



**No.2 Figtree
Drive, Sydney
Olympic Park
Design
Changes**

State Significant
Development
Modification Assessment
(SSD 7662 MOD 2)

March 2019

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Glossary

| Abbreviation | Definition |
|-----------------|---|
| ADG | Apartment Design Guide |
| Applicant | Mirvac Projects Pty Ltd |
| Application | SSD 7662 MOD 2 |
| BCA | Building Code of Australia |
| CBD | Central Business District |
| CIV | Capital Investment Value |
| Consent | Development Consent |
| Council | City of Parramatta Council |
| DDA | Disability Discrimination Act 1992 |
| Department | Department of Planning and Environment |
| EIS | Environmental Impact Statement |
| EPA | Environment Protection Authority |
| EP&A Act | Environmental Planning and Assessment Act 1979 |
| EP&A Regulation | Environmental Planning and Assessment Regulation 2000 |
| EPBC Act | Environment Protection and Biodiversity Conservation Act 1999 |
| EPI | Environmental Planning Instrument |
| EPL | Environment Protection Licence |
| ESD | Ecologically Sustainable Development |
| GFA | Gross Floor Area |
| LEP | Local Environmental Plan |
| Minister | Minister for Planning |
| OEH | Office of Environment and Heritage |
| RMS | Roads and Maritime Services |
| RtS | Response to Submissions |
| Rw | Weighted Sound Reduction Index |
| SEARs | Secretary's Environmental Assessment Requirements |
| Secretary | Secretary of the Department of Planning and Environment |
| SEPP | State Environmental Planning Policy |
| SOP | Sydney Olympic Park |
| SOPA | Sydney Olympic Park Authority |
| SRD SEPP | State Environmental Planning Policy (State and Regional Development) 2011 |
| SSD | State Significant Development |



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1. Introduction

This report provides an assessment of an application to modify the State Significant development consent (SSD 7662) for a mixed-use development at 2 Figtree Drive, Sydney Olympic Park (SOP).

The application has been lodged by Mirvac Projects Pty Ltd (the Applicant) pursuant to section 4.55(1A) of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and seeks to make minor design changes including a new sky bridge and relocation of indoor communal space.

1.1 Background

The site is located at 2 Figtree Drive within SOP and is legally described as Lot 22 in DP 787402 and part Lot 10 in DP 1185060. The site is bounded by Australia Avenue to the east, Figtree Drive to the north, a commercial building at 4 Figtree Drive to the west, and a landscaped corridor known as Linear Park to the south, which adjoins the Olympic Park Railway Line (**Figures 1 and 2**). The site is located in the Parramatta local government area and has a total area of 12,697 m².



Figure 1 | Site location (Base source: Nearmaps)

Following the completion of the 2000 Olympics, SOP has undergone a significant urban transformation into a high density mixed-use precinct. Whilst SOP continues to be one of Sydney's and Australia's premier sporting and entertainment precincts, it also supports an emerging town centre with a range of commercial office, retail and residential uses, expansive urban parklands, heritage areas and protected ecological habitats (**Figure 2**).

The SOP area is located approximately 14 km west of the Sydney CBD, and 8 km east of the Parramatta CBD, and extends from the Parramatta River in the north to the M4 Motorway and Parramatta Road in the south.

SOP is managed by the Sydney Olympic Park Authority (SOPA), who manage the development of SOP through the Sydney Olympic Park Master Plan 2030 (the Master Plan). SOP is also identified as a Strategic Centre in the Greater Sydney Region Plan, and forms part of the Greater Parramatta to Olympic Peninsula Economic Corridor, stretching from Westmead, through to the Parramatta CBD, Silverwater and SOP.



Figure 2 | Sydney Olympic Park with the site shown in red (Base source: Google Maps)

1.2 Approval History

On 8 September 2017, development consent was granted by the Acting Executive Director, Key Sites and Industry Assessments, for a mixed-use development at Site 53, 2 Figtree Drive, Sydney Olympic Park (SSD 7662), including:

- a total Gross Floor Area (GFA) of 62,655 m², comprising 61,155 m² of residential GFA (705 apartments) and 1,500 m² of retail GFA
- four residential buildings, with ground floor retail, ranging in height between nine and 35 storeys
- a basement car park with 720 car parking spaces
- landscaping, access and public domain works.

The layout of the approved development is shown at **Figure 3**. The Department notes the fourth building in the development is known as Building 5.

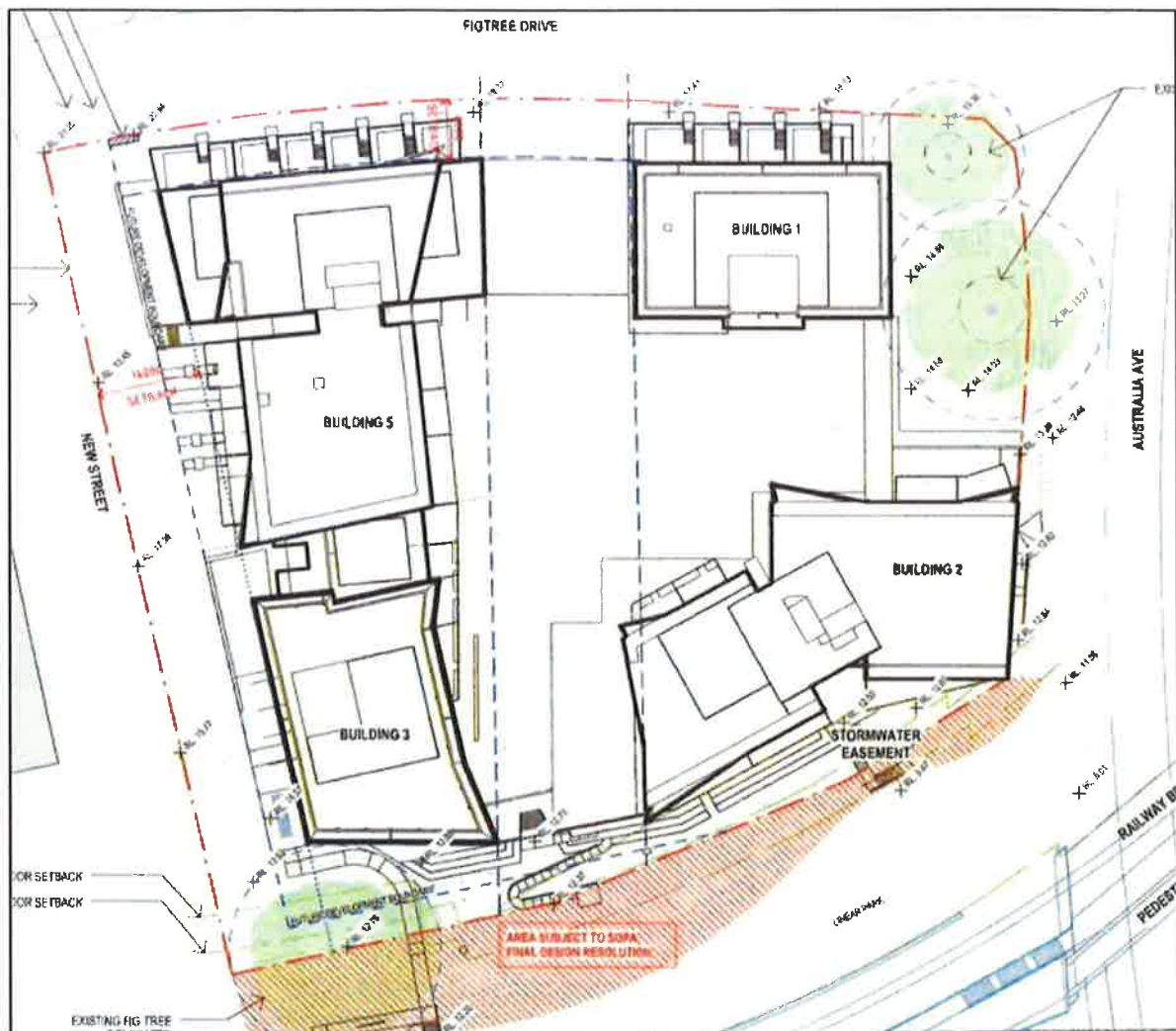


Figure 3 | Approved development layout (Source: SSD 7662)

MOD 1

On 6 December 2018, the Director, Key Sites Assessments, approved SSD 7662 MOD 1 for alterations including:

- reduction in units from 705 to 698
- provision of new communal recreation space, pet cleaning room, music room and bicycle repair workshop
- increase in height of lift overrun and area of rooftop plant area services, provision of new awnings, new and expanded balconies and courtyards
- external alterations to louvres, privacy screens and external stairs and windows
- decrease bicycle parking spaces from 1025 to 1017
- internal alterations, including internal alterations to the basement.



2. Proposed Modification

The modification application seeks approval for modifications to the approved mixed-use development, including:

- convert all five apartments on level 9 of Building 3 to indoor communal space area (456.1 m²)
- convert the approved indoor communal space area on level 9 of Building 5 into four residential apartments
- a new semi-open sky bridge to connect Building 3 and Building 5 on level 9
- remove the roof plant screens on the roof of level 8, between Building 3 and Building 5, and replace with planter boxes
- adjust the approved RLs of level 8 and level 9 of Building 3 by 0.1 m to account for increased slab thickness
- convert Apartment 50101 on the ground floor of Building 5 into a leasing office
- convert Apartment 50108 on the ground floor of Building 5 into a temporary display suite
- identify Apartment 20301 (Building 2) as an adaptable unit and 52311 (Building 5) as a livable unit.

There is no change proposed to the approved gross floor area (GFA) (62,655.40 m²), Floor Space Ratio (FSR) or height of the development. The building envelope remains unchanged except for the semi-open sky bridge connecting Building 3 and Building 5. However, the proposed modification would result in a reduction of two apartments from 698 to 696.

The proposed modifications are compared to the approved plans in **Figures 4 to 10**.



Figure 4 | Approved (left) apartments and proposed (right) indoor communal space on level 9 of Building 3

(Source: BVN)



Figure 5 | The approved indoor communal space (above) and the four proposed apartments (below) on level 9 of Building 5 (Source: BVN)



Figure 6 | The Proposed semi-open sky bridge to connect Building 3 and Building 5 on level 9
(Source: BVN)



Figure 7 | Approved (left) and proposed (right) removal of roof plant screen on the roof of level 8 of between Building 3 and Building 5 (Source: BVN)



Figure 8 | The approved (above) and proposed (below) RLs of level 8 and level 9 of Building 3 to account for the increased slab thickness (Source: BVN)

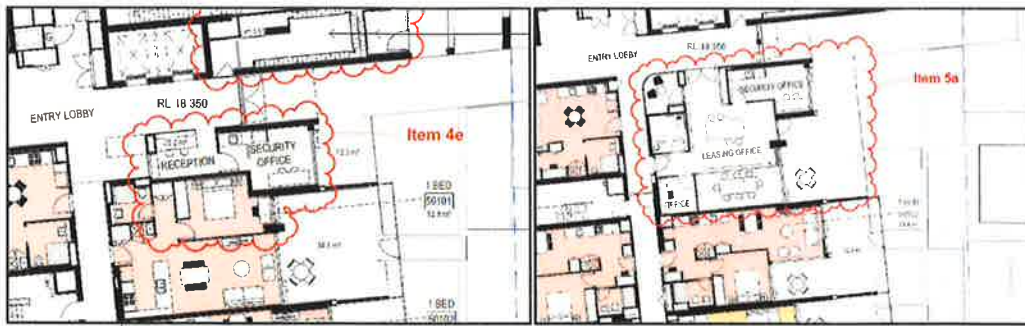


Figure 9 | Approved Apartment 50101 (left) and proposed conversion into leasing office (right)
(Source: BVN)

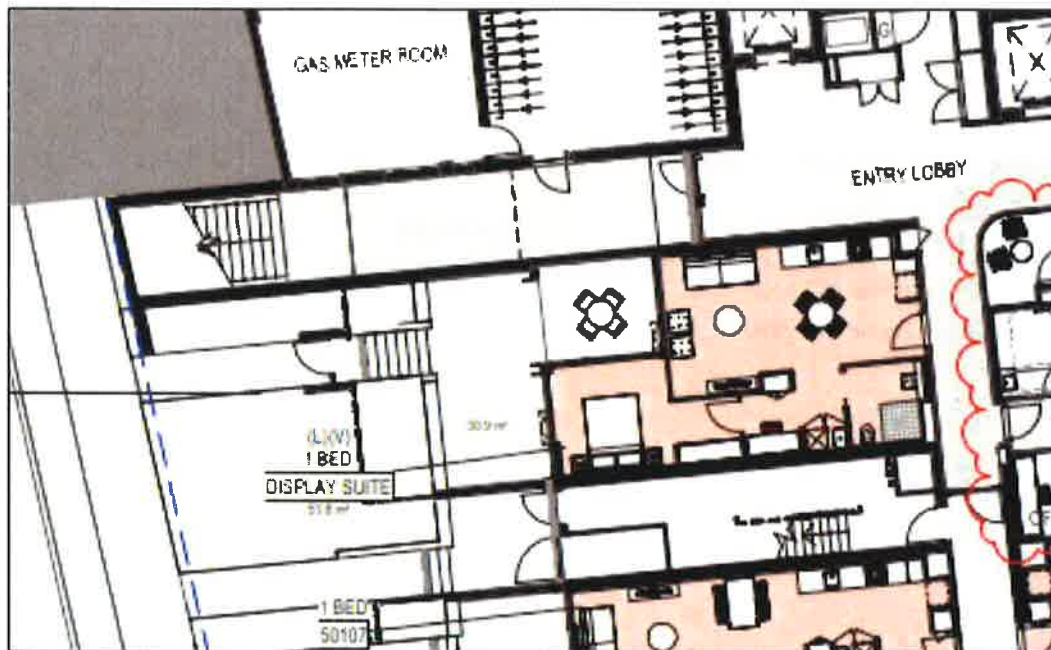


Figure 10 | Convert Apartment 50108 on the ground floor of Building 5 into a temporary display suite
(Source: BVN)

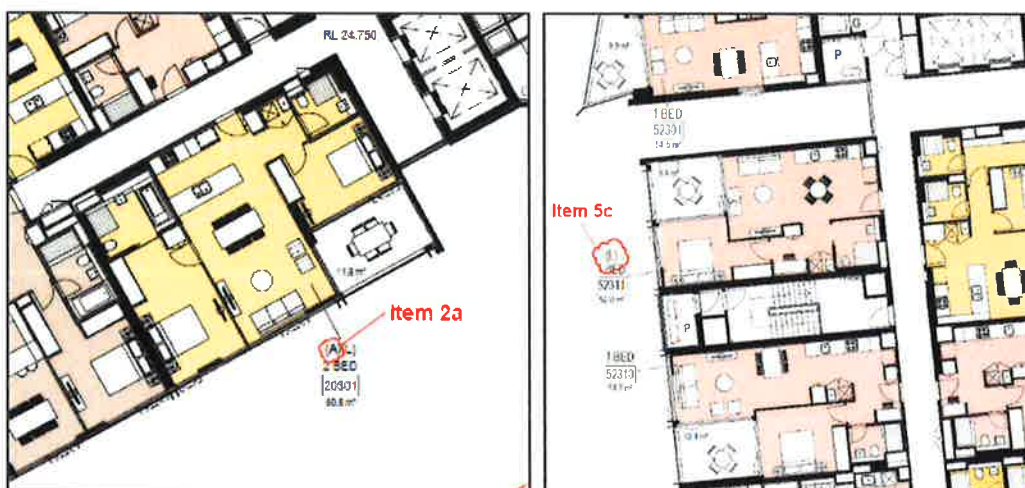


Figure 11 | Identify apartment 20301 (left) as an adaptable unit and 52311 (right) as a liveable unit (Source: BVN)

Table 1 | The approved and proposed unit mix

| | SSD 7662 MOD 1 | SSD 7662 MOD 2 |
|--------------------------|----------------|----------------|
| one bedroom apartments | 275 | 275 |
| two bedroom apartments | 328 | 327 |
| three bedroom apartments | 94 | 93 |
| four bedroom apartments | 1 | 1 |
| <i>Total</i> | <i>698</i> | <i>696</i> |

Table 2 | The location and extent of proposed changes to the unit mix

| Building 3 | Building 5 |
|---|--|
| Level 9: Remove apartments 30901, 30902, 30903, 30905, 30906 and convert to indoor communal space | Level 1: Convert Apartment 50101 into a temporary leasing office |
| - | Level 9: Convert the communal space into 4 Apartment units (50901a, 50901b, 50902a and 50902b) |



3. Strategic Context

3.1 Greater Sydney Region Plan

Since the original development was approved, the Greater Sydney Region Plan (GSRP) has been finalised. The Greater Sydney Region Plan supports a 40-year vision for a metropolis of three cities that will rebalance growth and deliver benefits more equally and equitably to residents across Greater Sydney.

