
SYDNEY OLYMPIC PARK AUTHORITY

Planning Development Application Assessment Report

Application No:	DA 04-03-2013
Application Site:	Ground Floor Shop, 6 Edwin Flack Avenue (Site 22), Sydney Olympic Park
File No:	F13/226
Proposal:	Fitout & use of premises as a Café with outdoor seating
Background/History:	6 Edwin Flack Avenue is the site of a new service apartments development (MP 08_0155) approved by the Minister for Planning on 27 January 2011).
Applicant:	Quest Apartments (Warwick Siddle)
Determining Agency:	Sydney Olympic Park Authority

1 Site and surrounds

A site visit was carried out on 7 March 2013.

The proposed development is located to the west of Sydney Olympic Park Rail Station and is within the area currently known as the 'Sports and Education' Precinct. The site is legally described as Pt 160 & 161 DP 1155500.

The site is immediately bounded by a service lane and Carter Street Industrial Precinct (Auburn Council LGA) to the west, Edwin Flack Avenue and Sydney Olympic Park Athletics Centre to the east, Site 21 (Formula 1 Hotel) to the north and a car park to the immediate south with Bernie Avenue further to the south. The building (Quest Service Apartments) has been constructed in accordance with the approval for Major Project 08_0155.

2 The proposed development

The proposed development is for the fitout and use of the ground floor shop as a Café with outdoor seating. There will be up to 10 employees and the Café will operate 6am to 10pm, 7 days a week. A generic under-awning sign and window signage have been approved by previous development consents.

3 Assessment

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

3.1 Environmental Planning Instruments, DCPs and Planning Agreements

3.1.1 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 is for commercial/retail shop and is permissible with consent. The objects of the zone are satisfied.	✓
(23) Public infrastructure	Public infrastructure requirements have been addressed in the base building approval. This application does not require additional public infrastructure to that already approved.	n/a
(24) Major event capability	The proposed development is unlikely to adversely impact major events.	✓
(25) Transport	Transport/ parking requirements have been addressed in the base building approval.	✓
(26) Master Plan (Note: Master Plan 2030 is a deemed DCP and is also considered here for the purpose of S79C(1)(a)(iii)).	Master Plan applies to the subject site and has been considered in the base building approval and the proposed development is consistent with MP 2030 principles and controls.	✓
(29) Development in environmental conservation area	The subject site is not in an environmental conservation area.	n/a
(30) Design excellence	Design excellence requirements have been addressed in the base building approval. The works proposed for the development are generally internal.	n/a
(31) Heritage Conservation	The subject site is not within the vicinity of a heritage item and the proposed fit out works will not impact on heritage conservation.	n/a

Table 1 SEPP Major Development – Planning Provisions

3.2 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.

3.3 Impact of the development

The proposed development is for commercial/retail use and will not adversely affect the natural, social or economic environment subject to conditions of consent.

3.4 The suitability of the site for the development

The proposal is of a nature that is in keeping with the overall objectives and functions of the site and approved land use & development.

3.5 Notification, advertising and submissions received

No submissions were received as the proposal did not require advertising, notification or agency referrals.

3.6 The public interest

The proposal is considered to be in the wider 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 (Major Development) 2005*; and
- Would not result in any adverse environmental affects (subject to conditions).

4 Sydney Olympic Park Authority Act 2001

4.1 Clause 22(2) – Consistency with Environmental Guidelines

The proposed development is generally consistent with the *Environmental Guidelines* as the proposed development is minor and routine and does not alter the environmental performance of the base building, which is designed to achieve a high green-star rating.

5 Consultation

5.1 Internal referrals

The application was referred to the following internal Sydney Olympic Park Authority unit(s) for comment(s) on 13 March 2013:

INTERNAL DEPARTMENT	RESPONSE
BUILDING SERVICES	No objections subject to conditions

Conditions recommended by the Building Services Unit have been incorporated into the recommended Conditions of Consent where appropriate and necessary.

6 Delegations

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*. The Authority is the assessing and determining agency pursuant to the Minister's delegation dated 14 September 2011, and effective from 1 October 2011.

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

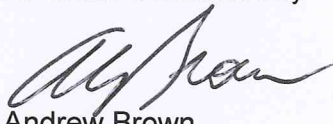
Prepared by



Dat Tran
Planner, Urban Planning

Date: 13 March 2013

Reviewed & Endorsed by



Andrew Brown
Executive Manager, Urban Planning and Design

Date: 13 March 2013