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**SYDNEY OLYMPIC PARK AUTHORITY**

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**Planning Development Application Assessment Report**

<b>Application No:</b>	DA 15-12-2015
<b>Application Site:</b>	Lot 22 DP 787402 – 2 Figtree Drive (Site 53), part Lot 24 DP 787402, part 70 DP1134933, part Lot 2005 DP1192085, Sydney Olympic Park, Sydney Olympic Park
<b>File No:</b>	F15/942
<b>Proposal:</b>	Demolition of all existing buildings and structures including the removal of existing trees
<b>Applicant:</b>	Mirvac Projects P/L (Amar Prashant)
<b>Determining Agency:</b>	Sydney Olympic Park Authority

## **1 Background**

This DA marks the 'preparatory step' in the ultimate re-development of Site 53, 2 Figtree Drive, Sydney Olympic Park. The applicant is currently preparing a State Significant Development Application (SSD\_7033) which seeks approval for the construction of a mixed-use development comprising:

- Four residential flat buildings, ranging in height from five to fifteen storeys, comprising 422 one, two and three bedroom apartments;
- A landscaped ground plane, comprising private communal open space, deep soil landscaping, an interpretive children's play area, and a 20 metre wide view corridor to the Bicentennial Marker;
- A small retail / commercial area of approximately 1,500m<sup>2</sup> gross floor area, to be transferred to Sydney Olympic Park Authority on completion;
- Three levels of basement parking, comprising 45 visitor / retail car parking spaces and 456 residential car parking spaces; and
- Construction of a new access road located on the western boundary of the site, as identified within the Sydney Olympic Park Master Plan 2030.

A separate local development application was submitted to Sydney Olympic Park Authority in August 2015, which sought approval for site preparation works at Site 53, 2 Figtree Drive, Sydney Olympic Park, including diversion of existing sewer infrastructure and transplantation of an existing mature Fig Tree. Development consent was issued for DA 12-09-2015 on 19 October 2015.

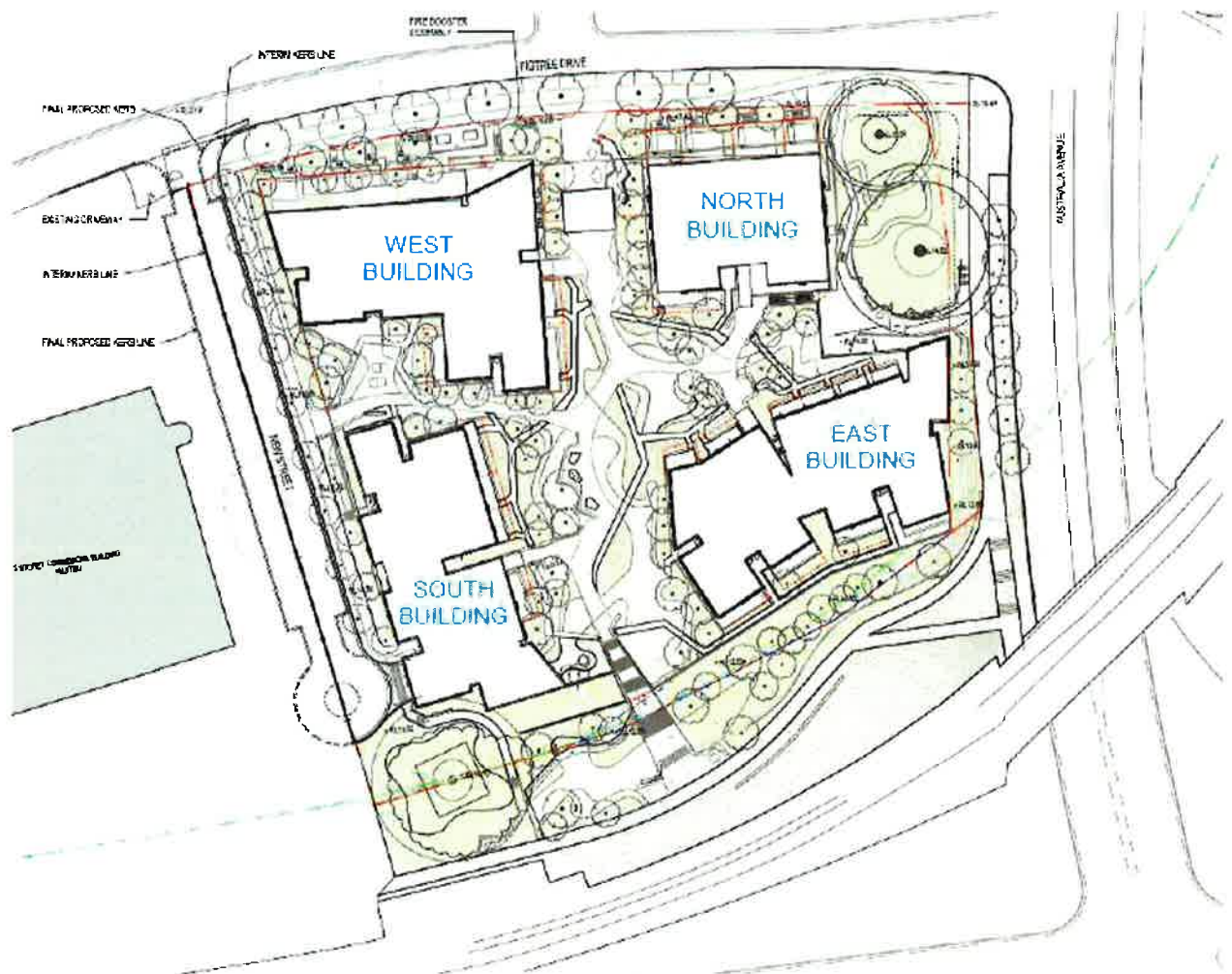


Figure 1 – Site 53 Concept Plan

## 2 Site and surrounds

A site visit was carried out on 11 January 2016.

The subject site is known as Site 53, 2 Figtree Drive, Sydney Olympic Park and is located within the Auburn Local Government Area. The site is legally described as Lot 22 in DP 787402 and has an area of 12,320m<sup>2</sup>. In addition an 'adjacent land' parcel of 377m<sup>2</sup> (along the Australia Avenue boundary) is to be included as part of the site. The total site area is 12,697m<sup>2</sup>.

Site 53 presently accommodates a low-rise commercial development with surface car parking. A group of mature fig trees are located on the north-eastern corner of the site, with a third located across the western site boundary.

Site 53 is located on the corner of Australia Avenue and Figtree Drive. Immediately south of the site is the future 'Central Precinct Local Park' which runs east-west, connecting Australia Avenue with Olympic Boulevard South. Beyond the future landscape corridor is the Olympic Park Railway Line.

Located to the north and west of the site are existing low-scale commercial and light industrial buildings, situated within a dense canopy of native trees and surrounded by surface car parking. The Olympic Park Town Centre and Railway Station are located approximately



500 metres to the north of the site. The emerging high-density mixed-use retail and residential precinct comprising Australia Towers and the future Opal Tower are located to the north-east of the site.

The site is located within the “Central Precinct” under the Sydney Olympic Park Master Plan 2030. This precinct was initially developed as a business park consisting of commercial and light industrial uses. The character of the area is now beginning to evolve into a medium-high density mixed use precinct through the development of new residential and retail uses in accordance with the Master Plan.

An aerial of the site is shown below.



