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**SYDNEY OLYMPIC PARK AUTHORITY**

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**Planning Assessment Report**

<b>Application No:</b>	DA-06-09-2022
<b>Application Site:</b>	161 Silverwater Road, Sydney Olympic Park, NSW 2127
<b>Proposal:</b>	Subdivision of Lot C in DP 421320
<b>Applicant:</b>	Cricket NSW
<b>Consent Authority:</b>	Sydney Olympic Park Authority (SOPA)

**1 Purpose**

The purpose of this report is to provide an assessment of the subject development application (DA) under Part 4.15 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

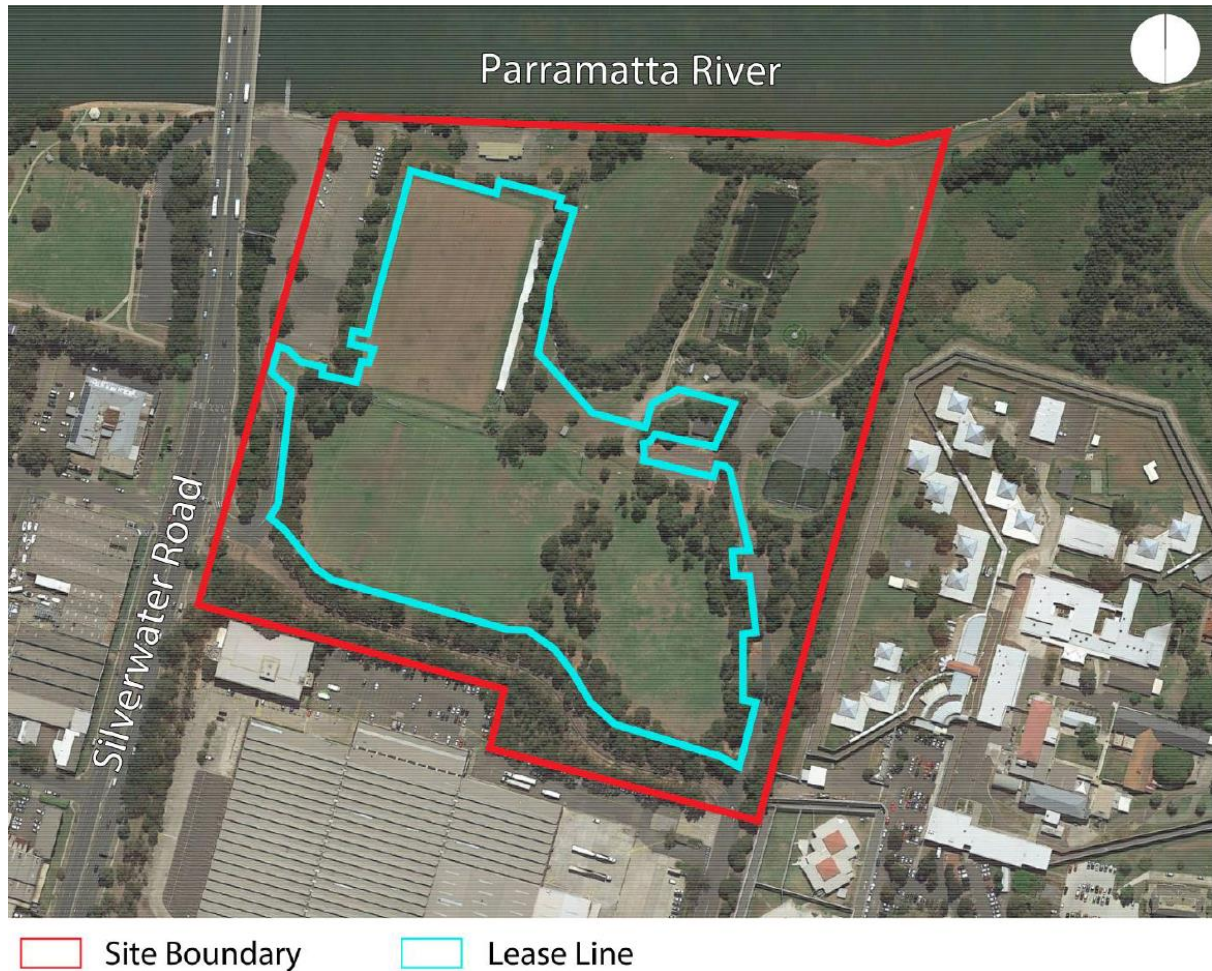
**2 Recommendation**

It is recommended that the Executive Director, Asset Management and Environmental Services, of Sydney Olympic Park Authority:

