
SYDNEY OLYMPIC PARK AUTHORITY

Planning Development Application Assessment Report

Application No:	DA 10-09-2019
Application Site:	11 Murray Rose Ave, Sydney Olympic Park, NSW 2127
Proposed development:	Construction of a rooftop amenity space comprising pergola, timber decking and associated landscaping
Applicant:	Charter Hall FLK Funds Management Limited
Determining Agency:	Sydney Olympic Park Authority

1 Purpose

The purpose of this report is to provide an assessment of the subject development application (DA) under Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

2 Recommendation

It is recommended that the Chief Executive Officer of the Sydney Olympic Park Authority:

- A) Consider all relevant matters prescribed under Section 4.15 of the EP&A Act, as contained in the findings and recommendations of this report;
- B) Determine that the development application be **approved subject to the recommended conditions** pursuant to Section 4.16 of the EP&A Act, having considered the relevant matters in accordance with (A) above;
- C) Sign that attached Instrument of Approval; and
- D) Authorise Sydney Olympic Park Authority to carry out post-determination notification pursuant to Section 4.18 of the EP&A Act.

3 History

On 10 April 2017 Development Application DA 19-11-2016 was approved by Sydney Olympic Park Authority (SOPA) for 'Construction of a six storey commercial building with ground floor retail space'. This consent was modified under application reference DA 19-11-2016 MOD1 to include minor exterior alterations to the six storey commercial building.

The building has been constructed in accordance with the approved plans and is currently undergoing marketing to fully let the building. DA reference 06-05-2019 was subsequently approved for a temporary real estate sign at the corner windows on the sixth floor.

4 Site and Surrounds

The building at number 11 Murray Rose Avenue comprises a six storey commercial building on the northern side of the road. The building is located within site 8D which forms part of super-lot 8 and is located to the north of the Sydney Olympic Park train station.

The super-lot is characterised by buildings of the same height and scale with glazed front elevations. The façade of 11 Murray Rose Avenue comprises floor to ceiling glazing with feature terracotta coloured metallic framing of uniform rhythm. The roof area contains a flat roof with lift overrun, an access stairway and plant machinery associated with the commercial use of the building.

The site is legally described as Lot 2122 of DP 1194947. It is rectangular in shape with extended access to Australia Avenue to the east.

It is adjacent to the Royal Agricultural Society of New South Wales' administration building; this is three storeys in height and set away from the boundary to the subject site thus exposing the western façade of the host building. To the rear of the site are the Sydney Showground exhibition buildings.



Figure 1: Location of the site

5 The Proposed Development

The proposed development involves external works to the roof area located on Level 6 of the existing commercial building. The works comprise the erection of a pergola, new timber decking along with new landscaping planting in boxes. The proposal seeks to enhance the amenity and useability of the existing roof area for use by the tenants of the building to create

a social and work space for the occupiers. The proposed roof area will be used by the tenants of the building and their guests from 07:00 to 22:00 Monday to Friday.

The following works are proposed to the roof of the building:

- Removal of the existing gate to the western portion of the roof area and part of the fence to provide access;
- Construction of a timber decking with an area of 170.9m²;
- Construction of a pergola with glazed roof (3m high);
- Installation of aluminium cladding (south and west), timber cladding (east) and clear glass balustrade (north) to enclose the roof area;
- 1m high planters in boxes and artificial grass to perimeter of the decking;
- Lighting on the proposed pergola columns; and
- Installation of BBQ facilities.

Loose table and chairs and fixed timber benches will be located within the rooftop amenity space.

The setback between the edge of the roof and the front southern parapet is 2.3m; the rear northern parapet is 3m and the side western parapet is 0.56m. Planter boxes will be used to screen the mechanical plant equipment.



Figure 2: Image of the proposed rooftop amenity terrace

The primary use of the proposed roof area will be by the occupiers of the host building as an amenity space for leisure and work purposes. It is proposed the roof area will be restricted between 07:00 and 22:00 Monday to Friday. The roof area has been designed to hold a maximum of 100 people.

