

# Planning Assessment Report

Development Application 04-05-2014

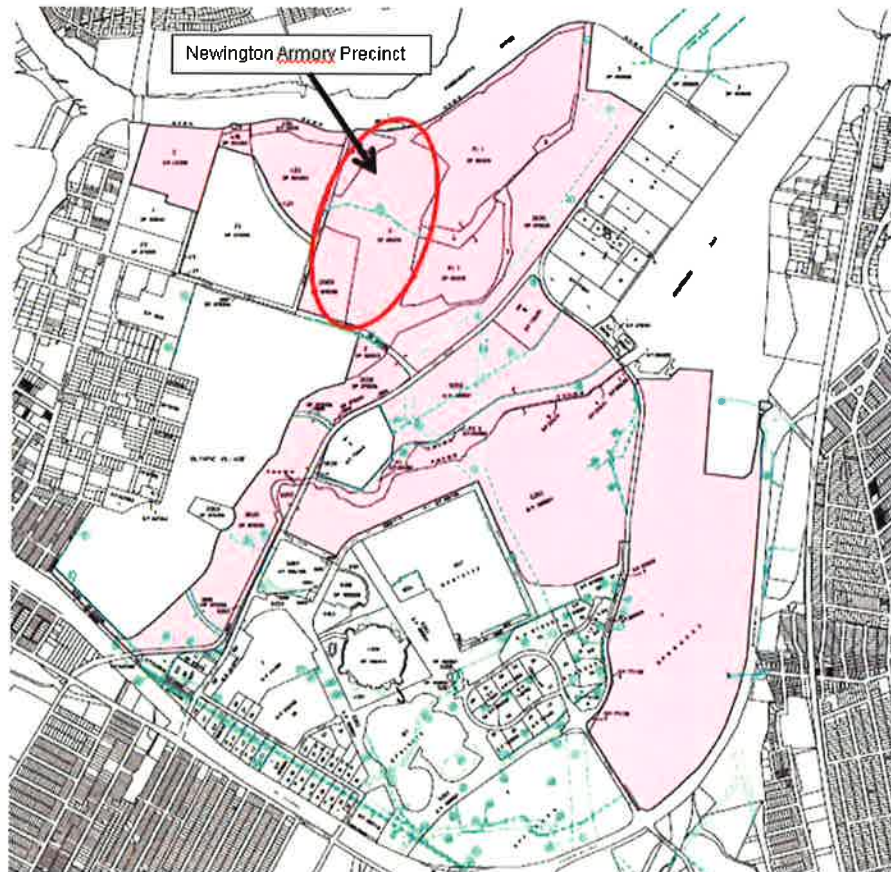
## Construction of an at-grade car park

### 1 Introduction

#### 1.1 Location and Context

Sydney Olympic Park (SOP) is located approximately 14 km west of the Sydney CBD, and 8 km to the east of the Parramatta CBD.

SOP includes 430 hectares of parklands comprising open space, recreation areas, wetlands and waterways. The parklands contain protected remnant woodlands, rare saltmarshes, water bird refuges and mangroves stand alongside places of heritage significance to create a unique parkland setting. Figure 1 below illustrates the context of the Newington Armory Precinct (the site) within the wider Parklands at SOP and surrounding development.



**Figure 1** – General location of Newington Armory Precinct (whole of SOP Parklands in pink)

The site continues to evolve as part of the developing Parklands and attracts visitors from local and regional communities, enjoying a diversity of leisure activities, educational and interpretation programs.

## 2 Site History

The site is part of the former Royal Australian Navy Armament Depot (RANAD), which operated at the site until December 1999. The site of the former Newington Armament Depot occupies approximately 100 hectares. The southern part of the original Depot was developed as the athletes' village for the 2000 Olympic Games and is now the suburb of Newington.

The remainder of the Armory formed part of the concept for the Millennium Parklands, associated with the development and remediation of the Olympic site. The Silverwater Nature Reserve, subsequently known as the Newington Nature Reserve, was dedicated in 2000. The Sydney Olympic Park Authority (SOPA) was established on 1 July 2001 to manage the public assets of the 640 hectare Sydney Olympic Park, which included the Newington Armament Depot and Nature Reserve.

The proposed car park is located within the "Original Establishment Precinct", in the northwest corner of the site facing Parramatta River, which contains the earliest military buildings and evidence of its occupation as an Armament Depot from 1897. It contains the wharf with two cranes, reclaimed land and part of the light rail system as well as a series of Federation face brick buildings which were purpose-built to store and distribute armaments. These buildings are protected by earth mounding and concrete separation blast walls to shield explosive materials in event of accidents.