SOP is identified as a Strategic Centre in the GSRP, and forms part of the Greater Parramatta to Olympic Peninsula Economic Corridor, stretching from Westmead, through to the Parramatta CBD, Silverwater and SOP. Within this corridor, Sydney Olympic Park is identified as a lifestyle precinct, offering the potential to attract anchor tenants specialising in sports, health and physical education.

The proposed modification is consistent with the GSRP as it would ensure the approved development can continue to provide a range of housing choices with SOP, which together with the approved retail floor space, would support the urban renewal of the SOP as a strategic centre providing homes in close proximity to employment opportunities.

3.2 Central City District Plan

The proposed modification application is consistent with the Central City District Plan's future vision for the area, as the modifications would facilitate the orderly and efficient refinement of the development approved under SSD 7662. The Department notes SSD 7662 would result in 900 construction jobs and 54 operational jobs.

3.3 Sydney Olympic Master Plan 2030

SOPA is responsible for managing development in SOP through the Sydney Olympic Park Master Plan 2030.

The Master Plan was approved by the Minister for Planning on 8 October 2009 and provides a comprehensive planning framework to guide the long-term urban transformation of SOP. The Master Plan intends to transform SOP into an active and vibrant suburb within metropolitan Sydney whilst ensuring it remains a major sporting and entertainment precinct.

A review of the Master Plan commenced in 2016 and was finalised in August 2018. The review was accompanied by an amendment to State Environmental Planning Policy (State Significant Precincts) 2005 (SSP SEPP) on 31 August 2018.

The review aimed to support additional residential, retail and commercial development, community facilities and sporting and entertainment venues at SOP. This was consistent with the Central City District Plan's vision for increased jobs and residential growth of SOP. The amendments included a significant uplift in height and density in SOP, particularly along Olympic Boulevard and Australia Avenue.

Site 53 is located in the Central Precinct. The southern section of this precinct is a high density residential area with an associated green corridor. The modification application is generally consistent with the provisions of the Master Plan, as discussed in **Section 6** of this report and at **Appendix B**.



4. Statutory Context

4.1 Scope of Modifications

A consent authority may modify a consent if it is satisfied the proposed modification application meets the requirements of section 4.55(1A) of the *Environmental Planning and Assessment Act 1979* (EP&A Act). An assessment of the proposed modification application against the requirements of section 4.55(1A) of the EP&A Act is provided in **Table 3**.

Table 3 | Consideration of section 4.55(1A) of the EP&A Act

| Section 4.55(1A) | Assessment |
|---|---|
| That the proposed modification is of minimal environmental impact | As discussed in Section 6 of this report, environmental impacts arising from the proposed modification are minor in nature and can be mitigated by the recommended conditions of consent (Appendix D). The Department is therefore satisfied the application would result in only minor environmental impacts beyond those already assessed in SSD 7662. |
| That the development to which the consent as modified relates is substantially the same development as the development for which consent was originally granted and before that consent as originally granted was modified (if at all). | The Department notes the modification application does not seek to alter the use of the site, FSR, GFA or overall height of the development. The capacity of the building and its operational arrangements would remain largely unchanged. Therefore, the Department is satisfied the development is substantially the same development for which consent was originally granted. |
| The application has been notified in accordance with the regulations. | Section 5 of this report demonstrates that the modification application followed the consultation requirements as outlined in the <i>Environmental Planning and Assessment Regulation 2000</i> (EP&A Regulation). |
| Any submission made concerning the proposed modification has been considered. | The Department received two submissions relating to the modification application. No objections were received. Refer to Section 5 of this report. |

4.2 Environmental Planning Instruments

The following Environmental Planning Instruments (EPIs) apply to the site:

- State Environmental Planning Policy (State & Regional Development) 2011 (SRD SEPP)
- State Environmental Planning Policy (State Significant Precincts) 2005 (SSP SEPP)
- State Environmental Planning Policy (Infrastructure) 2007 (ISEPP)
- State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55)
- Draft Remediation of Land State Environmental Planning Policy (draft SEPP Remediation)

- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004
- Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (SREP 2005)
- Draft Environment State Environmental Planning Policy (draft SEPP Environment)
- State Environmental Planning Policy 65 – Design Quality of Residential Apartment Development (SEPP 65).

The Department undertook a comprehensive assessment of the proposal against relevant EPIs in its original assessment. The Department has considered the above EPIs and is satisfied the proposed modification is consistent with these EPIs. Consideration of the modification application against the above EPIs, where relevant to the proposed changes, is provided at **Appendix B**.

4.3 Consent Authority

The Minister for Planning is the consent authority for the application under section 4.5(a) of the EP&A Act.

However, under the Minister's delegation dated 11 October 2017, the Director, Key Sites Assessments, may determine the application as:

- the relevant local council has not made an objection
- a political disclosure statement has not been made
- there are no submissions in the nature of an objection.

4.4 Objects under the Act

The Minister or delegate must consider the objects of the EP&A act when making decisions under the Act. The Department is satisfied the proposed modification is consistent with the objects of the EP&A Act.



5. Engagement

5.1 Department's Engagement

Section 4.55(1A) modifications are not required to be notified under the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation). However, the modification application was made publicly available on the Department's website and was referred to City of Parramatta Council and Sydney Olympic Park Authority (SOPA).

5.2 Summary of Submissions

Council raised no objection to the modification application and made comment that the Department's assessment should have adequate regard to the following matters:

- retention of design excellence
- no reduction in the size or quality of communal open space
- provision of adequately landscaped communal open space and solar access compliant with the ADG
- equitable access to the communal open space.

SOPA provided a submission confirming they did not raise any concerns with the modification application.

No submissions were received from members of the public.

5.3 Response to Submissions

The Department placed copies of the submissions received on its website and requested the Applicant provide a Response to Submissions (RtS). The Department also requested additional detail relating to the proposed display suite.

The Applicant provided a RtS on 21 February 2019 and attached apartment yield tables identifying the proposed temporary and permanent apartment figures. The RtS clarified the display suite is intended to operate as a temporary arrangement for approximately 6-12 months. The Applicant confirmed that no internal works are required to convert the residential unit to a display suite.

The RtS also responded to Council's comments and confirmed the application maintains design excellence and does not seek to reduce the size or quality of communal open space but only to modify the location and size of communal indoor space. The Applicant also noted the proposed sky bridge would ensure residents of Building 3 and Building 5 have equitable access to the relocated indoor communal space area.

The RtS was made publicly available on the Department's website and no public submissions were received.



6. Assessment

6.1 Section 4.15(1) Matters for consideration

Under section 4.55(3) of the EP&A Act, the consent authority must consider the matters referred to in section 4.15(1) of relevance to the development. **Table 4** identifies the matters for consideration under section 4.15 of the EP&A Act that apply to the proposed modification. The table represents a summary for which additional information and consideration is provided for in other sections of this report, as referenced in the table.

Table 4 | Consideration of section 4.15(1) of the EP&A Act

| Section 4.15(1) Matters for consideration | Department's assessment |
|---|--|
| (a)(i) any environmental planning instrument | The application complies with the relevant legislation as addressed in Section 4.2 and Appendix B of this report. |
| (a)(ii) any proposed instrument | The application complies with the relevant legislation as addressed in Section 4.2 and Appendix B of this report. |
| (a)(iii) any development control plan | Under clause 11 of the SRD SEPP, Development Control Plans (DCPs) do not apply to SSD. |
| (a)(iia) any planning agreement | Not applicable. |
| (a)(iv) the regulations | The application satisfactorily meets the relevant requirements of the EP&A Regulation, including the procedures relating to applications (Part 6), the requirements for notification (Part 6, Division 12) and fees (Part 15, Division 1AA). |
| (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, | The Department considers the development would not have adverse impacts on these matters (refer to Section 6 of this report). |
| (c) the suitability of the site for the development | The site is suitable for the development as addressed in Section 4 and 6 of this report. |
| (d) any submissions | The Department has considered the submissions received during the exhibition period (refer to Section 5 and 6 of this report). |
| (e) the public interest | The Department considers the application to be in the public interest as it would ensure the orderly and efficient sale and occupation of the apartments in a timely manner. The site would also continue to exhibit design excellence. |

The Department has considered the Applicant's modification application, the comments raised in Council's submission and the RtS in its assessment of the modification application. The Department considers the key issues associated with the proposal to be built form, residential amenity and noise. Other potential impacts are considered in **Section 6.4**.

