

SYDNEY OLYMPIC PARK AUTHORITY

Planning Assessment Report

Application No:	DA 13-08-2012
Application Site:	Part of Lot 3020 DP 879226 (Haslam's Creek Flats), Sydney Olympic Park
Proposal:	New Open Space for Newington Primary School
Applicant:	Department of Education & Communities (Matthew Taylor)
Determining Agency:	Sydney Olympic Park Authority

1 Site and surrounds

Newington Public School is 1.9 hectares in size and is located within the Auburn LGA, approximately 13 km west of the Sydney CBD. Vehicular access is provided by Newington Boulevard. The proposed development site is located on the eastern end of Newington Public School within the Sydney Olympic Park Parklands, and is approximately 3,450m² in area. The site is owned by the Sydney Olympic Park Authority, and is legally described as part of Lot 3020 DP 878356. Extensive vegetation and mature trees are located throughout the site along with ground covering scrubs. Access can be provided by O'Neill Avenue.

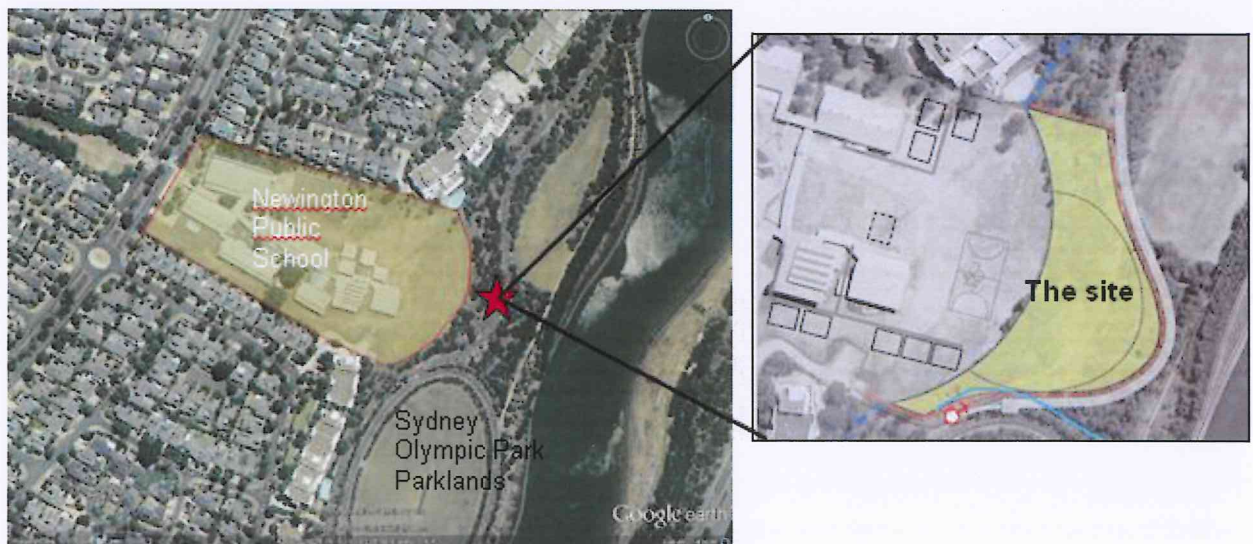


Figure 1 – The subject site

2 Background

Newington Public School is currently well over capacity with enrolments continued to grow over the next five years due to residential growth. The school is already at current permanent design capacity with a current utilisation of 120% (120% reflects permanent design + temporary buildings).

According to the Department of Education & Communities (the Department) the total number of primary students at Newington PS will increase by approximately 166 (or 35%) between 2011 and 2016. This equates to approximately 10 additional classrooms above permanent

design capacity. This demand cannot be accommodated in existing schools of Concord West, Strathfield North or Auburn North PS.

3 The proposed development

This development application seeks consent to expand the play area for usage as *Recreation Facility (outdoor)*. Consent is sought for:

- Removal of part of existing bitumen pathway
- Removal of some existing vegetation
- Installation of new bitumen pathway
- Planting of new trees and turf
- Installation of new seating
- Relocation of existing fencing and installation of new fencing.