A group of administration buildings and residences are located at the top of the precinct on a hill at the end of a cobblestone driveway flanked by two rows of trees ending in two sandstone gate posts. These buildings are a mixture of Federation brick buildings constructed in the first phase of development on the site and other buildings built during the 1920's, 1930's and 1940's. The later buildings are a mix of materials including timber and fibro with asbestos roofing. The cranes on the Wharf are dated as circa 1973.

The car park is adjacent to Building 8 which was constructed in 1940 and is a former explosives store, and Building 6 a former explosives workshop and office constructed around 1972. The site is listed in the State Heritage Register as the Newington Armament Depot & Nature Reserve (Item No. 5054828).

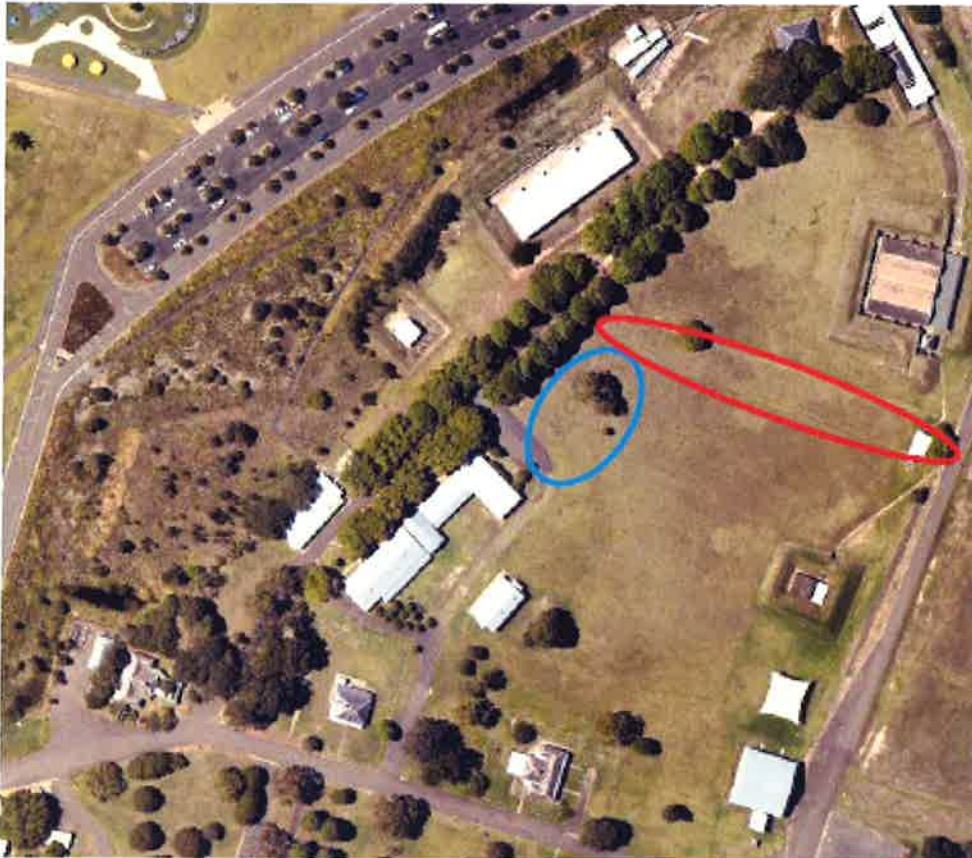
## 3 The proposed development

### 3.1 General Description

This application seeks approval for the construction of a 33 space at-grade car park. Works will include:

- Site preparation and minor excavation;
- Construction of the car park;
- Associated drainage and line marking;
- Removal of one tree; and
- Use of the car park by various users/tenants of the Armory Precinct facilities.

The car park will be a sealed surface, bitumen, and will be graded to drain to new grass swales.



**Figure 2** – General location of car park in blue, heritage wall foundations in red.

### 3.2 Operational Details

The car park will not be a facility that is accessible by the general public. SOPA has in place lease arrangements with YMCA and NSW Judo who operate within close proximity to the site. The car park will be utilised primarily by staff of the YMCA and staff/coaches of NSW Judo.

Access to the car park is via secure entry to the Armory, and therefore the car park will only be by those that have security clearance.