6.2 New sky bridge

The modification seeks to include a new semi open sky bridge to connect Building 3 and Building 5 on level 9 (**Figure 6** and **Figure 12**). The sky bridge is sought to ensure that residents in both buildings have equitable access to the communal indoor space proposed to be relocated to level 9 of Building 3.

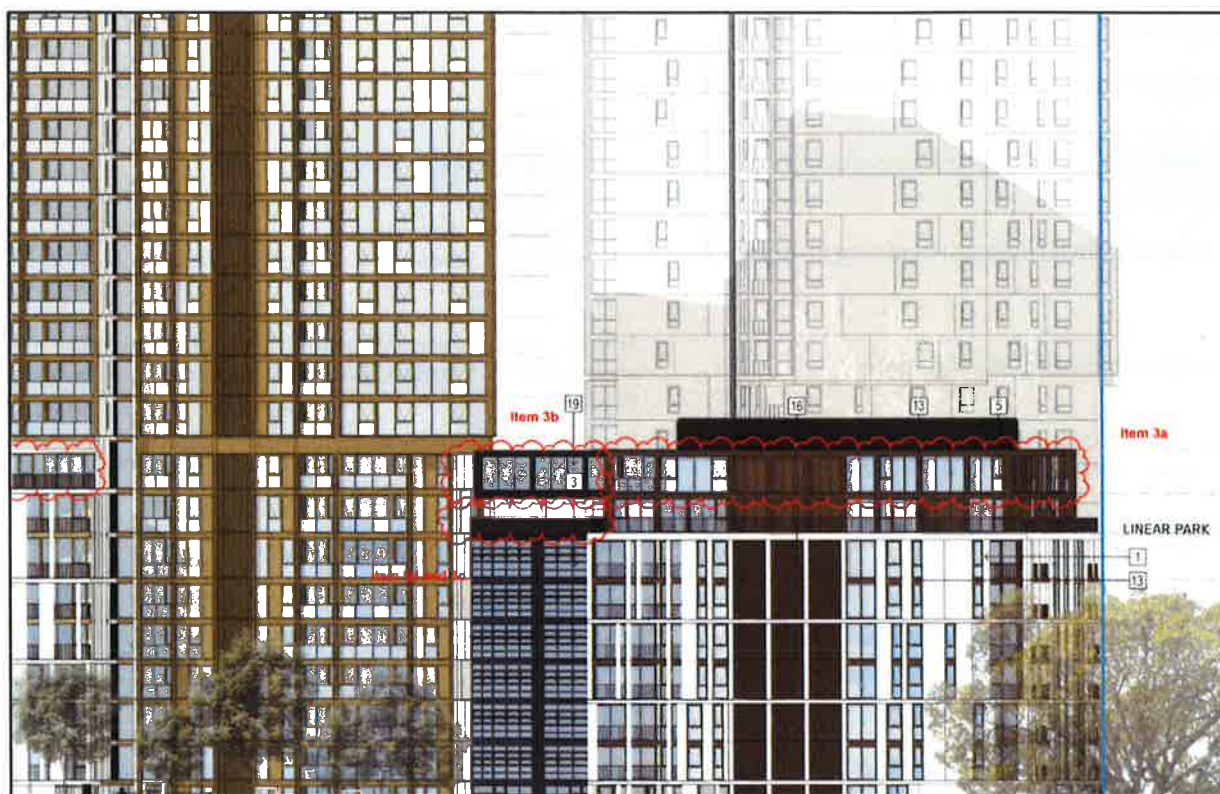


Figure 12 | The proposed sky bridge as viewed from the western elevation (Source: BVN)

The Department did not receive any submissions in relation to the sky bridge and consider the new access between Building 3 and Building 5 would ensure that residents in both buildings will have equal access to the indoor communal space. The Department does not consider the proposed sky bridge would have any adverse overshadowing or visual impacts and is therefore acceptable.

As pictured in **Figure 12**, the design of the proposed sky bridge would suitably integrate with the style of the broader development. The sky bridge would be constructed of similar materials and finishes, spaces windows consistently with other aspects of the development and maintain a consistent ceiling height with level 9 of Building 3. The sky bridge has been designed to be visually recessive and would not add significant massing to the buildings at the site.

The Applicant provided shadow analysis to assess the impact of the proposed change. The analysis demonstrated that due to the scale and location of the proposed sky bridge, it would not result in any additional overshadowing at the site beyond what was approved under SSD 7662. The property at 4 Figtree Drive will continue to be partially overshadowed during the morning of the winter solstice despite the majority of the overshadowing falling to the south across Sarah Durack Avenue during the day.

6.3 Residential Amenity

In its assessment of the approved development, the Department considered the proposal provided appropriate amenity for apartment style living, including good solar access and internal amenities. The modification application proposes a minor reduction in the total number of apartments, amendments to the unit mix and relocation of the communal indoor space area. The Applicant has submitted an updated design verification statement stating the modifications are consistent with the design quality principles and objectives of the ADG.

The Department has considered the proposal against the provisions of the ADG and is satisfied the proposed changes would not affect residential amenity as:

- the proposed development would result in a marginal increase in the number of apartments that receive a minimum of two hours direct sunlight on the winter solstice between 9 am and 3 pm (from 66% to 66.4%) and a similar increase between 9 am and 4 pm (73.2% to 73.5%)
- two additional apartments on level 9 of Building 5 (total of 20 apartments) would achieve the natural ventilation requirements in the ADG
- all proposed apartments comply with the minimum apartments size required under the ADG
- a condition of consent has been recommended to mitigate the potential for acoustic impacts arising from the relocated indoor communal space and
- the proposed development would not require any additional waste management equipment or practices.

A detailed Apartment Design Guide (ADG) assessment is included in **Appendix B**.

6.4 Noise

A communal area is proposed for level 9 of Building 3 (**Figure 4**). The proposed indoor communal area is 456.1 m² and would include three flexible spaces, an office, three meeting rooms, two lounge areas, a bar/café, games area and an outdoor terrace.

A detailed layout of the proposed indoor communal area is show in **Figure 13**.

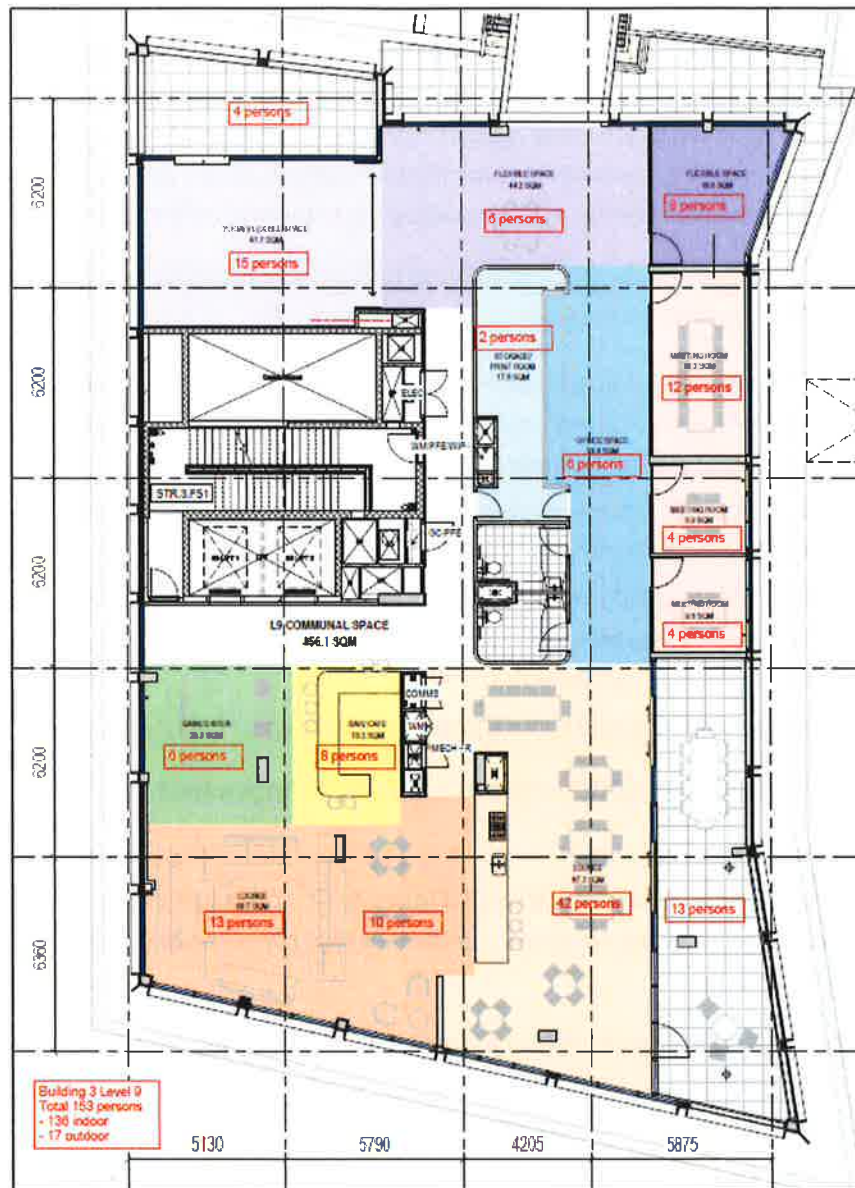


Figure 13 | The proposed layout and patron capacity of the indoor communal area (Source: BVN)

The Department notes the modification application seeks a maximum capacity of 153 people (136 indoor and 17 outdoor). This represents an increase of 71 people (86.5% increase) from the maximum capacity approved for the communal indoor space approved under SSD 7662 MOD 1.