The application does not seek consent to install new classrooms or expand any of the existing school buildings. The Department has indicated that any future expansion of the school in terms of classrooms and buildings to meet enrolment demands will be carried out under Part 5 of the EP&A Act.

The Department has indicated that the completed project is required for the start of Term 1, Day 1, 2013 (January 2013). Construction activities are anticipated to take approximately 4 weeks to complete. The design of the development was developed by the NSW Government Architects Office, in full consultation with relevant government agencies and the School, and designed to meet relevant BCA and Australian Standard requirements.

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
(11) Zone RE1 Public Recreation	<p>The proposal can be defined as a '<i>Recreation Facility (Outdoor)</i>' and is permissible with consent.</p> <p>The proposed use of the land is consistent with the objects of the zone. The proposed development will enable land to be used for recreational purposes and is a compatible land use with existing uses.</p>	✓

Clause	Response	Compliance */✓/N/A
(23) Public infrastructure	The proposed development does not require additional public infrastructure.	✓
(24) Major event capability	The proposed development will not adversely impact on major events.	✓
(25) Transport	The proposed development is minor and will not impact on transport infrastructure. The existing cycle way and pedestrian path will be fully replaced.	✓
(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 adopts the provisions of the Parklands Plan of Management for areas within the Parklands. Entering into a Licence is a "restricted SOPA activity", for which a Parklands Approval Permit is required. A condition will be imposed requiring a Parklands Approval Permit to be obtain.	✓
(29) Development within environmental conservation area	The subject site encroaches upon a buffer zone of the Environmental Conservation Area. The works do not require removal or access to zones within the conservation area that are mapped for ecological significance. Notwithstanding, the application was referred to the Authority's Senior Manager – Environment & Ecology, who has raised no objections to the application, subject to conditions.	N/A
(30) Design excellence	Design excellence only applicable to the built environment within the urban town centre.	N/A
(31) Heritage Conservation	The subject site is not within the vicinity of a heritage item and/or a heritage conservation area.	N/A

Table 1 SEPP Major Development – Planning Provisions

4.2 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.

4.3 Impact of the development

The proposed development is will not adversely affect the natural, social or economic environment, subject to the imposition of appropriate 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 permissible land use.

4.5 Notification, advertising and submissions received

The proposal did not require advertising or notification. However, the licence for use of the subject site was placed on public notification/ exhibition in accordance with the provisions of Section 32 of the SOPA Act 2001. The licence and matters relating to Section 32 are being processed/ managed by SOPA's Commercial Services Unit.

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 in nature.

5.2 Clause 32(1) (b) – Grants of leases, easements and licences

The application relates to the lease and use of part of the Millennium Parklands and is subject to the provisions of Section 32 of the SOPA Act.

Section 32 states inter alia that ‘the Authority may grant licenses for use of parts of the Millennium Parklands, but only in accordance with the provisions of Section 32 and with the approval of the Minister (for Western Sydney)’. The licence for use of the subject site and fulfilment of the provisions of Section 32 are being administered by SOPA’s Commercial Services Unit.

6 Consultation

6.1 Internal referrals

The application was referred to the following internal Sydney Olympic Park Authority units for review and comment on 29 August 2012:

INTERNAL DEPARTMENT	RESPONSE
BUILDING SERVICES	No objections subject to conditions
COMMERCIAL SERVICES	No objections, with no recommended conditions for planning consent.
ENVIRONMENT & ECOLOGY	No objections subject to conditions
PARKLANDS & ENVIRONMENT	No objections subject to conditions

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

7 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 1 October 2011.

8 Conclusion and recommendations

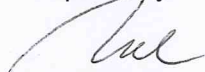
8.1 Conclusions

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.

8.2 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

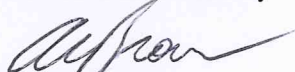
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Date: **14 September 2012**

Reviewed & Endorsed by



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Date: **14 September 2012**