- A) Consider all relevant matters as discussed and assessed by this report;
- B) **Approve** the development application pursuant to Sections 4.16 and 4.17 of the EP&A Act, having considered the relevant matters in accordance with point A) above by signing the Instrument of Consent attached to this report;
- C) Sign the attached Instrument of Consent; and
- D) Authorise Sydney Olympic Park Authority to carry out post-determination notification pursuant to Section 4.18 of the EP&A Act.

### 3 Site and Surrounds

The site (see Figure 1) is known as 161 Silverwater Road and is located at Wilson Park, Sydney Olympic Park and is located within the Parramatta Local Government Area (LGA). The site is legally described as Lot C in DP 421320 (see Figure 2). The site is irregular in shape and contains a total area of 121,082sqm and a proposed leased area of 65,767sqm where the NSW Cricket Centre of Excellence development is located.



**Figure 1: Location of the subject site outlined in red and lease boundary is blue. (Source: Nearmap and Ethos Urban)**

To the north of the site is the Parramatta River, to the east is Silverwater Correctional Complex, to the south Clyde Street, extending to a busway, and industrial lands and to the west is Silverwater Road. There are also two biological leachate treatment systems on the site, located on the eastern side of the site and also north-eastern side of the site.

Lot C in DP 421320 (see Figure 2) also includes the following:

- (E1) Right of Carriageway variable width
- (E2) Easement for Electricity and other purposes 2m wide & variable width
- (E3) Easement for electricity and other purposes 4.5 wide & variable width

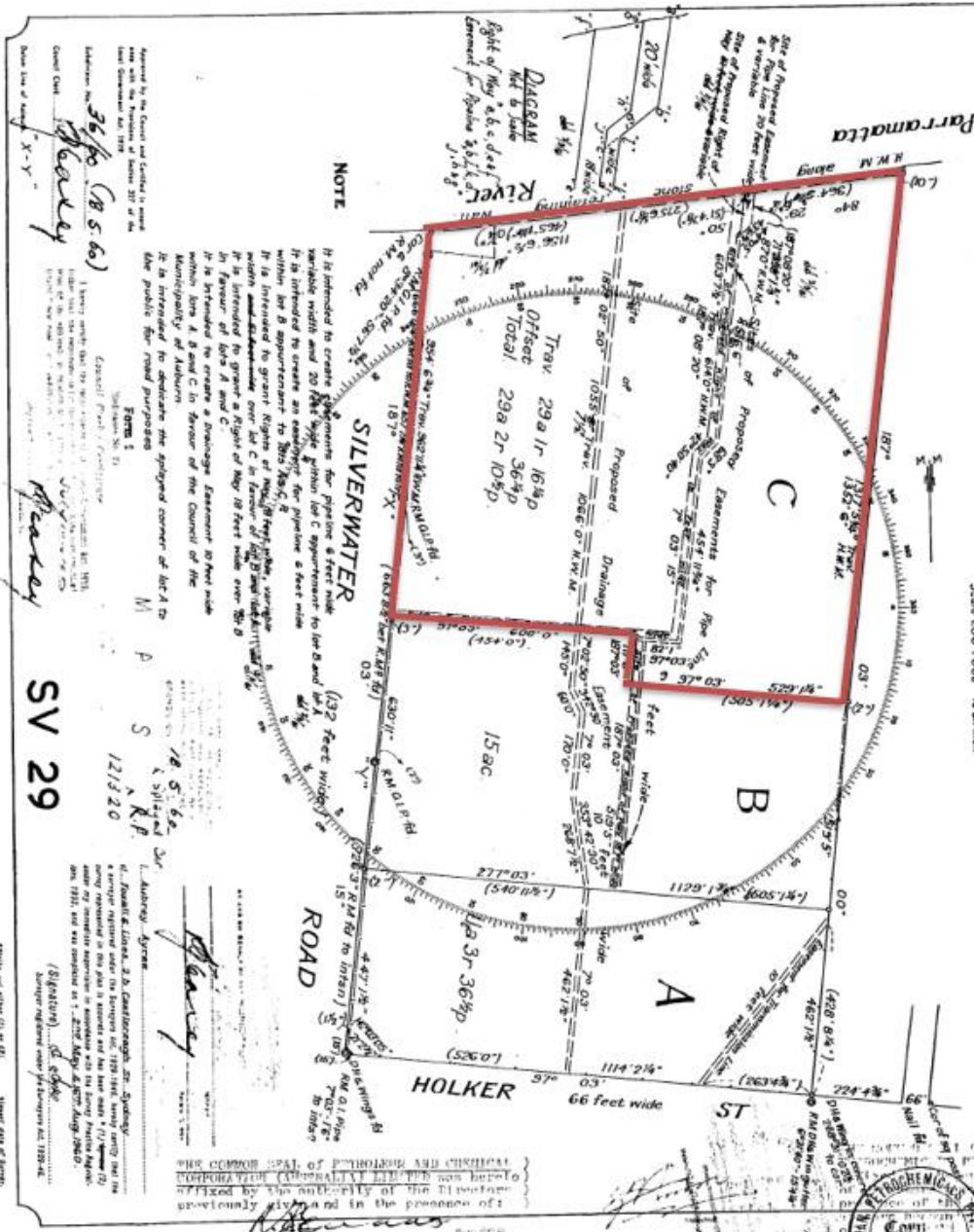
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FP 421320