The Applicant provided an acoustic assessment to consider the noise impact of the communal space upon surrounding apartments. The acoustic report concluded that the proposed indoor communal area was unable to comply with the noise requirements for the night time period. Due to the potential for surrounding apartments to be impacted, the acoustic assessment has recommended the following noise control measures:

- the use of the indoor communal area should be restricted to 7 am to 10 pm daily
- the windows in the flexible spaces should be closed when the room is in use
- windows in the flexible spaces and meeting rooms should be soundproofed (minimum Rw 32) and windows within the lounge, bar and gaming areas should also be soundproofed (minimum Rw 35)
- the speaker system to be installed in the area should be limited to 65dB(A)
- no amplified music should be permitted on the balconies at any time

- additional acoustic treatments to the floor and ceiling of the apartments below may be required during the design development.

The acoustic report also recommended a noise management plan be implemented to reflect the following noise management practices, including:

- all residents should be provided with the contact details of management and security personnel to report unruly conduct
- residents should be made aware that patron behavior is the responsibility of the event hosts and security may reserve the right to cancel the booking and clear the area in the event of unruly conduct
- signs should be erected at the entrances to the communal indoor area reminding patrons to be mindful of the adjacent residents.

The acoustic report notes these operational noise control measures should be reviewed by the executive committee on a regular basis, based on feedback from the adjacent residents and the strata body.

The Department notes the acoustic assessment has assumed that all areas of the indoor communal area are operating at full capacity 24-hours-a-day and has concluded that the noise goal for the night time period cannot be achieved even if all windows are closed. The Department has reviewed the documentation and consider it unlikely that all areas within the communal indoor space would be at maximum capacity 24-hours-a-day.

The Department also notes the site is not a licenced premises and the proposed bar and café area will not seek a liquor licence. An assessment in accordance with the NSW Office of Liquor and Gaming is therefore not required and a condition of consent is recommended to manage the consumption of alcohol in this area.

To facilitate the operation of the indoor communal area without adversely impacting adjoining residents, the Department recommends conditions of consent requiring further acoustic analysis during the design development phase, once materials and finishes have been confirmed. A condition of consent has been recommended to require a noise management plan be implemented to demonstrate compliance with the acoustic report prior to the occupation of the building.

The Department considers the potential acoustic impacts arising from the relocated and enlarged communal indoor space can be mitigated by the recommended conditions of consent and effective implementation of a noise management plan. The Department also considers the communal space provides a positive social benefit for the development and will contribute to the social cohesion and amenity of residents. The Department therefore concludes the proposed relocation and increase in size of the indoor communal space is acceptable.

6.5 Other issues

The Department's consideration of other issues is provided at **Table 5**.

Table 5 | Department's assessment of other issues

| Issue | Findings | Recommended Condition |
|---------|---|---|
| Traffic | <ul style="list-style-type: none"> • The modification application does not propose any changes to the approved car parking numbers, access or egress arrangements or the basement layout. • The Applicant has provided a traffic statement that notes the reduction in the overall number | <ul style="list-style-type: none"> • No additional conditions or amendments are necessary. |

of apartments has resulted in a surplus of three car parking spaces.

- It is proposed that the three additional spaces be allocated as additional spaces for the three-bedroom units.
- This will increase the parking rate for three-bedroom apartments to 1.74 spaces per three-bedroom unit.
- The reduction in apartments will also reduce the bicycle parking requirement by four bicycle spaces. The 1013 bicycle spaces provided will continue to meet the requirement of the Sydney Olympic Park Masterplan 2030.

Waste

- The Applicant provided a waste management statement confirming the adverse impacts upon the Waste Management Plan that was previously submitted for the site and that no additional bins or equipment are required.
- No additional conditions or amendments are necessary

Access

- The Applicant provided an Access Statement to assess the impact of the proposed design changes upon accessibility. The statement concludes the development, as modified, can achieve access provisions for people with disability as set out in the requirements of the Disability Discrimination Act (DDA), Building Code of Australia (BCA) and the Australian standards.
- No additional conditions or amendments are necessary

Design excellence

- The original development (SSD 7662) and SSD 7662 Modification 1 (**Section 1.2**) exhibited design excellence.
- The Applicant provided a design excellence statement from BVN Architecture that concluded the propose modification is minor in nature and would not impact on key design principles as approved under SSD 7662.
- The Department notes the correspondence and considers the proposed modification application would not undermine the design excellence achieved in the original application and MOD 1.
- No additional conditions or amendments are necessary

Increased slab thickness of Level 8 and Level 9 of Building 3

- To facilitate the construction of the new sky bridge, the concrete slab on level 8 and level 9 will need to be increased in thickness by 0.1 m (**Figure 8**).
- The Department notes the proposed change is minor, would not alter the overall height of Building 3 and would not result in any adverse environmental impacts.
- The Department therefore concludes the proposed increase to the thickness of the slab is acceptable and would enable the construction of the proposed sky bridge.
- No additional conditions or amendments are necessary

Removal of plant screening on level 8

- The modification application seeks to remove the screening to the plant area on the roof of level 8 between Building 3 and Building 5. The Applicant the screening would be replaced with planter boxes (**Figure 7**).
- The Department has reviewed the architectural plans provided with the application and notes the planter boxes have not been identified on the relevant plan (General Arrangement Plan - Level 08).
- The Department considers the removal of the screening to the plant could result in a negative visual impact to the adjacent residents of Building 2.
- The Department therefore recommends a condition of consent requiring the planter boxes to be installed prior to the issue of the Occupation Certificate.
- Additionally, another condition of consent is recommended to require the ongoing maintenance of the planter boxes to ensure that the plant area is sufficiently screened, and the visual amenity of the residents is maintained.
- Subject to the above, the Department concludes the removal of the plant screening to be acceptable and is satisfied the potential visual impact arising from the modification can be mitigated by the recommended conditions of consent (**Appendix D**).
- No additional conditions or amendments are necessary

- Overall, the Department considers the proposed modifications to the built form to be minor in the context of the development site and any impacts to the visual amenity of the site can be mitigated by recommended conditions of consent (**Appendix D**).

Convert Apartment 50101 to a leasing office

- The proposal seeks to convert Apartment 50101 into a leasing office to facilitate the administration of the apartment sales. The leasing office would be located adjacent to the approved security office and reception space and is shown at **Figure 9**.
- The Department notes that no internal works are required to complete the conversion or vice versa. The Applicant has provided approved, temporary and proposed yield schedules with the RtS report.
- The Department does not consider the leasing office would result in any adverse environmental impacts and would not affect the residential amenity of the site.
- The Department therefore concludes the proposed conversion of Apartment 50101 into a leasing office is acceptable.
- No additional conditions or amendments are necessary