Figure 2 – The Site

### 3 The proposed development

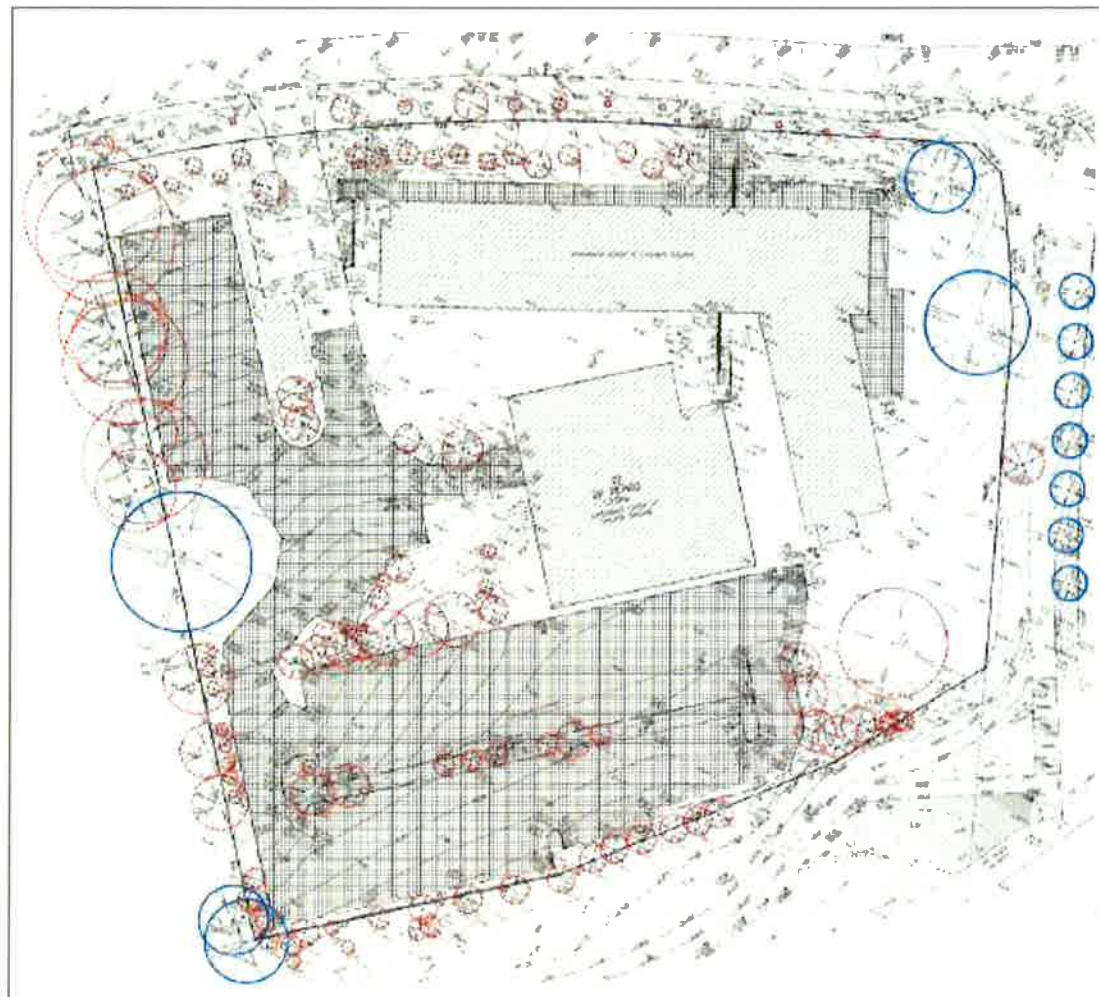
The proposed development is for demolition of all existing buildings and structures including the removal of existing trees.

A majority of the proposed works will be undertaken predominantly on Site 53, legally described as **Lot 22 DP 787402**. The proposed tree relocation will also involve works within part of **Lot 24 DP787402** – 4 Fig Tree Drive (tree removal only), part of **Lot 70 DP1134933** – Fig Tree Drive & Australia Avenue road reservation (tree removal only), and part of **Lot 2005 DP1192085** – Rail corridor land (tree removal only).



The proposal involves the removal of two vacant rendered concrete and glass office buildings, constructed in 1998, and associated car parking and hardstand areas. The buildings and associated structures are detached from any adjoining properties or assets and can be accessed for demolition by use of medium to large mechanical plant and equipment.

The demolition phase of the project has an estimated duration of three months and will involve site establishment works, including the construction of hoarding and temporary fencing where required, the removal and disposal of hazardous materials, and demolition and removal of buildings, structures, and hard stand areas. A total of 114 low and medium value trees, located within the future development footprint, are also to be removed.



Access to the site will be provided via the existing driveway in the north-west corner. Entry and exit of demolition trucks will be via left turn on entry and a left turn upon exit. All demolition works including handling and loading out of materials will occur onsite. A mix of hoarding and temporary fencing will be utilised around the site perimeter to prevent the free access of the public.



#### DEMOLITION LEGEND

-  STRUCTURE TO BE DEMOLISHED
-  PAVEMENT TO BE DEMOLISHED

#### TREE LEGEND

-  EXISTING TREE TO BE RETAINED  
(12 TREES TO BE RETAINED)
-  EXISTING TREE TO BE REMOVED  
(114 TREES TO BE REMOVED)

**Figure 3 – Demolition Plan**

## 4 Delegated Authority

The Minister is the consent authority pursuant to Schedule 6, Part 1, Clause 3 of the SEPP Major Development 2005 and Clause 22 of the Sydney Olympic Park Authority Act 2001.

On 14 September 2011, the Minister delegated his powers and functions under Section 80 of the *Environmental Planning and Assessment Act 1979 (the Act)*, effective from 1 October 2011, 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 Manager, Urban Planning, and the Chief Executive Officer of Sydney Olympic Park Authority.

The proposed development is consistent with these delegations as it:

- Has a CIV (\$1,100,000) 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.

Therefore it is appropriate for SOPA to exercise its delegations in determining this development application.

## 5 Sydney Olympic Park Authority Act 2001

### 5.1 Clause 22(2) – Consistency with Environmental Guidelines

The *Environmental Guidelines for Sydney Olympic Park* (2008) set out a general scheme of environmental issues and commitments with regards to the care, control, management, and development of Sydney Olympic Park. The Environmental Guidelines address the key issues of significance for Sydney Olympic Park and include water and energy conservation, material selection, waste management, transport, pollution control, biodiversity, and public open space. The proposed development is considered to be not inconsistent with the relevant requirements.

## 6 Assessment

The application has been assessed pursuant to Section 79C of the *Environmental Planning and Assessment Act 1979*, including consideration of the following matters:

### 6.1 Environmental Planning Instruments, DCPs and Planning Agreements

#### 6.1.1 State Environmental Planning Policy (State and Regional Development) 2011

Sydney Olympic Park is an identified site for State Significant Development (SSD) under the *State Environmental Planning Policy (State and Regional Development) 2011*. All development on identified land with a capital investment value (CIV) of \$10 million or more is considered SSD. Development under \$10 million within Sydney Olympic Park is considered local development and Sydney Olympic Park Authority (SOPA) is the consent authority. As the CIV for the development is **\$1,100,000**, SOPA is the consent authority for the site and the application is to be assessed under Part 4 of the EP&A Act.



### 6.1.2 State Environmental Planning Policy (Infrastructure) 2007

As the proposed works is in the vicinity to the existing Olympic Park rail corridor, *State Environmental Planning Policy (Infrastructure) 2007* requires that the proposal be referred to Railcorp/ Sydney Trains for concurrence. This is discussed in more details in Part 7 of this report.

### 6.1.3 State Environmental Planning Policy No. 55 – Remediation of Land

*State Environmental Planning Policy No 55 - Remediation of Land* requires the consent authority take into consideration contamination and remediation of land in determining development applications. The authority must be satisfied that land that is contaminated is suitable for the proposed use or will be suitable following remediation of the land.

A Phase 1 and 2 Environmental Site Assessment was carried out by *JBS&G Australia Pty Ltd* in July 2014. The Assessment comprised a review of geological and hydrogeological data, council documentation, aerial photographs, NSW EPA records and Heritage records, a detailed site inspection to identify potential areas of environmental concern (AECs) and contaminants of potential concern (COPCs) identified in the historical review, soil sampling and analysis at twelve locations, and groundwater sampling and analysis at two locations.

The Assessment confirms the presence of fill across the entire site, with depths ranging from approximately 0.2m to 2.6m below ground surface. The concentrations of all contaminants of potential concern were reported below the adopted NEPC (2013) health based criteria for residential land use, with the exception of asbestos at one location (BH10) beneath a path between Buildings 1 and 2.

A Hazardous Materials Survey was prepared by *JBS&G Australia Pty Ltd* in September. The Survey concluded that no asbestos containing material was positively identified on the site. Sampling of the eaves was not conducted for building 1 and 2 based on the inaccessibility of these areas. Given the age of the buildings it is unlikely that the material in the eaves contains asbestos, however, as a conservative measure the eaves are assumed to contain asbestos until further assessment proves otherwise.

The DA was referred to the Authority's Senior Manager – Environmental Infrastructure who has provided some comments and conditions.

### 6.1.4 State Environmental Planning Policy (Major Development) 2005

The Minister for Planning is the consent authority pursuant to Schedule 6, Part 1, Clause 3 of the SEPP Major Development 2005. The proposed development is permissible with consent pursuant to Schedule 3, Part 23 of SEPP Major Development 2005 and the relevant provisions are addressed in Table 1.

Clause	Response	Compliance */✓/N/A
(9) Zone B4 Mixed Use	The proposed development for site preparation works is permissible with consent.	✓
(20A) Demolition	The proposed development is permissible with consent.	✓
(23) Public infrastructure	Public infrastructure requirements will be addressed in the base building approval. This application does not require additional public infrastructure to that already approved.	✓
(24) Major event	The proposed development should not have an adverse impact on major events, subject to the imposition of relevant conditions of	✓

Clause	Response	Compliance */✓/N/A
capability	consent.	
(25) Transport	The proposed development should not have an adverse impact on transport infrastructure, subject to the imposition of relevant conditions of consent.	✓
(26) Master Plan (Note: Master Plan 2030 is a deemed DCP and is also considered here for the purpose of S79C(1)(a)(iii)).	<p>Master Plan 2030 applies to the subject site. The Master Plan identifies the site as Site 53 within the Central Precinct, which is bounded by Dawn Fraser Avenue, Olympic Boulevard, Sarah Durack Avenue and Australia Avenue, and is characterised by low density industrial and commercial uses.</p> <p>The Central Precinct will be progressively transformed into a high density, mixed use neighbourhood with commercial offices, retail and residential uses. New tree lined streets and through-site links will transform the precinct into a lively and walkable neighbourhood. New residential buildings are up to 10 storeys high and will be concentrated along Figtree Drive.</p> <p>Section 5.2.6 of Master Plan 2030 outlines the permissible building zone for Site 53, dictated by the minimum setbacks, existing easements, view corridor, trees for retention, and public land for dedication.</p> <p>The proposed demolition works will facilitate the future redevelopment of Site 53, Sydney Olympic Park in accordance with the <i>Sydney Olympic Park Master Plan 2030</i> requirements.</p> <p>The proposed development is generally consistent with MP 2030 principles and controls.</p>	✓
(29) Development in conservation area	The subject site is not in a conservation area.	✓
(30) Design Excellence	This application marks the 'preparatory step' in the ultimate re-development of Site 53, which was the subject of a Design Competition run in accordance with the Design Excellence provisions of the <i>Major Development SEPP</i> , the <i>Sydney Olympic Park Master Plan 2030</i> and the <i>Sydney Olympic Park Authority Design Competition Guidelines 2014</i> .	✓
(31) Heritage Conservation	The subject site is not within the vicinity of a heritage item and the proposed development will not impact on heritage conservation.	✓

**Table 1 SEPP Major Development – Planning Provisions**

## 6.2 Prescribed Matters EPAR 2000

The proposed development is able to comply with prescribed matters of the *Environmental Planning and Assessment Regulations 2000* subject to fulfilment of conditions of consent.