of subdivision of portion 361.  
*Parish of Trinity* ~~Trinity~~ *County of Cumberland*  
 ST JOHN  
 Scale 200 feet to an inch

Scale 200 feet to an inch



This is the plan marked "X" referred to in Memorandum of Transfer from Petrochem and Chemical Corporation (Australia) Limited to Australian Petrochemicals Pty. Limited  
 Dated 12/12/2001

PAYEE NAME AMENDED BY LF/NEW MOE 211/2000 12-1-2001

**Figure 2: Existing Plan of Subdivision with subject allotment outlined in red.**



## 4 Proposed Development

The proposed development seeks subdivision of the site into six (6) lots. The proposed subdivision will define the land area of the NSW Cricket Centre of Excellence, which comprises the proposed Lot 1. Lots 2, 3, 4, 5 and 6 fall outside of the NSW Cricket Centre of Excellence proposed lease boundary and remain under SOPA administration.

Specifically, the DA seeks approval for:

- Subdivision of Lot C in DP 421320 to create:
  - **Lot 1:** Cricket training, playing and administration facilities (the proposed lease area for Cricket NSW)
  - **Lot 2:** The roadway to the south of the NSW Cricket Centre of Excellence facilities
  - **Lot 3:** The Parramatta River foreshore area
  - **Lot 4:** The carparking area to the north-west of the site
  - **Lot 5:** The roadway and car parking area to the south-east of the site
  - **Lot 6:** An allotment located to the north-east which includes a bioremediation compound.

The proposal is for subdivision only and does not seek any physical works. An excerpt of the proposed subdivision layout is provided in Figure 3. A site layout plan is included in Figure 4.



Figure 3: Proposed Plan of Subdivision. (Source: LTS Lockley)



**Figure 4: Site Layout of NSW Cricket Centre. (Source: COX Architecture)**

A Deed of Agreement (The Agreement) was executed between SOPA and Cricket NSW on 2 April 2019. The Agreement provides Cricket NSW with a lease to operate the NSW Cricket Centre of Excellence for 25 years from the commencement date. As part of The Agreement, there is a requirement for the site to be subdivided to achieve accurate boundary definitions of the components of the site. This application seeks to action this requirement of the Deed of Agreement.

## **5 Assessment**

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

The proposal is local development to which Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) applies. The application has been assessed against the heads of consideration set out under Section 4.15 of the *EP&A Act*.

This DA was lodged and accepted by SOPA on 21 October 2022.

## 5.2 Sydney Olympic Park Authority Act 2001

Clause 22(2) of the *Sydney Olympic Park Authority Act 2001* (SOPA Act) requires consideration of the Environmental Guidelines for Sydney Olympic Park 2008 (Environmental Guidelines) for all proposed developments. The application relates to subdivision of land within the Parklands of Sydney Olympic Park. The proposed subdivision is not considered to result in adverse impacts on any of the following:

- Roads and traffic management functions.
- Environmental protection.
- The function of events.

