
SYDNEY OLYMPIC PARK AUTHORITY

Planning Development Application Assessment Report

Application No:	DA 59-08-2010
Application Site:	Shop 3, 8 Australia Avenue Sydney Olympic Park
File No:	F10/1156
Proposal:	Fit out of new commercial office space and use as a commercial real estate office.
Background/History:	<p>8 Australia Avenue is the site of a new commercial development (approved by the Minister for Planning (Ref: MP 06_0175)). Separate development applications are required for the internal alteration and additions of ground floor retail stores. This development application relates to alterations and additions to tenancy Shop 3, 8 Australia Avenue.</p> <p>The development application was submitted on 27 August 2010 and included a second story level with storage use. Pursuant to Clause 54 of the <i>Environmental Planning and Assessment Regulations 2000</i> the applicant was asked to submit further information by 30 September 2010. The applicant withdrew the second story level and storage area and submitted improved DA plans.</p>
Applicant:	Ruth Guerreiro, First Real Estate at Sydney Olympic Park Pty Ltd
Determining Agency:	Sydney Olympic Park Authority

1 Site and surrounds

A site visit was carried out on 30 August 2010.

8 Australia is located to the north of Sydney Olympic Park Rail Station and is within the area currently known as the 'Central' Precinct. The site is legally described as Lot 1120 DP 1142724.

The site is immediately bounded by Murray Rose Avenue and Jacaranda Square to the south, a car park to the west, Australia Avenue to the east, and the Sydney Showground to the north. The building is currently being occupied in accordance with the approval for Major Project 06_0175. Photos of the site are attached below.



Figure 1 – The site



Figure 2 – Shop 3, proposed site of real estate office

2 The proposed development

The proposed development involves first legal use and alterations and additions to 'Shop 3' within in an approved building at 8 Australia Avenue, Sydney Olympic Park, including new work stations, partitioning, lobby/reception area, kitchen, benches and display boards for use as a real estate office. The works would be carried in accordance with the plans prepared by First Real Estate at Sydney Olympic Park Pty Ltd.

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 x/✓/N/A
(9) Zone B4 Mixed Use	The proposed development is for retail development 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.	✓
(24) Major event capability	The proposed development is for minor retail development and as such do not impact on major events.	✓
(25) Transport	The proposed development is for minor retail development 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)).	Master Plan applied 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 conservation area	The subject site is not in a conservation area.	✓
(30) Design excellence	Design excellence has been demonstrated in the plans which ensure minimal disruption to existing building façade.	✓
(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.	✓

Table 1 SEPP Major Development – Planning Provisions

3.1.2 Draft State Environmental Planning Policy Competition 2010

Following a review undertaken in 2009 by the NSW Department of Planning and the Better Regulation Office into how economic growth and competition were impacted by the planning system, a new draft State Environmental Planning Policy for Competition has been prepared. This draft policy has been considered in Table 2.

Clause	Response	Suitably of development
(8) Commercial viability of proposed commercial development	Commercial viability of the proposed development or any other existing development is not a consideration for this development.	✓
(9)(1)(2) Loss of trade etc for other commercial development	The loss of trade for existing or proposed commercial retail development is not a consideration.	✓
10 (1)(2) Restrictions on number of particular types of retail premises	There are no restrictions on the number of types of the development proposed that can be approved subject to meeting all other planning requirements.	✓
11 (1)(2) Restrictions on proximity of particular types of retail premises.	Proximity to other existing retail and commercial development is not a consideration.	✓

Table 2 SEPP Competition 2010

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 minor retail development and will not adversely affect the built, 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 commercial building with retail tenancies on the ground floor.

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 External referrals

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

5.2 Internal referrals

The application was referred to the following internal Sydney Olympic Park Authority units for review and comment on 1 October 2010:

- Building Approvals, and
- Urban Design.

Design advice included consideration of a false ceiling for the shop front to ameliorate acoustic effects and present a more aesthetic shop front. This advice was communicated to the applicant and plans were amended and resubmitted.

All conditions and design changes recommended by the Building Services Unit and Urban Design 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 25 January 2010.

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

Reviewed and Endorsed by

Original signed 14.10.2010

Original signed 14.10.2010

Town Planner, Planning

Executive Manager, Urban Planning and Design

Date:

Date: