yes

General Controls and Guidelines	Applicable Requirements	Compliance
	- Divide large facades into smaller sections to modulate street frontage and ensure architectural detailing incorporates good materials and details of interest to pedestrians.	Yes
	- Glaze ground floor windows and doors for retail uses with clear glass and provide good lighting at night.	Yes
	- Commercial outdoor seating to support food and beverage outlets is encouraged to activate the public domain	
	- Provide street colonnades to the full extent of the street frontage of buildings in locations nominated in Figure 4.2 Awnings and Colonnades	Yes.
	- Design colonnades to be well proportioned, high quality public domain elements	
	- The colonnade floor is to align with adjoining external ground levels	
	- The colonnade width is to be 4m	
	- For continuity, the height of the colonnade soffit is to be consistent along entire blocks	
	- Provide awnings as nominated to the full extent of the street frontage for non-residential buildings.	Yes
	- Awnings are not to continue across site links and building separations.	Yes
	- Awnings are to be 3m wide.	No – the 10m awning width is consistent with the building design.
	- Awnings are to extend across the entire building elevation and be well design to reflect the building architecture, complement the streetscape and be supported from the building.	Yes
	- Awnings to drain towards the building to eliminate gutters and downpipes from the street edge	Yes
	- Awning lighting is to be recessed	Yes
	- Ensure trees and vegetation do not block lighting or field of vision of pedestrians in the public domain	Yes
	- Promote good surveillance of parks and public spaces by making them comfortable and attractive with well positioned and designed seating and opportunities for shade	Yes

General Controls and Guidelines	Applicable Requirements	Compliance
4.4 Event Access and Closures		
4.4.1	- Maintain access to development site during events requiring vehicle access points to be located away from affected streets.	Yes
4.4.1.6	- Event Impact Statement to be provided to be assessed by SOPA in accordance with Major Event Impact Assessment Guidelines for SOP.	Yes
4.5 Land Use and Density		
4.5.1	- Ground level active uses are to have minimum depth of 3m.	Yes
4.5.2	- Max. 2.5:1 FSR permitted for subject site and is to be calculated on the basis of the FSR boundaries as specified in the precinct controls.	Yes – 1.74:1 FSR (includes the GFA of Nos. 3 and 5 Murray Rose Avenue for the entire Site 60)
	- The max. FSR will be granted only when the following controls are complied with: building zone, building depth, building height, building separation, building setback, open space and deep soil zone.	The proposal complies with the FSR control.
4.5.3	- Before consent is given for commercial development, consent authority to determine whether adequate capacity exists within the transport and road networks.	Yes
4.6 Building Form and Amenity		
4.6.2	- Locate buildings within building zone and ensure building layouts optimize solar access, natural light, cross ventilation, usable communal outdoor areas and views.	Yes
4.6.3	- Preferred max. commercial building depth without atria and light wells is 25m.	No – internal spaces will achieve adequate amenity in terms of solar access.
	- Ensure all work stations on an office floor are 12m or less from an external window or atrium for buildings up to 8 storeys high.	No – as above

General Controls and Guidelines	Applicable Requirements	Compliance
	- Underground car parking to be concentrated to building footprint.	Yes – partially extends beyond footprint, but still within site boundaries.
4.6.4	- Comply with max. heights nominated in Building Heights Plan – 8 storeys	Yes
	- Minor increases in height may be considered if: <ul style="list-style-type: none"> ▪ Site conditions make controls unworkable; ▪ There are demonstrable improvements to urban form and height transition; ▪ Resident amenity is not adversely affected; ▪ There is no impact on public open space and parklands. 	N/A
	- All developments over 25m high will require assessment by a wind consultant.	Max. building height of 27.8 m proposed. A Wind Assessment has been submitted with the application
	- Comply with the minimum floor to ceiling heights: <ul style="list-style-type: none"> ▪ 3.3m for Ground Floors; and ▪ 2.7m above Ground Floors. 	No – 3.155m Ground Floor Yes – 2.7m Above Ground Floors
4.6.5	- Max. rooftop service zone height is 5m and setback min. 3m from parapet.	Partial No - 5.2m plant height; Yes – minimum 4.05m setback to the western edge of the building; - 12m eastern side setback; and - 6.8m front setback.
	- Total area in plan above the max. building height for services may not exceed 80% of the building footprint area.	Yes – services zone equates to approx. 23 per cent in plan.
	- Design lift towers, machinery plant rooms, stacks, vent pipes and television antennae to minimise their visibility and size.	Yes
	- The design of rooftop structures is to be integral with the overall building design.	Yes
4.6.6	- Ensure courtyards and atria in commercial buildings have a min. width of 9m.	N/A