Convert Apartment 50108 to a temporary display suite

- The modification seeks to convert a ground floor, one-bedroom apartment (Apartment 50108) into a temporary display suite.
- In the RtS report, the Applicant noted the temporary arrangement is intended to operate until all apartments have been sold. This is anticipated to take six to 12 months. The proposed temporary arrangement has been incorporated in the unit mix calculations and the Applicant has provided residential yield tables relating to the approved (698), temporary (695) and proposed final (696) development schemes.
- The Department considers the proposed change is minor, temporary and would not result in any adverse impacts at the site. The Department therefore concludes the conversion of the apartment into a temporary display suite to be acceptable.
- No additional conditions or amendments are necessary

| | | |
|--|---|--|
| <p>Four new residential units on Level 9 of Building 5</p> | <ul style="list-style-type: none"> • The indoor communal space on Level 9 of Building 5 is proposed to be relocated (Figure 5) and level 9 of Building 5 would be returned to residential apartments. Under SSD 7662, level 9 of Building 5 comprised of two 3-bedroom apartments. The modification application seeks to revise the approved layout approved under SSD 7662 and provide one studio apartment, two one-bedroom apartments and one-two bedroom apartment. • The Department has assessed the new residential units with regard to SEPP 65 in Appendix B. • The Department notes SSD 7662 approved residential apartments in this location and concludes the proposed layout would provide suitable amenity to residents. • The Department therefore considers the proposed residential units to be acceptable. | <ul style="list-style-type: none"> • No additional conditions or amendments are necessary |
| <p>Identification of adaptable apartments and liveable apartment</p> | <ul style="list-style-type: none"> • In addition to the above changes to the unit mix, the modification application seeks to identify Apartment 20301 as an adaptable apartment and Apartment 52311 as a liveable unit (Figure 11). No change is proposed to either apartment's type, size or layout. • The Department notes the proposed identification of the two apartments and does not consider it would give rise to any environmental impacts. • The Department therefore concludes this element of the modification application is acceptable. | <ul style="list-style-type: none"> • No additional conditions or amendments are necessary |
| <p>Solar Access</p> | <ul style="list-style-type: none"> • It it's assessment of SSD 7662, The Department considers the solar access provided to the development was adequate, despite not meeting the recommendations of the ADG. The ADG recommends a minimum of 70% of units achieving 2 hours solar access between 9 am and 3 pm on 21 June (mid-winter). • The Applicant provided a review of the solar access performance. The review notes the | <ul style="list-style-type: none"> • No additional conditions or amendments are necessary |

proposed relocated indoor communal space would remove poor performing apartments and the proposed new apartments on level 9 of Building Five would receive a preferable northern aspect. The solar access performance review concluded the proposed modifications would result in 66.4% of apartments receiving a minimum of two hours solar access between 9 am and 3 pm in midwinter (previously 66.1%).

- The Department notes that under SSD 7662 MOD 1, the number of apartments meeting the ADG requirement for solar access increased from 65.7% to 66.1% (see **Appendix B**) and the proposed modification would also result in an improved solar access performance when compared to the approved development.
- The Department therefore considers the solar access performance of the modified proposal to be acceptable.



7. Evaluation

The Department has reviewed the proposed modification and assessed the merits of the application, taking into consideration EIS, Council's submission and the RtS. All environmental issues associated with the modified proposal have been suitably addressed.

The Department considers the approved development would not be significantly altered and key elements such as building height, FSR, setbacks and car parking remain unchanged. The proposed amendments are considered minor and any environmental impacts arising from the modification can be mitigated by the recommended conditions of consent.

The Department concludes the modification application should be approved, subject to the recommended conditions of consent.



8. Recommendation

It is recommended that the Director, Key Sites Assessments, as delegate of the Minister for Planning:

- **considers** the findings and recommendations of this report
- **determines** that the application (SSD 7662 MOD 2) falls within the scope of section 4.55(1A) of the EP&A Act
- **accepts and adopts** all of the findings and recommendations in this report as the reasons for making the decision to grant consent to the application
- **modify** the consent SSD 7662
- **signs** the attached approval of the modification (**Attachment D**).

Recommended by:

Tim Green

Planning Officer

Key Sites Assessments

Recommended by:

Cameron Sargent

Team Leader

Key Sites Assessments



9. Determination

The recommendation is **not adopted/adopted** by:

David McNamara

Director

Key Sites Assessments



Appendices

Appendix A – List of Documents

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 Impact Statement,
http://www.majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=9859
2. Submissions
http://www.majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=9859
3. Applicant's Response to Submissions
http://www.majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=9859
4. Submissions on Response to Submissions
http://www.majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=9859

Appendix B – Consideration of Environmental Planning Instruments

EPIs considered as part of the assessment of the modification application are:

- State Environmental Planning Policy (State & Regional Development) 2011 (SRD SEPP)
- State Environmental Planning Policy (State Significant Precincts) 2005 (SSP SEPP)
- State Environmental Planning Policy (Infrastructure) 2007 (ISEPP)
- State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55)
- Draft Remediation of Land State Environmental Planning Policy (draft SEPP Remediation)
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 (BASIX SEPP)
- Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (SREP 2005)
- Draft Environment State Environmental Planning Policy (draft SEPP Environment)
- State Environmental Planning Policy 65 – Design Quality of Residential Apartment Development (SEPP 65)
- Sydney Olympic Park Authority Master Plan 2030 (2018 review).

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

The SRD SEPP aims to identify development that is of State significance due to its size, economic value or potential impact. The original development was deemed State significant in accordance with clause 6 of Schedule 2 of the SRD SEPP, as it is at Sydney Olympic Park and has a CIV in excess of \$10 million. An assessment has been made against the relevant provisions of this SEPP in **Table 1**.

Table 1 | Consideration of the relevant provisions of the SRD SEPP

| Assessment criteria | Department's Assessment |
|--|---|
| 3 Aims of Policy The aims of this Policy are as follows: (a) to identify development that is State significant development | The original development was identified as SSD. |
| 8 Declaration of State significant development: section 4.36 (1) Development is declared to be State significant development for the purposes of the Act if: (a) the development on the land concerned is, by the operation of an environmental planning instrument, not permissible without development consent under Part 4 of the Act, and (b) the development is specified in Schedule 1 or 2. | The original development was permissible with development consent and had a CIV over \$10 million. The site is specified in Schedule 2. |
| Schedule 2 State significant development —identified sites 2 Development on specified sites Development that has a capital investment value of more than \$10 million on land identified as being within any of the following sites on the State Significant Development Sites Map: (f) Sydney Olympic Park Site | The original development had a CIV of \$292 million on land specified as the Sydney Olympic Park Site in clause 2(f) of Schedule 2 of the SRD SEPP. |

State Environmental Planning Policy (State Significant Precincts) 2005 (SSP SEPP)

The aims of this SEPP are to facilitate the redevelopment of important sites such as Sydney Olympic Park for the benefit of the State and provide for the development of major sites for a public purpose. Sydney Olympic Park is listed as a State Significant Precinct under Part 23 of Schedule 3 of the SSP SEPP. The proposed mixed-use development is permitted with consent within the B4 Mixed Use zone. An assessment has been made against the relevant provisions of this SEPP in **Table 2**.

Table 2 | Consideration of the relevant provisions of the SSP SEPP

| Assessment criteria | Department's Assessment |
|--|--|
| <p>2 Aims of Policy</p> <p>The relevant aim of this policy is (c) 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 precincts for the benefit of the State.</p> | <p>Part 23 of the SSP SEPP sets out provisions relating to the orderly use, development or conservation of development within SOP (considered below).</p> |
| <p>7 Land use zones</p> <p>(a) The site is zoned B4 Mixed Use.</p> <p>(b) The consent authority must have regard to the objectives for development in a zone when determining applications.</p> | <p>The modification does not alter the use as being residential and retail, which are permitted with consent within the B4 Mixed Use zone. Consideration of the proposal against the objectives of the zone is below.</p> |
| <p>9 Zone B4 Mixed Use</p> <p>Zone B4 Mixed Use</p> | <p>The proposed development would remain consistent with the objectives of the B4 Mixed Use zone.</p> |
| <p>19 Floor space ratio</p> <p>The maximum floor space ratio for a building on the site is not to exceed 4.95:1, including the 10% bonus FSR available in the Master Plan</p> | <p>The proposal utilises the 10% bonus FSR available in the Master Plan. The FSR would remain at 4.93:1.</p> |
| <p>23 Public utility infrastructure</p> <p>The consent authority must be satisfied that any public utility infrastructure (water, electricity, gas and sewage) that is essential for the proposed development is available or that adequate arrangements have been made to make that infrastructure available when required.</p> | <p>The modifications do not alter the Department's original view that all necessary services are available for future connection to the development.</p> |
| <p>24 Major events capability</p> <p>The consent authority must consider impacts of the proposal during major events at the SOP, including:</p> <p>(a) traffic generation on the local and regional road network;</p> <p>(b) management of crowd movement and transport;</p> <p>(c) functioning of major event infrastructure; and</p> <p>(d) emergency evacuation plans.</p> | <p>The modifications do not alter the Department's original view that there are unlikely to be adverse traffic and transport issues during major events.</p> <p>An existing condition of consent requires a Major Events Plan to be prepared for the construction phase of the project and approved by SOPA.</p> |
| <p>25 Transport</p> <p>The consent authority must be satisfied that the development includes measures to promote public transport use, cycling and walking.</p> | <p>The proposal would continue to provide the required amount of bicycle parking spaces and would otherwise continue to comply with this clause.</p> |
| <p>26 Master Plan</p> <p>Development consent must not be granted for development on land within the SOP to which a Master Plan applies unless the consent authority has considered that Master Plan.</p> <p>Development consent must not be granted for development on land within 400 metres of the Olympic Park Train Station unless the consent authority has considered whether the car parking requirements specified in the master plan should be reduced in respect of that development.</p> | <p>Detailed consideration of the relevant provisions of the Master Plan is provided in Table 4.</p> <p>The site is located within 400 m of Olympic Park Train Station. The Applicant proposes to retain 730 car parking spaces in the modified proposal, which is less than the maximum of 1054 spaces required in the Master Plan.</p> |
| <p>30 Design excellence</p> | <p>The Department concluded the approved development exhibited design excellence.</p> |

Development consent must not be granted for a new 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:

- (a) whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved;
- (b) whether the form and external appearance of the building will improve the quality and amenity of the public domain;
- (c) whether the building meets sustainable design principles in terms of sunlight, natural ventilation, wind, reflectivity, visual and acoustic privacy, safety and security and resource, energy and water efficiency; and
- (d) if a competition is held in relation to the development, the results of the competition.

A design competition was required pursuant to clause 30 as the site is identified for a design competition in the Master Plan and a building exceeds 42m in height.

The Applicant has submitted design verification statements that have been updated to reflect the proposed changes. These state the key principles of the design would remain adhered to.

The Department considers the design excellence principles from the approved development are maintained, as the proposed changes would not reduce the design quality of the approved development.

State Environmental Planning Policy (Infrastructure) 2007 (ISEPP)

The Infrastructure SEPP (ISEPP) aims to facilitate the effective delivery of infrastructure across the State by improving regulatory certainty and efficiency, identifying matters to be considered in the assessment of development adjacent to particular types of infrastructure development, and providing for consultation with relevant government agencies about certain development during the assessment process.

The Department proposes to retain the conditions of consent relevant to managing the construction traffic impact of the proposal, as requested by TfNSW.

The Department considers the modified proposal to be consistent with the ISEPP.

State Environmental Planning Policy No. 55 - Remediation of Land (SEPP 55)

SEPP 55 aims to promote the remediation of contaminated land to prevent the risk of harm to human health and the environment. SEPP 55 requires the consent authority to consider whether the land is contaminated, and if so, whether the land is suitable for the purpose for the proposed development.

The Department considered the potential contamination issues in the assessment of the original application and concluded the approved development was consistent with the relevant provisions of SEPP 55 and as such, the site was suitable for the proposed use. As the proposal does not involve a change of use, the Department is satisfied the modified proposal would not raise any additional issues with regards to contamination.

Draft Remediation of Land State Environmental Planning Policy (draft SEPP Remediation)

The Explanation of Intended Effect for a new Remediation of Land SEPP was exhibited until 13 April 2018. The Remediation of Land SEPP proposes to better manage remediation works by aligning the need for development consent with the scale, complexity and risks associated with the proposed works. As the proposed works are not expected to result in any contamination issues, the Department considers the modification application would be consistent with the intended effect of the Remediation of Land SEPP.

State Environmental Planning Policy (Building Sustainability Index) 2004 (BASIX SEPP)

The BASIX SEPP, which commenced on 1 July 2004, aims to ensure consistency in the implementation of the BASIX scheme throughout the State by overriding provisions of other environmental planning instruments and development control plans that would otherwise add to, subtract from or modify any obligations arising under the BASIX scheme.

The Building Sustainability Index (BASIX) aims to deliver equitable, effective water and greenhouse gas reductions across the state. BASIX applies to all residential dwelling types and is part of the development application process in NSW.

The modification is supported by an amended BASIX Certificate assessment for each building and the proposal is in accordance with the requirements of the SEPP.

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

The SHC SREP provides planning principles for development within the Sydney Harbour catchment, within which the site is located.

The Department considered the approved development was consistent with the relevant planning principles of SREP (Sydney Harbour Catchment) 2005 and does not consider the proposed amendments would affect this consistency.

Draft State Environmental Planning Policy (Environment SEPP)

The Explanation of Intended Effect for the Environment SEPP was exhibited until 31 January 2018. The Environment SEPP proposes to simplify the planning rules for the protection and management of the natural environment by consolidating seven existing SEPPs, including the Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005. The relevant matters for consideration and the general provisions relating to Sydney Harbour are proposed to remain in accordance with those in the current SEPP and therefore the proposed modification would be consistent with the intended effect of the Environment SEPP.

State Environmental Planning Policy No.65 – Design Quality of Residential Apartment Development (SEPP 65)

The Applicant has submitted updated design verification statements stating the key principles of the design would remain adhered to and the modifications would be consistent with the design quality principles and objectives of the Apartment Design Guide (ADG). The Department considers the modified proposal meets the majority of these recommendations, with consideration given to the criteria relevant to the proposed amendments in **Table 3**.

Table 3 | Consideration of the relevant provisions of the Apartment Design Guide under SEPP 65

| ADG – Relevant Criteria | Proposal |
|--|--|
| 3B Orientation <ul style="list-style-type: none"> Overshadowing of neighbouring properties is minimised during mid-winter | The modification application does not result in any additional overshadowing beyond that already assessed under SSD 7662 (Section 6.2). |
| 3C Public Domain Interface <ul style="list-style-type: none"> Transition between public/private without compromising security Amenity of public domain is retained and enhanced | The modification does not alter the use as being residential and retail, which are permitted with consent within the B4 Mixed Use zone. |
| 3G Pedestrian Access to Entries <ul style="list-style-type: none"> Building entries and pedestrian access connects to and addresses the public domain Access, entries and pathways are accessible and easy to identify Large sites provide pedestrian links for access to streets and connection to destinations | The stairs at the main pedestrian entry for Buildings 1 & 2 have been amended but would remain accessible, easy to identify and well designed. |

3J Bicycle and Car Parking

- Car parking is provided based on proximity to public transport in metropolitan Sydney and centres in regional areas.
 - For development in the following locations:
 - on sites that are within 800 metres of a railway station or light rail stop in the Sydney Metropolitan Area or
 - on land zoned, and sites within 400 metres of land zoned, B3 Commercial Core, B4 Mixed Use or equivalent in a nominated regional centre
 - the minimum car parking requirement for residents and visitors is set out in the Guide to Traffic Generating Developments, or the car parking requirement prescribed by the relevant council, whichever is less
 - The car parking needs for a development must be provided off street
- Parking and facilities are provided for other modes of transport
- Car park design and access is safe and secure
- Visual and environmental impacts of underground car parking are minimised
- Visual and environmental impacts of above ground enclosed car parking are minimised

- The modification proposes to maintain 730 car parking spaces, as per the approved development. This complies with the residential requirements in the RMS Guide to Traffic Generating Development (**Section 6.5**).
- The proposal seeks to maintain the provision of 1017 bicycle parking spaces. The development would therefore continue to provide the minimum number of required spaces.
- See further discussion at **Section 6.5**.

4A Solar and Daylight Access

- To optimise the number of apartments receiving sunlight to habitable rooms, primary windows and private open space
- Minimum of 70% of apartments' living rooms and private open spaces receive 2hrs direct sunlight between 9 am -3 pm in mid-winter in the Sydney Metropolitan Area
- Maximum of 15% of apartments have no direct sunlight between 9 am - 3 pm in mid-winter
- Daylight access is maximised where sunlight is limited
- Design incorporates shading and glare control, particularly for warmer months

Approved development:

- 461 of 698 apartments (66%) receive 2hrs direct sunlight between 9 am-3 pm on June 21.

Proposed development:

- 462 (66.4%) of 696 apartments receive 2hrs direct sunlight between 9 am-3 pm on June 21.

Approved development:

- 511 of 698 (73.2%) apartments receive 2hrs direct sunlight to a bedroom or other habitable room between 8 am-4 pm on June 21.

Proposed development:

- 511 of 696 (73.5%) apartments receive 2hrs direct sunlight to a bedroom or other habitable room between 8 am-4 pm on June 21.

The number of units with no sun from 8-4 was 41 (5.9%) and is now 40 (5.8%).

See **Section 6.5** for further discussion.