As indicated, this application is only for subdivision. The development application for the Cricket NSW Centre of Excellence was approved on 13/08/2020 and gives consent to the use and buildings on the site.

Given the above, the proposed subdivision is generally consistent with the requirements of the Environmental Guidelines subject to the imposition of suitable planning conditions.

## 5.3 Environmental Planning Instruments

### 5.3.1 State Environmental Planning Policy (Precincts – Central River City) 2021

SOPA is the consent authority as per Appendix 4, Part 2 of State Environmental Planning Policy (Precincts – Central River City) 2021. The relevant provisions are addressed in Table 1 below.

**Table 1 Appendix 4 of SEPP (Precincts – Central River City) 2005 – Planning Provisions**

Clause	Response	Compliance */✓/N/A
<b>(7) Zone RE1 Public Recreation and SP2 Infrastructure</b>	The proposal seeks approval for subdivision of the site. The proposal is consistent with RE1 Public Recreation and SP2 Infrastructure land zoning as set by the SEPP given the following: <ul style="list-style-type: none"><li>- The proposal will not detract from the provision of infrastructure;</li><li>- The proposal will enable land to be used for recreational purposes and will not impact on the through-site link pathway linking Oval 2 in the south-west corner of the site to the River Walk and Bus Only Access way as approved under SSD 10354.</li><li>- The proposal will provide for a range of recreational settings and activities and compatible land uses; and</li><li>- The proposal will support the Sydney Olympic Park site as a premium destination for major events.</li></ul>	✓
<b>(16) Subdivision</b>	The proposal is for subdivision and is permissible with consent.	✓
<b>(18) Building Heights</b>	The site is not subject to a height limit under Appendix 4 of the SEPP (Precincts – Central River City) 2021.	N/A
<b>(19) Floor space ratio</b>	The site is not subject to a FSR control under Appendix 4 of SEPP (Precincts – Central River City) 2021.	N/A

Clause	Response	Compliance */✓/N/A
<b>(23) Public infrastructure</b>	The Cricket NSW Centre of Excellence development is serviced by all necessary public utility infrastructure. The subdivision of the land will not impact this.	✓
<b>(24) Major event capability</b>	The proposal does not seek any additional physical development that may attract additional patrons and thus will not restrict the management of crowd movement and transport services associated with major events to any extent.	✓
<b>(25) Transport</b>	The proposed subdivision will not impact on transport infrastructure. Vehicular access to the existing SOPA leachate pit has been provided for in the subdivision of allotments to allow unimpeded truck access to the leachate pit outside of the allotment to be leased by Cricket NSW.	✓
<b>(26) Master Plan</b>	The Sydney Olympic Park Masterplan 2030 (2018 Review) states that the site is governed by the Parklands Plan of Management (2010). The Parklands Plan of Management (2010) does not have any specific controls relating to subdivision. The proposal will not impact on the Bioremediation compound at Wilson Park, nor the River Walk adjacent to the Parramatta River foreshore.	✓
<b>(29) Development within an environmental conservation area</b>	The north-east portion of the site is identified as an Environmental Conservation Area. This area also contains a leachate treatment system with restricted access. Given the proposal seeks subdivision only with no physical works and 24-hour-a-day access to the remediation ponds is maintained for SOPA staff and contractors to access the area, the proposal is considered acceptable having regard to this Clause.	✓
<b>(30) Design Excellence</b>	The proposal seeks consent for subdivision only and thus is not subject to design excellence.	N/A
<b>(31) Heritage Conservation</b>	The site is not identified as a heritage item or within the vicinity of a heritage item, nor is it within a heritage conservation precinct. The proposed subdivision will not impact on any heritage item or heritage conservation area.	✓

### 5.3.2 State Environmental Planning Policy (Biodiversity and Conservation) 2021

State Environmental Planning Policy (Biodiversity and Conservation) 2021 aims to protect the biodiversity of trees and other vegetation in non-rural areas of the State; and to ensure that the catchment, foreshores, waterways and islands of Sydney Harbour are recognised, protected, enhanced and maintained as an outstanding natural asset, and as a public asset of national and heritage significance for existing and future generations.

The site is located within the Sydney Harbour Catchment and is also mapped within the 'Foreshore and Waterways Area'. As such the proposal is subject to the relevant provisions of this SEPP. However, given the proposal is for subdivision only, it is considered that the trees, vegetation, foreshores, catchments, waterways and islands of Sydney Harbour will not be impacted by the proposed subdivision.

Approval for the NSW Cricket Centre of Excellence (SSD 10354) was granted by DPE on 13/08/2022. The application consisted of the following:

- Demolition of existing single-storey grandstand and construction and operation a new centre of excellence for Cricket NSW, including:
  - two-storey cricket centre building, including offices, and facilities for the community, sports science, and indoor training
  - two cricket ovals and associated seating
  - outdoor practice cricket wickets
  - associated car parking, storage building, landscaping and public domain works
  - signage zones.

Additionally, Stage 1 construction of the development is completed.

## **5.4 Impact Assessment**

The proposal is for subdivision only, no physical works are proposed and as such the proposal will not adversely affect the natural, social or economic environment, subject to conditions of consent. Additionally, road and pedestrian access will not be impeded by the subdivision of the land. It is noted that the proposed plan of subdivision includes a note stating that “Future easements may be created over subject land as necessary”.

### **5.4.1 Sydney Olympic Park Local Infrastructure Contributions Framework (ICF)**

The proposed development is for subdivision only and thus does not result in any additional GFA; accordingly, the ICF does not apply to the proposed development.

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

This proposal is for subdivision only, the DA for the physical works has already been approved by the Department of Planning and Environment.

### **5.4.3 Likely Impacts of the Development**

The proposal is considered acceptable and unlikely to have any adverse environmental, social or economic impacts.

### **5.4.4 Public Interest**

The physical development of the site has already been granted consent and the proposed subdivision will enable the orderly use of the site. The proposal is considered to be in the public interest as it:

- 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 (Precincts - Central River City) 2021*.
- Would not result in any adverse environmental affects (subject to conditions).
- The proposed subdivision arrangement does not impact on the publicly accessible through-site link pathways linking Oval 2 in the south-west corner of the site to the River Walk and Bus Only Access way. It is further noted that the proposed plan of subdivision includes a note stating that “Future easements may be created over subject land as necessary”.



## 6 Consultation

### 6.1 Notification, advertising and submissions received

The proposal did not require advertising, notification or agency referrals, as such, no submissions were received.

### 6.2 Internal referral

SOPA Discipline	Comment
Environment and Ecology	As the subject land is within the parklands, a Parklands Approval Permit must be issued before SOPA can enter into such a lease as that proposed. It is noted the requirement for Parklands Approval Permit has been satisfied with the SSDA.
Environmental Infrastructure	No comments.

## 7 Delegations

On 3 June 2022, the Minister delegated powers and functions under Section 2.4 of the EP&A Act for development at Sydney Olympic Park, which is not lodged by SOPA and result in an expected future realisation by SOPA of income or other economic benefit for an amount exceeding \$250,000 per financial year.

These delegations have been provided to SOPA and the Public Service senior executive employees who are employed in accordance with Section 64 of the Sydney Olympic Park Authority Act 2001.

The proposed development is consistent with these delegations. Accordingly, it is appropriate for the Authority to exercise its delegations in determining this development application.

## 8 Findings and Recommendation

The proposed development seeks approval for subdivision of Lot C in DP 421320, Sydney Olympic Park. The proposed subdivision will logically distinguish various components of the site into six (6) separate allotments. The proposed subdivision will further distinguish between the land that is to be administered by Cricket NSW under their lease (Lot 1) and SOPA land (Lots 2, 3, 4, 5 and 6). Furthermore, it is considered that no adverse amenity effects, which cannot be controlled by way of planning conditions, would arise as a result of the proposal. Accordingly, this DA is recommended for approval subject to suitably worded planning conditions pertinent to the development.

## 9 Conclusion

The application has been assessed with regard to the matters raised in:

- (i) Section 4.15 of the *EP&A Act*;
- (ii) The provisions and controls of *SEPP (Precincts- Central River City) 2021*;
- (iii) The provisions of Sydney Olympic Park Master Plan 2030 (2018 Review).

The proposed development is considered acceptable, in the public interest and is therefore recommended for **approval** subject to the recommended conditions of consent.

**Reviewed:**



Vivienne Albin  
Senior, Manager Planning

**Approved**



John Ferguson  
Executive Director, Asset Management and Environmental Services  
23 December 2023