General Controls and Guidelines	Applicable Requirements	Compliance
	- Min. separation of 24m required between commercial buildings facing habitable rooms in residential buildings.	N/A – no residential developments within proximity.
4.6.7	- Comply with building setbacks – build to line (min. 90%).	Yes – building proposed to boundary line along southern boundary and setback 5m to the western boundary.
	- Ensure building facades reinforce street alignment.	Yes
	- Above ground articulation in the form of balconies, sunscreens and bay windows and the like may extend 300mm into front setback zone.	N/A – no balconies or bay windows or the like proposed.
4.6.9	- Disability Access Strategy to be prepared and submitted to the satisfaction of SOPA and the consent authority to satisfy <i>SOPA Access Guidelines (2008)</i> .	Yes
	- Ensure equitable access is provided to the main building entrance from both the street and car parking areas.	Yes
	- Ensure car parking provisions comply with relevant Australian Standards.	Yes
	- Locate accessible car parking spaces at the most convenient place for users.	Yes
4.6.10	- Proposal to be designed as a result of a design competition	Yes
4.6.11	- To promote high quality architecture and urban streetscapes: <ul style="list-style-type: none"> ▪ well modulated and scaled building facades to reflect the aspect, uses and streetscape; ▪ building façade design to create well defined and integrated streetscape; ▪ ensure prominent elements are well articulated; ▪ provide modulation to building frontages; ▪ provide appropriate forms of sun shading to screen eastern, northern and western sun; ▪ ensure main building entrances are level with adjacent footpaths; and ▪ provide individual entry to at least 75% of ground floor apartments in mixed use zone and 50% of ground floor apartments in residential zone. 	Yes – The proposed development was reviewed by the SOPA Design Review Panel.

General Controls and Guidelines	Applicable Requirements	Compliance
4.6.12	<ul style="list-style-type: none"> - Ensure buildings are designed to contribute to the natural surveillance of adjacent streets and public space. 	Yes – predominant glass façade maximises natural surveillance opportunities to public domain
	<ul style="list-style-type: none"> - Ensure retail or active uses on the ground floor open directly onto the street and have a clear visual connection with the street. 	Yes – proposed retail shells have direct access to Murray Rose Avenue, separate from the building entrance for the commercial floors above.
4.6.14	<ul style="list-style-type: none"> - Commercial office development should have capacity for openable windows. 	No – proposed façade treatment does not allow for windows to be opened.
4.6.15	<ul style="list-style-type: none"> - New development to acknowledge it will be located within a major sport and entertainment events precinct that may be subject to high noise events from time to time. 	Yes
	<ul style="list-style-type: none"> - Acoustic report must be prepared for new developments assessing the possibility of land use conflicts as a result of the development. 	Yes
	<ul style="list-style-type: none"> - All plant rooms shall be designed to meet the requirements of the NSW Industrial Noise Policy. 	Yes
	<ul style="list-style-type: none"> - Design commercial development to comply with the maximum internal noise criteria. 	Yes
4.6.16	<ul style="list-style-type: none"> - Waste Management Plan to be submitted with all DA's to the satisfaction of SOPA. 	Yes.
	<ul style="list-style-type: none"> - Minimise waste during the design of a building. 	Yes – proponent committed to incorporating re-use and recycling of building materials to achieve the projects Green Star obligations.
	<ul style="list-style-type: none"> - Prioritise the procurement of: <ul style="list-style-type: none"> ▪ Modular and prefabricated building and Fitout components; ▪ Sustainable building materials; and ▪ Incorporate re-used or recycled materials such as steel and concrete. 	As above
	<ul style="list-style-type: none"> - A min. 80% of construction and demolition waste must be recycled or re-used. 	As above

General Controls and Guidelines	Applicable Requirements	Compliance
	- Include space for on-site waste management infrastructure that maximises the opportunities for the sorting and segregation of waste materials.	Yes – on-site garbage and recycling room proposed.
	- Locate waste management areas out of public areas so as to not cause offence with regard to smell, visual amenity and noise.	Yes – garbage and recycling room located inside the building adjacent to the basement driveway.
	- Locate waste management areas wholly within building.	Yes
	- Design waste management areas to allow collection vehicles to enter and exit the development in a forward direction.	Yes
	- Minimise operation waste by avoiding the uses of packaging materials or using materials that are easily recycled and by separating and recovering paper and food waste.	Yes
4.7 Access and Parking		
4.7.1	- All parking is to be underground.	Yes
	- Vehicle access points are to be designed to satisfy relevant Australian Standards.	Yes
	- To improve safety and public domain amenity, vehicle access points are to be physically separate and clearly distinguishable and designed and built with clear sight lines for drivers and pedestrians.	Yes
	- To minimise visual intrusion and optimise active street frontages, driveways are to be as narrow as possible and have a garage door at the building line.	Yes
	- Minimise the width of driveways and blank walls to the public domain by consolidating car access, docks, servicing and waste disposal.	Yes
	- Servicing for retail and commercial developments is not permitted from streets required for servicing major events.	Yes
	- Provide car parking for non-residential development at the nominated max. rate – 1 space/80sqm (commercial) + 1 space/50sqm (retail) = 70 spaces + 14 spaces (max. 84 spaces).	No – 287 car spaces proposed.

