
SYDNEY OLYMPIC PARK AUTHORITY

Planning Development Application Assessment Report

Application No:	DA 01-01-2014
Application Site:	Lot 70 DP 818981, No. 5 Parkview Drive, Sydney Olympic Park
Proposal:	Fit out and use of part of existing premises for the purpose of a high technology industry
Development History	A single storey office/warehouse building currently occupied by CathRx Ltd for the development and production of catheter devices (operating under a previous approval from Auburn Council)
Applicant:	Nathan Chang
Determining Agency:	Sydney Olympic Park Authority

1 Site and surrounds

A site visit was carried out on 20 January 2014. 5 Parkview Drive (the site) is located to the north east of Sydney Olympic Park Rail Station and is within the area currently known as the 'Parkview Precinct' in Sydney Olympic Park Master Plan (MP) 2030. The site is legally described as Lot 70 DP 818981.

The site contains a single storey office/warehouse building and has a total of sixty-five (65) off-street car parking spaces. Vehicular access to on-site car parking and loading facilities is restricted by boom gates.

2 The proposed development

This application is for the use of part of the building by Suntech R&D Australia Pty Ltd for a research and development (R&D) centre for the development involving solar cell and module technologies i.e. photovoltaic, and to provide facilities for the centre's operation.

In terms of its operation, the use is similar to the types of services, chemicals and gases that are, or have been, used by BP Solar at 2 Australia Avenue and Silanna Pty Ltd at 8 Herb Elliot Avenue at SOP, although its scale will be much smaller as it only involves R&D activities and does not involve production facilities.

The Company is to occupy a floor area of some 1,330sqm for its R&D activities and associated offices and is to share the use of the site with the occupier of the remainder of the building, CathRx Ltd.

Works Proposed

The external works required to facilitate the use involve:

- the installation of a cryogenic Nitrogen tank with a capacity of up to 12,500 litres to the north of the building;
- the installation of a chiller to provide cooling water in the southern side boundary setback area;
- the construction of openings in the roof and walls for ventilation systems and connection to services.

- A solar PV system.

The internal works are to involve the erections of chain link partitioning around work areas and the installation of ventilation and exhaust scrubbing systems.

Equipment

The equipment to be used in R&D activities includes:

- environmental chambers which expose solar modules to humidity and high and low temperatures to test their durability;
- a cell tester and sorter used to measure the efficiency of solar cells and automatically sort them into performance categories;
- basic workshop equipment; and
- laboratory equipment.

Chemical Storage

The use will involve the storage and use of laboratory quantities of:

- Hydrofluoric, Hydrochloric and Nitric Acids;
- Sodium and Potassium Hydroxides;
- metal plating solutions; and
- solvents

Employees

The use will employ up to fifteen (15) people.

Waste Management

The use will involve the creation of office-type wastes, packaging, food wastes and waste water and laboratory wastes associated with the R&D activities. Waste water is to be neutralised on-site prior to its discharge to the sewer in accordance with a Trade Waste Agreement to be obtained from Sydney Water.

Chemical wastes associated with the use of the laboratory, expected to be less than 10 litres/week, are to be stored in secure chemical storage facilities pending their removal by a specialist chemical collection service.

All of the other wastes associated with the use will be stored in a waste skip which is to be collected on a weekly basis.

Hours of Operation

The centre will generally operate between the hours of 7.00am and 7.00pm on Mondays to Fridays. There will be occasional use of the premises on Saturdays.

Car Parking

There are a total of sixty-five (65) off-street car parking spaces on the site. The application does not propose any change to the existing off-street car parking facilities. Twelve (12) of the off-street car parking space will be allocated for use in connection with the Company's operations.

Loading Operations

The established loading facilities on the site are to be utilised in connection with the centre's operations.

Signage

The proposal does not involve the erection or display of any signage, other than notification of the Suntech's location on the existing on-site signboard.

3 Sydney Olympic Park Authority Act 2001

3.1 Clause 22(2) – Consistency with Environmental Guidelines

The proposed development is generally consistent with the *Environmental Guidelines* as the proposed development is unlikely to adversely affect the environment.

4 Consultation

4.1 Internal referrals

The application was referred to the following internal Sydney Olympic Park Authority units for review and comment.

Internal department	Response
Building Services	No objections subject to conditions.
Environment & Ecology	No comments . <i>No objections subject to conditions</i>

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

5 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.

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. 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 assessing & determining this development application.

6 Assessment

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

6.1 Environmental Planning Instruments, DCPs and Planning Agreements

6.1.1 State Environmental Planning Policy No. 33 – Hazardous & Offensive Development

An assessment of the development under the terms of SEPP 33 was undertaken by AECOM Australia Pty Ltd. *The assessment* concludes that the *Policy* does not apply to the proposal as the quantities of dangerous goods associated with the use are below SEPP 33's threshold limits and a Preliminary Hazard Analysis is not required.

6.1.2 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 use of the premises as a 'high technology industry'. 'high technology industry' is a type of 'industries' which is prohibited in the B4 zone. However, the site is known as Site 62 on the SOP Zoning Map and 'high technology industry' is an additional permitted use with consent. Refer to clause 32 in the table (below) for further comments.	x
(23) Public infrastructure	Public infrastructure requirements have been addressed in the Master Plan 2030. This development does not require additional public infrastructure to that already approved.	✓
(24) Major event capability	The proposed development will not adversely impact on major events.	✓
(25) Transport	The proposed development will not adversely 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)).	The proposed development is for use of an existing building/site.	✓
(29) Development in conservation area	The subject site is not in a conservation area.	N/A
(30) Design excellence	N/A	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

Clause	Response	Compliance */✓/N/A
(32) Additional permitted uses – Site 62	<p>The site is known as Site 62 on the SOP Zoning Map, and development specifically for a 'high technology industry' is permitted with consent. 'High technology industry' is defined as:</p> <p>a building or place predominantly used to carry out an industrial activity that involves any of the following:</p> <ul style="list-style-type: none"> (a) electronic or micro-electronic systems, goods or components, (b) information technology (such as computer software or hardware), (c) instrumentation or instruments of a scientific, industrial, technological, medical or similar nature, (d) biological, pharmaceutical, medical or paramedical systems, goods or components, (e) film, television or multi-media technologies, including any post production systems, goods or components, (f) telecommunications systems, goods or components, (g) sustainable energy technologies, (h) any other goods, systems or components intended for use in a science or technology related field, <p>The proposed development is consistent with this definition and therefore is a permissible land use by virtue of Clause 32 of the SEPP.</p>	✓

Table 1 SEPP Major Development – Planning Provisions

6.2 Prescribed Matters EP & AR 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.

6.3 Impact of the development

The proposed development is unlikely to adversely affect the natural, social or economic environment, subject to conditions of consent.

6.4 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.

6.5 Notification, advertising and submissions received

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

6.6 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).

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.

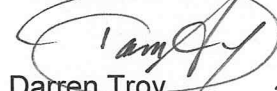
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Date: 22 Jan 2014

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Date: 22 Jan 2014