
SYDNEY OLYMPIC PARK AUTHORITY

Planning Development Application Assessment Report

Application No:	DA 08-05-2013
Application Site:	Site 4B, 10 Herb Elliott Avenue, Sydney Olympic Park
File No:	F13/368
Proposal:	Erection of two temporary Real Estate Signs. One to be located on Herb Elliott Avenue and one on Olympic Boulevard, Sydney Olympic Park.
Background/History:	Site 4B is currently a development site which has a Part 3A Project approval for a new multi storey commercial development. The proposed temporary real estate signs are to be located one on the Herb Elliott frontage and one on the Olympic Boulevard frontage of the site.
Applicant:	Mr Jamie Stewart, Fitzpatrick Investments Pty Ltd
Determining Authority:	Sydney Olympic Park Authority

1 Site and surrounds

A site visit was carried out on 10 May 2013.

Site 4B, 10 Herb Elliott Avenue is located to the south west of the Sydney Olympic Park Rail Station and is within the area currently known as the 'Central' Precinct. The site is legally described as Lot 13 DP 1125680.

The site is an "L" shaped site that wraps around the Pullman Hotel, which is located on the corner of Herb Elliott Avenue and Olympic Boulevard.

The site was formally used as a carpark and operated by Sydney Olympic Park Authority.

Vehicular access to the new development will be provided off Herb Elliott Avenue on a temporary vehicular access, which is located within a future road corridor.

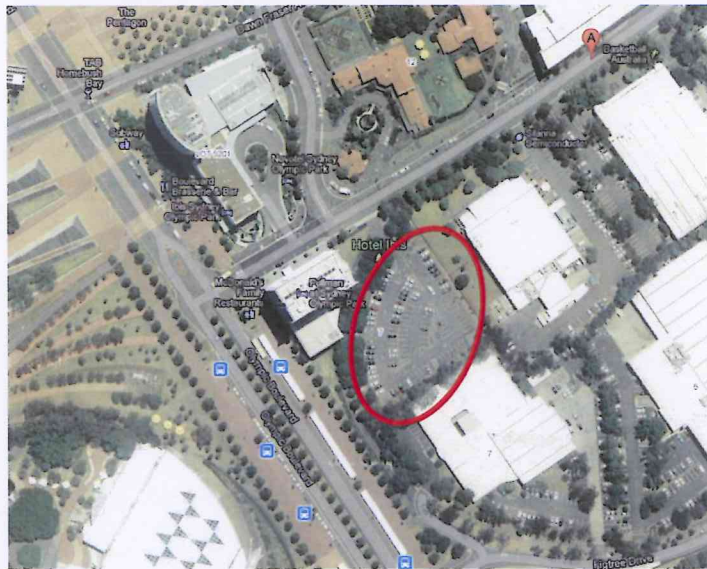


Figure 1 – The site location



Figure 2 – Location of subject site, Herb Elliott Avenue frontage

2 The proposed development

The proposed development involves the erection of two temporary real estate signs.

3 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 consistent with these delegations as it:

- 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.

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

4 Assessment

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

4.1 Environmental Planning Instruments, DCPs and Planning Agreements

4.1.1 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 x/✓/N/A
(9) Zone B4 Mixed Use	The proposed development is for temporary real estate sign and is permissible with consent. The objects of the zone are satisfied.	✓
(23) Public infrastructure	The proposed temporary real estate sign does not require public infrastructure. This application does not require additional public infrastructure to that already approved.	✓
(24) Major event capability	The proposed development is for temporary real estate sign and as such do not impact on major events.	✓
(25) Transport	The proposed development is for temporary real estate sign and as such do not impact on transport infrastructure.	✓
(26) Master Plan (Note: Master Plan 2030 is a deemed DCP and is also considered here for the purpose of S79C(1)(a)(iii)).	MP 2030 applies to the subject site however MP 2030 does not cover temporary real estate signage	✓
(29) Development in conservation area	The subject site is not in a conservation area.	✓
(30) Design excellence		NA
(31) Heritage Conservation	The subject site is opposite a heritage item, the abattoir precinct. However the real estate sign is only temporary and is to promote a building that has development consent. As part of the application for the base building the issue of heritage was considered and the approved development is not considered to	✓

Clause	Response	Compliance */✓/N/A
	have a negative impact on the heritage item. Therefore it is not considered that the temporary signage will have a negative impact.	

Table 1 SEPP Major Development – Planning Provisions

4.2 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.

4.3 Impact of the development

The proposed development is for two temporary real estate signs and will not adversely affect the built, natural, social or economic environment subject to conditions of consent.

4.4 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 commercial building with retail tenancies on the ground floor.

4.5 Notification, advertising and submissions received

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

4.6 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).

5 Sydney Olympic Park Authority Act 2001

5.1 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.

6 Consultation

6.1 External referrals

The proposal was not referred externally as the proposal is relatively minor and routine in nature.

6.2 Internal referrals

The application was not referred to any internal units of SOPA as it is a very minor application, is temporary in nature and does not have any significant impacts.

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 for a two year period 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

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Date:

Reviewed and Endorsed by



Andrew Brown
Executive Manager, Urban Planning & Design

Date: 15/5/2013