Precinct Controls and Guidelines	Applicable Requirements	Compliance
	- Bicycle parking facilities to comply with AS2890.3-1993 and at the nominated min. commercial rate – 1 space/150sqm (permanent) and 1 space/750sqm (visitor bicycle storage) = 104 spaces and 21 spaces, respectively (125 in total).	No – 100 spaces for employees and 20 for visitors. The departure is minor.
	- Change rooms, showers and lockers for people walking, running or cycling to work are to be provided close to bicycle parking facilities to encourage sustainable transport options.	Yes
4.8 Transport Strategies and Infrastructure		
4.8.1	- All non-residential developments in the town centre are required to prepare and implement a Work Place Travel Plan. Work Place Travel Plans are to comply with SOPA's Travel Plan Guidelines.	Yes – a WTP will be prepared by future tenants in consultation with SOPA.
4.9 Landscape and Site		
	- Provide sufficient open space and ensure open space is functional and attractive	
4.10 Community Facilities		N/A – proposal does not impact on existing or planned community facilities.
5.6.3 Floor Space Ratio Controls	- FSR not to exceed not exceed the maximum FSR on the Floor Space ratios Plan.	Complies – maximum FSR of 1:1 for entire precinct area
5.6.5 Building Height Controls	- Heights shall comply with storey heights and may not exceed the maximum Reduced Level (RL) where noted on the Building Heights Plan.	Complies – proposal is for a 6 storey development.
5.6.6 Building Zone and Setback Controls	- Building is not permitted in the easements, setbacks or public land dedicated for public domain, land dedicated for ICF Funded Streets or easements dedicated for development funded streets.	Complies – proposal is clear of any existing easements and land identified for public domain and streets.
5.6.7 Event Controls	- Ensure all developments can accommodate the changes to access required and are designed and built to accommodate public domain closures.	Yes – access arrangements have been considered in full in response to the various events held within SOP.
	- Locate the vehicle access points to developments as detailed.	Yes

APPENDIX C GLOSSARY

Delegated Authority

On 27 February 2013, the then Minister for Planning and Infrastructure delegated his functions under section 89E of the *Environmental Planning and Assessment Act 1979* to the Executive Director, Development Assessment Systems and Approvals to determine applications where:

- (a) the relevant council has not made an objection, and
- (b) a political disclosure statement has not been made, and
- (c) there are less than 25 public submissions in the nature of objections.

Ecologically Sustainable Development can be achieved through the implementation of:

- (a) *the precautionary principle - namely, that 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. In the application of the precautionary principle, public and private decisions should be guided by:*
 - (i) *careful evaluation to avoid, wherever practicable, serious or irreversible damage to the environment, and*
 - (ii) *an assessment of the risk-weighted consequences of various options,*
- (b) *inter-generational equity—namely, that the present generation should ensure that the health, diversity and productivity of the environment are maintained or enhanced for the benefit of future generations,*
- (c) *conservation of biological diversity and ecological integrity—namely, that conservation of biological diversity and ecological integrity should be a fundamental consideration,*
- (d) *improved valuation, pricing and incentive mechanisms—namely, that environmental factors should be included in the valuation of assets and services, such as:*
 - (i) *polluter pays—that is, those who generate pollution and waste should bear the cost of containment, avoidance or abatement,*
 - (ii) *the users of goods and services should pay prices based on the full life cycle of costs of providing goods and services, including the use of natural resources and assets and the ultimate disposal of any waste,*
 - (iii) *environmental goals, having been established, should be pursued in the most cost effective way, by establishing incentive structures, including market mechanisms, that enable those best placed to maximise benefits or minimise costs to develop their own solutions and responses to environmental problems.(Cl.7(4) Schedule 2 of the Regulation)*

Objects of the Act

- (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.

Relevant Environmental Planning Instruments

These are EPIs that are required to be taken into consideration in the assessment of the project under s. 79C. A detailed evaluation of each is provided at Appendix B.

Section 79C Evaluation

(1) Matters for consideration—general

In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:

(a) the provisions of:

- (i) any environmental planning instrument, and*
- (ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Director-General has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and*
- (iii) any development control plan, and*
- (iiia) any planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F, and*
- (iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), and*
- (v) any coastal zone management plan (within the meaning of the Coastal Protection Act 1979),*

that apply to the land to which the development application relates,

- (b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,*
- (c) the suitability of the site for the development,*
- (d) any submissions made in accordance with this Act or the regulations,*
- (e) the public interest.*

Note. See section 75P (2) (a) for circumstances in which determination of development application to be generally consistent with approved concept plan for a project under Part 3A.

Note. The consent authority is not required to take into consideration the likely impact of the development on biodiversity values if:

- (a) the development is to be carried out on biodiversity certified land (within the meaning of Part 7AA of the Threatened Species Conservation Act 1995), or*
- (b) a biobanking statement has been issued in respect of the development under Part 7A of the Threatened Species Conservation Act 1995.*