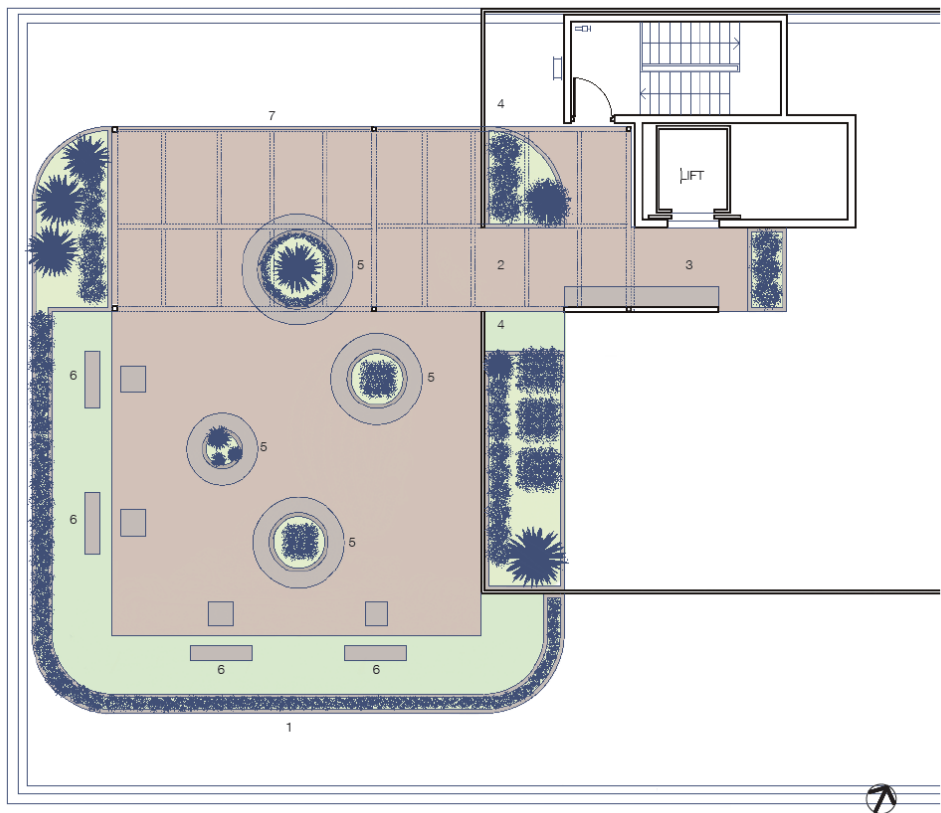


Figure 3: Plan of the proposed rooftop amenity terrace

6 Assessment

The application has been assessed pursuant to Section 4.15 of the EP&A Act, including consideration of the following matters:

6.1 Environmental Planning Instruments

6.1.1 State Environmental Planning Policy (State Significant Precincts) 2005

State Significant Precincts are areas that the Minister for Planning considers to be matters of State or regional planning significance, because of their social, economic or environmental characteristics.

The Minister for Planning is the consent authority for State Significant Precincts pursuant to Schedule 6, Part 1, Clause 3 of the SEPP (State Significant Precincts) 2005. The proposed development is permissible with consent pursuant to Schedule 3, Part 23 of SEPP (State Significant Precincts) 2005 and the relevant provisions are addressed in the table below:

Table 1 SEPP (State Significant Precincts) 2005 – Planning Provisions

Clause	Response	Compliance */✓/N/A
(9) Zone B4 Mixed Use	The proposed rooftop amenity space is permissible in the B4 Mixed Use zone. The space is in relation to the use of the site as a commercial office, which is consistent with the objectives for development in the B4 Mixed Use zone.	✓
(16) Subdivision	This development application does not seek the subdivision of the site.	N/A
(18) Height of Buildings	The proposal will not exceed the 26m height of building control and will measure 24.65m as measured from the adjacent ground level to the roof of the pergola. The current overall height of the building is 26.54m as measured from ground level to the highest point of the lift overrun.	✓
(19) Floorspace Ratio	The plans indicate that the clear glass balustrade will be 1m in height. Consequently, the proposed additions do not constitute gross floor area and will not impact on the FSR of the building.	✓
(23) Public infrastructure	The amenity space will connect to the electricity supply of the building; this will not impact on any public infrastructure.	✓
(24) Major event capability	The proposal will not impact on the major event capabilities of Sydney Olympic Park.	✓
(25) Transport	The proposed development is for a rooftop amenity space and will have negligible impact on the uptake of public or active transport in Sydney Olympic Park.	✓
(26) Master Plan	The proposal is within an area which is subject to the Master Plan 2030 (2018 Review). The proposal does not conflict with the principles or controls within the Master Plan.	✓
(29) Environmental Conservation Area	The site is not located within an Environmental Conservation Area.	✓
(30) Design Excellence	The amenity space has been designed by Bates Smart, the original architects for the building. The selection of materials is consistent with the design of the existing building. The design of the rooftop amenity space accords with the prevailing design of the existing building.	✓
(31) Heritage Conservation	The site is not within, or in close proximity to a heritage conservation area precinct.	✓

6.2 Key issues

The positioning of an amenity area to the rooftop of the building is not out of character for a commercial building such as this site. The design of the amenity area is in keeping with the prevailing design of the building.

In order to safeguard the amenity of the adjacent and surrounding area a recommended condition of consent has been included to control the hours of use of the rooftop amenity space.

Further, the plans do not indicate the species proposed in the landscaping. However, in order to protect against the potential introduction of invasive species to the Park a condition of consent has been included restricting the inclusion of weed species from the soft landscaping.

Overall, the proposal accords with the controls contained within SEPP (State Significant Precincts) 2005 which are specific to the Olympic Park. The proposal is also of a suitable design and size which is commensurate with the existing building.

6.3 Sydney Olympic Park Local Infrastructure Contributions Framework (ICF)

The proposed development relates to the installation of a rooftop amenity space. As the proposed development will not result in an increase in GFA, no contribution is required.

6.4 Likely Impacts of the Development

Subject to recommended planning conditions restricting the hours of use of the rooftop amenity space it is not considered the proposal would have any adverse environmental, social or economic impacts.

6.5 Suitability of the Site for Development

The site is currently in use as a commercial office building in accordance with the development consent issued under DA 19-11-2016. The suitability of the site for development was assessed under this application.

6.6 The Public Interest

The proposed development is considered to be in the wider public interest as it:

- Is consistent with the applicable provisions and controls of the principal environmental planning instrument applying to the land contained in State Environmental Planning Policy (State Significant Precincts) 2005; and
- Is not expected to result in any adverse environmental affects, subject to the recommended conditions.

7 Consultation

7.1 Public notification

The proposal did not necessitate public advertising or notification.

7.2 Internal Referrals

The proposal was referred to the Building Services Unit and several standard pre- and post construction conditions were recommended, which have been included in the proposed determination.

8 Delegations

The Minister is the consent authority pursuant to Schedule 6, Part 1, Clause 3 of the SSP SEPP and Clause 22 of the *Sydney Olympic Park Authority Act 2001*.

On 2 November 2017, the Minister delegated his powers and functions under Section 80 (now section 4.16) of the EP&A Act for all development at Sydney Olympic Park which have a Capital Investment Value of less than \$10 Million. These delegations have been provided to the Chief Executive Officer of the Authority. The proposed development is consistent with these delegations as:

- the proposed development has a CIV less than \$10 million;
- SOPA is not the applicant; and
- SOPA will not derive a commercial benefit in excess of \$250,000 per year from the development.

It is therefore appropriate for SOPA to exercise its delegations in determining this development application.

9 Conclusion

The application has been considered with regard to the matters raised in section 4.15 of the EP&A Act. The proposed development is considered to be acceptable, in the public interest and is recommended for **approval** subject to the recommended conditions of consent.

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29 October 2019