The Armory is a programed publicly accessible site on the weekends, by foot or bicycle traffic only.

## 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 Executive Manager, Urban Planning and Design, and the Chief Executive Officer of Sydney Olympic Park Authority.

The proposed development is however inconsistent with these delegations as SOPA is the applicant. Therefore the application is to be referred to NSW Planning and Environment for review and determination.

## **5 Statutory framework**

### **5.1 Environmental Planning and Assessment Act 1979**

The proposal is local development to which Part 4 of *the Act* applies.

The car park site is not located in an identified area of primary habitat for the Green and Golden Bell Frog (GGBF). The site is approximately 150 metres from the nearest confirmed habitat (Pond BC2) from which it is separated by the original earth and mown grassed mounding around the former bunker structure of Building 8 and an internal road.

Having regard to the nature of the proposed works and the minimal excavation is proposed and the physical separation, it is considered unlikely that the proposed construction of the car park within the Newington Armory Precinct will have any substantive impact on a threatened species, population or ecological community or their habitats (the GGBF).

On this basis it is considered that the proposed development is unlikely to have a significant effect on the GGBF or its habitat. As such, a referral to the Commonwealth (under the *Environment Protection and Biodiversity Conservation Act 1999*) is not necessary.

### **5.2 Sydney Olympic Park Authority Act 2001**

#### **5.2.1 Clause 22(2) – Consistency with Environmental Guidelines**

The submitted SEE provides a detailed assessment of the development against relevant provisions of the *Environmental Guidelines*. Having regard to the SEE, it is considered that the proposed development is generally consistent with the *Guidelines*.

### **5.3 Threatened Species Conservation Act 1995**

As discussed above, the proposed site is physically separated from any primary habitat and the condition of the terrain (closely mown grass) between the buildings and Ponds BC1 and BC2 is not likely to provide frog habitat. On this basis, it is considered that the proposed construction of a surface car park will not have any significant effect on the GGBF and accordingly a Species Impact Statement is not required.

### **5.4 Environmental Planning Instruments**

#### **5.4.1 State Environmental Planning Policy (Major Development) 2005**

Part 23 of *State Environmental Planning Policy (Major Development) 2005* set out the zoning and development controls for Sydney Olympic Park.

The land which is the subject of this application is zoned RE1 Public Recreation under the provisions of the SEPP.

Clause 11 sets out the objectives and permissible uses for the zone as follows:

1) *The objectives of Zone RE1 Public Recreation are as follows:*

- (a) to enable land to be used for public open space or recreational purposes,*
- (b) to provide for a range of recreational settings and activities and compatible land uses,*
- (c) to protect and enhance the natural environment for recreational purposes,*
- (d) to support the Sydney Olympic Park site as a premium destination for major events.*

(2) *Development for any of the following purposes is permitted without consent on land within Zone RE1 Public Recreation:*

*environmental protection works; roads.*

(3) *Development for any of the following purposes is permitted only with consent on land within Zone RE1 Public Recreation:*

*boat sheds; **car parks**; caravan parks; community facilities; depots; entertainment facilities; environmental facilities; filming; food and drink premises; heliports; major events; recreation areas; recreation facilities (indoor); recreation facilities (outdoor); research stations; signage; water recreation structures.*

(4) *Except as otherwise provided by this Part, development for any of the following purposes is prohibited on land within Zone RE1 Public Recreation:*

*pubs; restaurants; any other development not specified in subclause (2) or (3).*

As indicated above, the proposed use is for the construction of a car park and “**car parks**” are a permissible form of development, defined as follows:

*“.. means a building or place primarily used for the purpose of parking motor vehicles, including any manoeuvring space and access thereto, whether operated for gain or not.”*

On this basis it is concluded that the proposed use is permissible with consent.

#### **5.4.2 State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55)**

There is no known contamination of the land within the Newington Armory Precinct.

#### **5.4.3 Sydney Regional Environmental Plan – Sydney Harbour Catchment 2005**

The *REP* contains provisions relating to biodiversity, ecology and environmental protection as well as provisions concerning the maintenance, protection and enhancement of views. The proposed development is not inconsistent with these provisions.

#### **5.5 Metropolitan Plan for Sydney 2036**

The *2005 Metropolitan Strategy* identified Sydney Olympic Park and Rhodes as a single Specialised Centre due to their geographic proximity and potentially complementary role. However, in the intervening period each has developed as a distinct centre, generating employment bases of more than 8,000 jobs. This has been recognized in the recently released *Metropolitan Plan 2036* and they are now identified as separate Specialised Centres.