## 6.3 Impact of the development

The proposed development is unlikely to adversely affect the natural, social or economic environment subject to conditions of consent.

### Construction and Environmental Management

A Construction and Environmental Management Plan (CEMP) has been developed by *Mirvac Constructions Pty Ltd*. The CEMP outlines the actions and staging of construction deemed necessary to address the concerns of neighbouring properties and authorities, whilst maintaining a safe and productive construction site.

The CEMP also details procedures and actions to be adhered to throughout the construction period relating to stormwater management, construction waste management, noise and vibration management, erosion and sediment control, air quality, hazardous materials, sustainability, workplace risk management, community consultation and dispute resolution.

### Waste Management

The proponent has indicated that Waste Management Plan will be developed by a fully licensed demolition contractor prior to commencement of demolition works on site. Periodic review of this waste management plan will be undertaken to ensure continual compliance with environmental regulations and standards.

Bulk demolition materials will be sorted onsite and sent to an accredited waste facility for each particular type of demolition material. Upon arrival, the facility processes the individual recyclable waste streams into reusable products available for potential re-sale.

The demolition subcontractor will supply builder's waste bins for the onsite collection and storage of general waste material. It is required that the waste facility will recycle a minimum of 95% of the material brought to their recycling depot.

### Hazardous Materials

A Hazardous Materials Survey was prepared by *JBS&G Australia Pty Ltd* in September 2014. The Hazardous Material Survey provides historical data and current building conditions pertaining to hazardous materials.

The demolition contractor will be responsible for the preparation of a detailed demolition management plan, safety plan and relevant Safe Work Method Statements prior to the commencement of works, and shall include strategies for the safe removal and clearance of identified and presumed materials.

The demolition contractor will obtain the relevant clearance certification for the removal of hazardous materials (applicable to the area) prior to commencement of demolition works.

### Traffic Management

A Construction Traffic Management Plan (CTMP) has been prepared by GTA Consultants. The CTMP has been prepared to document the proposed construction activities and associated construction traffic management measures necessary to facilitate the proposed development. The key findings are summarised as follows:

- ☐ During the demolition phase of work it is expected that construction traffic and their impacts will be moderate, with an average of 10 trucks per day and a peak estimate of 20 trucks per day.
- ☐ For the duration of the demolition works, construction traffic will enter and exit the site via the existing gate on Figtree Drive.
- ☐ Articulated trucks will approach the site from the southbound lanes of Australia Avenue, making a right turn into Figtree Drive.



- ☐ Trucks and vehicles egress the site by a left turn out of the site and continuing westbound along Figtree Drive. Vehicles can then turn left into Olympic Boulevard and then left into Sarah Durack Avenue in order to get back onto Australia Avenue.
- ☐ Entry and exit work zones will be utilised for construction deliveries and will be managed by authorised traffic control personnel at all times. Trucks and vehicles will not be permitted to stop or wait in any street prior to entering site. As such, it is not proposed to be any interruption to traffic flow of surrounding areas.
- ☐ Truck movements will be for the delivery of construction product with all non-critical deliveries will be scheduled outside restricted and or peak traffic periods. The number of trucks will vary depending on the stage of the construction process.
- ☐ For the duration of the project, pedestrians will be able to continue to safely use the public footpaths adjacent to site. During the demolition phase, Class A hoarding temporary fencing will be installed where required around the proposed work areas.
- ☐ All site workers and visitors shall enter and exit the site via designated pedestrian access points around the site. Statutory and directional signage will be established at all site entry and exit points to alert pedestrians and other drivers to the movement of construction traffic.
- ☐ Within the context of the boarder road network in Sydney Olympic Park, the estimated construction traffic, which will be spread throughout each day, will not cause notable impact on the capacity or operation of the road network.

No comments and/or objections was received from SOPA's Precinct Operations Unit. It is considered that the proposed measures in the Traffic Management Plan and standard consent conditions will adequately address potential traffic related implications associated with the development works.

#### Tree Removal

An Arboricultural Impact Assessment has been prepared by *Arboreport* which provides an assessment of the impacts of the proposed future development on the 126 trees located within the site boundaries and wider construction zone. Of the 126 existing trees, 7 will be unaffected by the development, 5 are located adjacent to the proposed development and the proposed construction will provide a major encroachment within the Tree Protection Zone, and 114 are located within the proposed building footprint.

The Report provides recommendations for the removal or retention of trees including specific tree protection measures required to reduce the anticipated impacts from the proposed construction on those trees proposed to be retained. Recommendations for replacement planting of locally native or deciduous canopy trees to offset the loss of trees have also been provided and accommodated for within the Landscape Design (subject to the approval of Department of Planning & Environment for SSD 7033).

### **6.4 The suitability of the site for the development**

In accordance with the matters for consideration under Section 79C (1) of the EP&A Act, the site is considered suitable for the proposed works for the following reasons:

- The DA is the 'preparatory step' in the ultimate re-development of Site 53, 2 Figtree Drive Sydney Olympic Park for mixed-use purposes as contemplated by *MP 2030*.

- The land is zoned B4 Mixed Use and the proposed works are permissible with consent.
- The proposed works are consistent with the provisions of the relevant State and Local environmental planning instruments, as well as the various Sydney Olympic Park Authority Guidelines.
- The proposed construction staging and management is unlikely to adversely impact local residents and business, as well as existing pedestrian and bicycle access routes.

Overall, the proposal is of a nature that is in keeping with the overall objectives and functions of the site and future land use.

## 6.5 Notification, advertising and submissions received

No submissions were received as the proposal did not require public advertising or notification.

### External referrals

The application was referred to Railcorp/Sydney Trains on 11 January 2016 seeking input. Railcorp/Sydney Trains provided comments on 28 January 2016, which raised no objections and provided standard conditions which have been added to the consent.

### Internal referrals

The application was referred to the following internal Sydney Olympic Park Authority units for review and comment on 8 December 2015:

INTERNAL DEPARTMENT	INTERNAL DEPARTMENT'S RESPONSE
BUILDING SERVICES	No objections, standard conditions provided.
DEVELOPMENT CONTRACTS	No objections / comments
COMMERCIAL	No objections / comments
DESIGN	No objections / comments
ENVIRONMENTAL INFRASTRUCTURE	No objections, comments / conditions provided.
ENVIRONMENT & ECOLOGY	No objections / comments
MAJOR PROJECTS	No objections / comments
PRECINCT OPERATIONS	No objections / comments

All conditions recommended by the respective Units have been incorporated into the Conditions of Consent where appropriate and necessary.

## 6.6 The public interest

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

- It provides a more efficient development timeframe through the reduction of time the site remains idle. Ultimately allowing the faster delivery of much needed quality housing to the market, as well as improvements to the ground plane and access networks; and
- In line with the above, it will ultimately result in an accelerated delivery of the public domain improvements associated with the site and its immediate surrounding area, to the benefit of existing and future residents, businesses, and visitors to the area.
- Is consistent with the in-force provisions and controls of the principle environmental planning instrument applying to the land contained with *State Environmental Planning Policy (Major Development) 2005*; and
- Would not result in any adverse environmental affects (subject to conditions).

## 7 Conclusion and recommendations

### 7.1 Conclusions

The application has been considered with regard to the matters raised in section 79C of the EP&A Act. The proposed development is considered to be acceptable, in the public interest and is recommended for **approval** subject to Conditions of Consent.

### 7.2 Recommendation

- A) Consider all relevant matters prescribed under Section 79C 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 conditions** pursuant to Section 80(1) and 80(A) of the EP&A Act, having considered the relevant matters in accordance with (A) above;
- C) Authorise Sydney Olympic Park Authority to carry out post-determination notification pursuant to Section 81 of the EP&A Act

Prepared by



**Planner**

Date: 15/2/2016

Reviewed & Endorsed by



**Chief Executive Officer**

Date: 18/2/2016