4B Natural Ventilation

- At least 60% of apartments are cross ventilated in the first nine storeys (apartments 10 storeys or greater are deemed to be cross ventilated)
- Overall depth of a cross-over or cross-through apartment does not exceed 18m

Approved development:

- Within levels 1-9 of the building 191 of the 313 apartments (61%) would achieve natural ventilation recommendations.

Proposed development:

- The total number of apartments meeting the design intent of the ADG for purpose of natural ventilation on Level 9 of building 5 is increased from 18-20 as a result of the modification.
- These changes do not alter the overall compliance percentage of 61% over the first 9 storeys of the development.

4D Apartment Size and Layout

- Minimum apartment sizes
 - Studio 35 m²
 - 1 bedroom 50 m²
 - 2 bedroom 70 m²
 - 3 bedroom 90 m²
- Every habitable room must have a window in an external wall with a total glass area of not less than 10% of the floor area. Daylight and air may not be borrowed from other rooms
- Habitable room depths are limited to 2.5 x the ceiling height
- In open plan layouts the maximum habitable room depth is 8m from a window
- Master bedroom have a minimum area of 10 m² and other bedrooms have 9 m²
- Bedrooms have a minimum dimension of 3m (excluding wardrobes)
- Living rooms have a minimum width of:
 - 3.6 m for studio and one bed
 - 4 m for 2 and 3 bed
- The width of cross-over or cross-through apartments are at least 4m internally.

- The four new apartments proposed for Level 9 of Building 5 comply with the minimum apartment sizes.
- All apartments the subject of this modification meet the minimum size requirement and the layout requirements of the ADG.

4E Private Open Space and Balconies

- Primary balconies are provided to all apartments providing for:
 - Studios apartments min area 4 m²
 - 1-bedroom min area 8 m² min depth 2m
 - 2-bedroom min area 10 m² min depth 2m

- All new apartments proposed in the modification include primary balconies of compliant depth and area.

- 3-bedroom min area 12 m² min depth 2.5m
- For apartments at ground floor level or similar, private open space must have a minimum area of 15 m² and depth of 3 m
- Private open space and primary balconies are integrated into and contribute to the architectural form and detail of the building
- Primary open space and balconies maximises safety

4G Storage

- The following storage is required (with at least 50% located within the apartment):
 - Studio apartments 4 m³
 - 1-bedroom apartments 6 m³
 - 2-bedroom apartments 8 m³
 - 3-bedroom apartments 10 m³

- All units would continue to meet this recommendation.

4H Acoustic Privacy and 4J Noise Pollution

- Noise transfer is minimised through the siting of buildings and building layout and minimises external noise and pollution.
- Noise impacts are mitigated through internal apartment layout and acoustic treatments.

- Noise transfer would continue to be minimised through the appropriate layout of the building.
- To mitigate the potential for noise impacts arising from the relocation of the indoor communal space, conditions of consent have been recommended in relation to noise control measures and the management of the area. See **Section 6.4**

4K Apartment Mix

- Provision of a range of apartment types and sizes
- Apartment mix is distributed to suitable locations within the building.

- The proposed Apartment mix is discussed in **Section 2**.

4U Energy Efficiency

- Development incorporates passive environmental and solar design
- Adequate natural ventilation minimises the need for mechanical ventilation

- The development would continue to meet BASIX water, thermal and energy efficiency targets and meets the natural ventilation recommendations.

4W Waste Management

- Waste storage facilities are designed to minimise impacts on streetscape, building entry and residential amenity
- Domestic waste is minimised by providing safe and convenient source separation and recycling

- The reduction in units would not adversely impact on the Waste Management Plan submitted with the approved development (**Section 6.5**).
- No additional bins or equipment are required, and waste storage would continue to be provided at basement level in convenient locations

Sydney Olympic Park Master Plan Authority Master Plan 2030 (2018 review)

The 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. A review of the Master Plan was completed in 2018. The relevant controls to the modified proposal are addressed in **Table 4** below.

Table 4 | Consideration of the relevant provisions of Master Plan 2030

| General controls and guidelines | Master Plan Recommendations | Consideration |
|---------------------------------|--|---|
| 4.2 Sustainability | <ul style="list-style-type: none"> All residential development must comply with the Building Sustainability Index (BASIX). | Meets recommendation. |
| | <ul style="list-style-type: none"> Land use of site – mixed-use and permitting residential | No proposed change to land use. |
| | <ul style="list-style-type: none"> FSR (4.5:1) Potential bonus of 10% | <p>Approved FSR: 4.93:1.</p> <p>Proposed FSR: 4.93:1.</p> <p>The development therefore continues to meet this recommendation.</p> |
| | <ul style="list-style-type: none"> With each application, prepare and submit a Disability Access Strategy to the satisfaction of SOPA. | Updated strategy submitted. |
| | <ul style="list-style-type: none"> If the consent authority is satisfied that the proposed development exhibits design excellence and is based upon the preferred scheme resulting from a design competition, a bonus floor space allocation of up to 10 per cent may be permitted for buildings over 8 storeys in height | The development maintains design excellence, as discussed in Section 6.5 . |
| 4.5 Land Use and Density | <ul style="list-style-type: none"> The SEPP 65 Residential Flat Design Code Principles of Better Design Practice Part 02 and Part 03 are to be applied to all residential and mixed-use developments. | See Table 3 of Appendix B . |
| | <ul style="list-style-type: none"> Provide three per cent of affordable housing or in accordance with the relevant State planning policy or instrument in force at the time of development, whichever is greater. | The modification would not alter the proposed dedication of 22 units, which equates to 3.16% of the amended unit total (696). |
| | <ul style="list-style-type: none"> Comply with the minimum apartment sizes in Table 4.9 Minimum Residential Apartment Sizes | Apartments proposed to be amended as part of this modification would meet this recommendation. |
| | <ul style="list-style-type: none"> Provide the following quantities of apartment types (min 15% studio and 1 bed, min 15% three or more bed) | <ul style="list-style-type: none"> The modification would maintain the percentage of three-bedroom units at 13%. See Section 2. These changes do not alter the overall compliance percentage of 61% over the first 9 storeys of the development. |

| | | |
|---|--|---|
| | <ul style="list-style-type: none"> • Provide each above ground floor apartment with a primary balcony, terrace or deck that is directly accessible from the main living room or kitchen and complies with the minimum open space sizes for apartments | Continues to meet recommendation. |
| | <ul style="list-style-type: none"> • Provide a northern, eastern or western aspect to primary balconies. | Continues to meet recommendation. |
| | <ul style="list-style-type: none"> • Secondary balconies are encouraged as service areas, to alleviate uses dependent on the primary balcony and to increase connection between inside and outside | Continues to meet recommendation. |
| | <ul style="list-style-type: none"> • Design building layouts to minimise direct overlooking from apartments to other rooms and private open spaces | Continues to meet recommendation. |
| | <ul style="list-style-type: none"> • Achieve high quality living environments provide a minimum of three hours of direct sunlight per day to living rooms and private open spaces in at least 75 per cent of dwellings within a residential development on 30 June. | The modification proposes to increase the percentage of units meeting this recommendation from 44.1 to 44.5%. See assessment of solar access at Section 6.5 |
| | <ul style="list-style-type: none"> • Limit the number of south facing apartments and provide generous windows | Continues to meet recommendation. |
| | <ul style="list-style-type: none"> • Provide accessible storage facilities at the following rates: studio apartments and one-bedroom apartments – 6 m²; two-bedroom apartments – 8 m²; three plus bedroom apartments – 10 m² | Continues to meet recommendation. |
| | <ul style="list-style-type: none"> • Storage areas located within apartments are preferred. | Continues to meet recommendation. |
| 4.7 Access and Parking | <ul style="list-style-type: none"> • Provide car parking for residential developments at the maximum rates in Table 4.11 | The proposal would provide 730 spaces (no change from the approved development), which is less than the maximum permitted under the Master Plan. See Section 6.5 . |
| | <ul style="list-style-type: none"> • Bike parking facilities are to comply with AS 2890.3 – 1993 Parking Facilities – Bicycle Parking Facilities | The development will provide the required 1017 bicycle parking spaces. |
| Central Precinct Controls | | |
| 5.2.3 Floor Space Ratio Controls | <ul style="list-style-type: none"> • FSR: 4.5:1 plus potential bonus of 10% | Continues to meet recommendation. |

Appendix C – Consolidated Consent

The Consolidated Consent can be found on the Department of Planning and Environment's website as follows.

http://www.majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=9485

Appendix D – Notice of Modification

The Notice of Modification can be found on the Department of Planning and Environment's website as follows.

http://www.majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=9485