#### **5.6 Draft Inner West Subregional Strategy**

The proposed development is not inconsistent with any of the objectives or policies contained within the subregional strategy.

## **5.7 Draft Metropolitan Strategy**

The proposed development is not inconsistent with the draft *Metropolitan Strategy*.

## **5.8 Development Control Plans**

*Sydney Olympic Park Master Plan 2030 (MP 2030)* was approved by the Minister for Planning & Infrastructure in accordance with Section 18(4) of the *Sydney Olympic Park Authority Act 2001* and came into effect on the 10 March 2010.

*MP 2030* is a deemed DCP and is considered here for the purposes of Section 79C (1) (c).

### **5.8.1 Sydney Olympic Park Master Plan 2030**

Whilst the site falls within the land covered by the *MP 2030*, the primary controls for development within the Parklands are embodied in the Parklands Plan of Management, which are adopted for the purposes of the Master Plan. A comprehensive assessment of the proposal against the provisions of the Parklands Plan of Management (PoM) has been prepared as a precursor to the DA documentation and has been approved by SOPA's Executive Manager, Place Management.

## **5.9 Draft Environmental Planning Instruments**

There are no draft EPIs that are applicable to Sydney Olympic Park.

## **5.10 Planning Agreements**

There are no planning agreements that are applicable to this application.

## **5.11 SOPA Guidelines, Controls and Management Principles**

### **5.11.1 Parklands Plan of Management**

Helen Mulcahy Urban Planning prepared an assessment of the works against the relevant objectives and provisions of the PoM as they relate to the Newington Armory Precinct and the broader Parklands at Sydney Olympic Park. The proposal has been found to be consistent with the objectives and provisions of the PoM, in particular the Public Access and Use Regime and Scheme of Operations.

### **5.11.2 Sydney Olympic Park Biodiversity Management Plan (SOPBMP)**

The car park site is located in the area described as The Visitation Zone in SOPA's *Biodiversity Management Plan (BMP)*, the primary function of which is for general public use and visitation through involvement in planned events and Program or Program-related activities. It has secondary functions as a Parklands research centre, a venue for public events and activities, a Parklands administration centre, the home of the Program of the Institute, as a parkland area that provides valuable habitat and as a transition area to the Buffer Zone and to adjoining natural areas.

Specific management measures are identified in the *BMP* and must be recognised as part of the proposed development. These have been considered and assessed in the Statement of Environmental Effects and the responses are considered to be satisfactory.

### **5.11.3 Environmental Sustainability Guidelines (2008)**

The proposed development has been assessed against the Guidelines, at Section 4.11 of the submitted Statement of Environmental Effects, and it is considered that the proposed development supports the principles of the *Guidelines* and therefore is satisfactory.

#### 5.11.4 Prescribed matters EP&A Regulations 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 Consultation

### 6.1 Public notification

The proposal did not require public advertising or notification.

### 6.2 Internal referrals within SOPA

The application was referred to the following internal Sydney Olympic Park Authority units for review and comment on 1 July 2014:

Internal department	response
Building Services	No objections subject to conditions.
Parklands & Assets	No objections.
Precinct Coordination	No objections.
Major Projects	No objections.
Environment and Ecology	No objections subject to conditions.
Environmental Infrastructure	No objections.
Commercial and Property	No objections.

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

### 6.3 External agency referral

#### Heritage Council of NSW

The site is listed on the State Heritage Register and accordingly the application was referred to the Heritage Council on 6 June 2014 seeking the Standard Exemption approval from the Council under s.57 (2) of the Heritage Act. The Council provided General Terms of Approval, by letter dated 14 July 2014.

## 7 Assessment

The application has been assessed against the relevant heads of consideration set out under Section 79C (1) of *the Act*.

### 7.1 Impact of the development

The SEE provides an assessment of the potential impacts of the development. It outlines the areas of risk / potential impact as follows:

- Heritage impact;
- Physical impact;

Further comment on the above impacts are discussed below, however having regard to the SEE, it is considered that the proposed development is unlikely to adversely affect the

natural, social or economic environment, subject to the imposition of appropriate conditions of consent.

