
SYDNEY OLYMPIC PARK AUTHORITY

Planning Development Application Assessment Report

Application No:	DA 05-03-2015
Application Site:	Lot 202 DP 1199180 Tower D, No. 1-3 Australia Avenue, Sydney Olympic Park
Background/History:	The subject site has previous development approval for the construction of residential apartment buildings which are currently under construction. DA 03-05-2014 approved the subdivision of Tower C & D of the Australia Towers Stages 2 & 3. Refer to below for more details.
Applicant:	Kevin Lum – Site 3 Development Company Pty Ltd
Determining Agency:	Sydney Olympic Park Authority

1 Site and surrounds

1-3 Australia Avenue (Site 3, Tower D) is located to the south east of the 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 202 DP 1199180.

2 The proposed development

In 2014, DA 03-05-2014 approved the Stratum subdivision of existing lot (Lot 2 DP 1159930) into 3 lots as follows:

Lot 200 – Tower C Retail/Commercial use area on ground and Level 1 together with parking and storage.

Lot 201 – Tower C Residential use including basement parking and storage and apartments on Level 1 and above.

Lot 202 – Tower D residual lot. This lot is the subject of this DA.

This DA (05-03-2015) seeks the Stratum subdivision of Lot 202 DP 1199180 into 2 Torrens title stratum lots:

Lot 300 – Stage 3 Tower D Retail/Commercial use area on entry/ground level (Level 1) and Level 2 together with parking and storage.

Lot 301 – Stage 3 Tower D Residential use including basement parking and storage and apartments on Level 3 and above.

More details of the subdivision is addressed in the SEE report accompanying the DA.

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 subdivision of land for commercial/residential use. The subdivision is permissible with consent. The objects of the zone are satisfied.	✓
(16) Consent required for subdivision	The proposed development is for subdivision and is permissible with consent.	✓
(23) Public infrastructure	Public infrastructure requirements have been addressed in the Master Plan 2030. This application is for subdivision, and does not require additional public infrastructure to that already approved.	✓
(24) Major event capability	The proposed development is for subdivision only and as such does not impact on major events.	✓
(25) Transport	The proposed development is for subdivision only and as such does 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)).	The proposed subdivision is generally consistent with MP 2030 boundaries.	✓
(29) Development in conservation area	The subject site is not located within a conservation area.	✓
(30) Design excellence	N/A – Subdivision only	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

3.2 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.

3.3 Impact of the development

The proposed development is for subdivision only and physical works would not take place and as such 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 permissible land use.

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 for subdivision only and is generally consistent with the *Environmental Guidelines* as the proposed development is minor and routine and does not adversely affect the environment.

5 Consultation

5.1 Internal referrals

The application was referred to the following internal Sydney Olympic Park Authority units for review and comment on 25 February 2015:

INTERNAL DEPARTMENT	RESPONSE
PROPERTY	No comments
COMMERCIAL SERVICES	No comments
BUILDING SERVICES	No comments
MAJOR PROJECTS	No comments

Standard conditions have been incorporated into the recommended Conditions of Consent.

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.

On 10 November 2014, the Minister delegated her powers and functions under Section 80 of the *Environmental Planning and Assessment Act 1979 (the Act)*, effective from 10 November 2014, 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 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.

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.

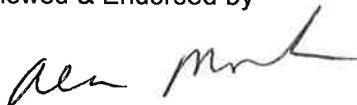
Prepared by



Planner

Date: 26 March 2015

Reviewed & Endorsed by



Chief Executive Officer

Date: 26 March 2015