### 7.1.1 Heritage Impact

The site is listed in the State Heritage Register, and a Heritage Impact Statement (HIS) was submitted with the development application. The HIS assesses the heritage impact of the proposed use, having regard to the guidelines established by the Heritage Office and the policies and guidelines set out in the *Newington Armament Depot and Nature Reserve Conservation Management Plan (Newington Armory CMP)* prepared by Tanner Architects and endorsed by the Heritage Office in September 2013.

The site is in the vicinity of the Silverwater Prison Complex Conservation Area, which is also listed on the State Heritage Register. The heritage curtilages of these sites have been determined to protect their respective significance and to retain views to and from the structures on each property.

The HIS states that none of the proposed works associated with the proposed car park will detrimentally impact upon the significance of the place. The works are in close proximity to the foundations of the original armory fence, however the car park has been setback in accordance with the directions of the heritage expert.

The HIS also assessed the impact of the removal of one tree. The Report indicates that from aerial photography of the site the tree was planted in the last quarter of the 20<sup>th</sup> century and it was not a replacement tree. Therefore it is not considered to contribute to the heritage of the place.

The HIS concludes that *"given the proposed occasional overflow car park will not have a detrimental impact upon the fabric of the subject buildings, or upon the integrity of the broader Newington Armory site or the nearby Silverwater Prison Complex Conservation Area, the development application is considered to be acceptable in heritage terms."*

As mentioned above, the application was referred to the Heritage Council under s.57 (2) of the Heritage Act. The Council provided General Terms of Approval, by letter dated 14 July 2014.

### 7.1.2 Physical Impacts

#### Water Quality

As part of the proposal a grass swale will be constructed to capture surface water runoff, treat and slow the movement of water to existing receivers.

On balance, it is not anticipated that the proposed construction of the car park will have any substantive impact on water quality or quantity.

#### Access

Access to the car park will be via the existing Armory street system. The Armory is a secure facility and vehicular access is only available to those that have appropriate clearance and a security pass.

#### Tree Removal

The proposal includes the removal of one tree. The heritage impacts of the tree have been assessed and it is not considered to be contributory.

The tree has also been assessed by an arborist and found to be in very good health.

The removal is proposed to ensure the maximum efficiency of the car park, and to minimise its overall size. A planting regime throughout the armory is proposed in the future to provide more amenity planting in appropriate locations.

### **7.1.3 Social & Economic Impacts**

The proposed car park is integral to the realisation of SOPA's vision for the Parklands at Sydney Olympic Park and will provide easier access for staff who work at the range of facilities and support the activities available within this area of regional public open space.

On this basis, it is concluded that the proposed development will have a positive social and economic impact.

## **7.2 Suitability of the site for the development**

Having regard to the characteristics of the site and its location, the proposed car park is considered to be appropriate in that:

- the land is zoned to permit the proposed use;
- the nature and form of the proposed development is consistent with the guidelines and policies set out in the *Newington Armory CMP* and it has been determined that the proposal will not result in any impact on the heritage significance of the Newington Armory or the nearby Silverwater Prison Conservation Area; and
- additional car parking within the Armory will support staff/users of current and future facilities and provide opportunity for greater activation of the precinct.

The proposal will not result in any adverse environmental impacts and it is therefore considered that the site is suitable to accommodate the proposed development.

## **7.3 The public interest**

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

- is consistent with the provisions and controls of the principle environmental planning instrument applying to the land contained with *State Environmental Planning Policy (Major Development) 2005*;
- is consistent with the *Sydney Olympic Park Master Plan 2030*; and
- would not result in any adverse environmental and/or heritage impacts, subject to compliance with appropriate conditions of consent.

# **8 Conclusion and recommendations**

## **8.1 Conclusion**

The application has been considered with regard to the matters raised in section 79C of the EP&A Act. Following this detailed consideration, SOPA considers that the proposal will not result in any adverse environmental impacts and is in the public interest, and therefore it is appropriate for the Acting Director to proceed to make a determination on the proposal.

## 8.2 Recommendation

It is recommended that the Director:

- consider all relevant matters prescribed under Section 79C of the EP&A Act, as contained in the findings and recommendations of this report;
- approve the development application subject to conditions by signing the attached instrument of consent (Tag C) and
- authorise Sydney Olympic Park Authority to carry out post-determination notification pursuant to Section 81 of the EP&A Act.

Prepared by



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Date: 06/08/2014

Endorsed by

Daniel Keary  
**Director**  
**Industry, Key Sites and Social Projects**  
**NSW Planning & Environment**

Date: