

SYDNEY OLYMPIC PARK AUTHORITY

Planning Assessment Report

Application No:	DA 14-07-2013
File No:	F13/639
Application Site:	Lot 68 unregistered DP
Proposal:	Subdivision of Lot 68 unregistered DP, into 3 lots.
Applicant:	Nick Hubble – Sydney Olympic Park Authority (SOPA)
Assessing Agency:	SOPA Planning
Consent Authority:	Minister for Planning & Infrastructure

1 Background

Land within Sydney Olympic Park (SOP) (formerly Homebush Bay) was developed for the Sydney 2000 Games without any subdivision. As an example, the largest current residue lot at SOP, being Lot 161 in DP 1155500, is currently a cumbersome 139.9 hectares. With SOP now fast transforming into a thriving urban centre in accordance with Sydney Olympic Park Master Plan 2030 (MP 2030), it is intended to reduce the area of the Residue Lot together with creating or adjusting other lots, where appropriate, by defining boundaries of existing development/infrastructure through subdivision. The subdivision will better define future development sites envisaged by MP 2030 (refer to Figure 1 below) and also assist in matters such as asset valuations.

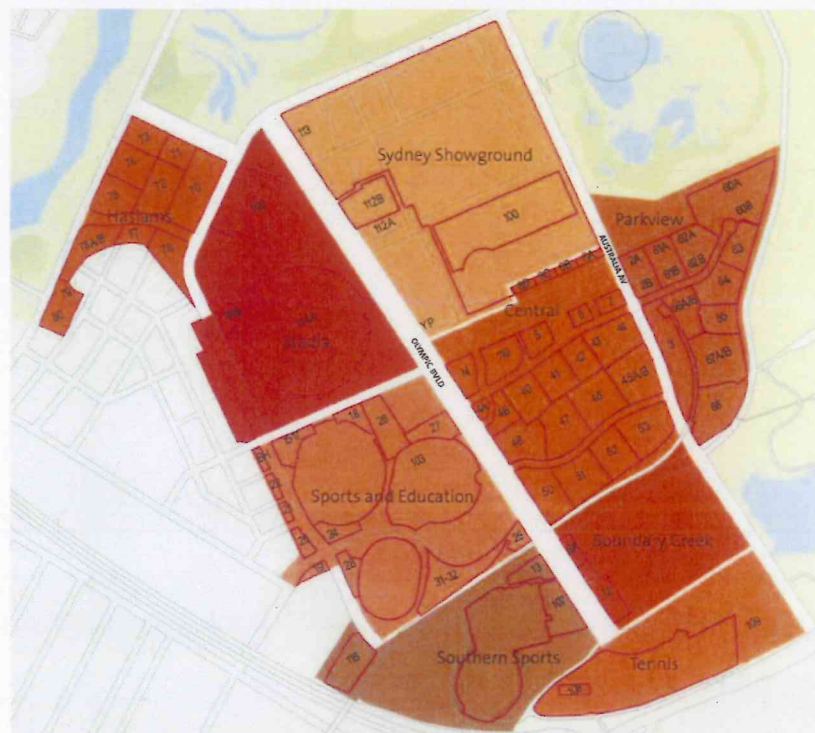


Figure 1 – SOP MP 2030 Town Centre Precincts & Development Sites

2 Site & Location

Sydney Olympic Park is located approximately 14 km west of the Sydney CBD and 8 km to the east of the Parramatta CBD, and includes 430 hectares of Parklands comprising open space, recreation areas, wetlands and waterways. The site of the proposed subdivision is located in the town centre area of SOP. Under MP 2030 the site is partly within the “Stadia” and “Haslams” precincts.

The site is generally bounded on the east by ANZ Stadium & Allphones Arena, the west by the Carter St Industrial Precinct (Auburn Council), the north by the Transpacific Waste Management Centre and the south by Dawn Fraser Avenue.

The land proposed to be subdivided is shown in Figure 2 below. The land is legally described as Lot 68 unregistered DP (yellow). **Note:** Lot 68 is a new lot approved as part of the subdivision application known as DA 16-07-2013 (SUB 2).

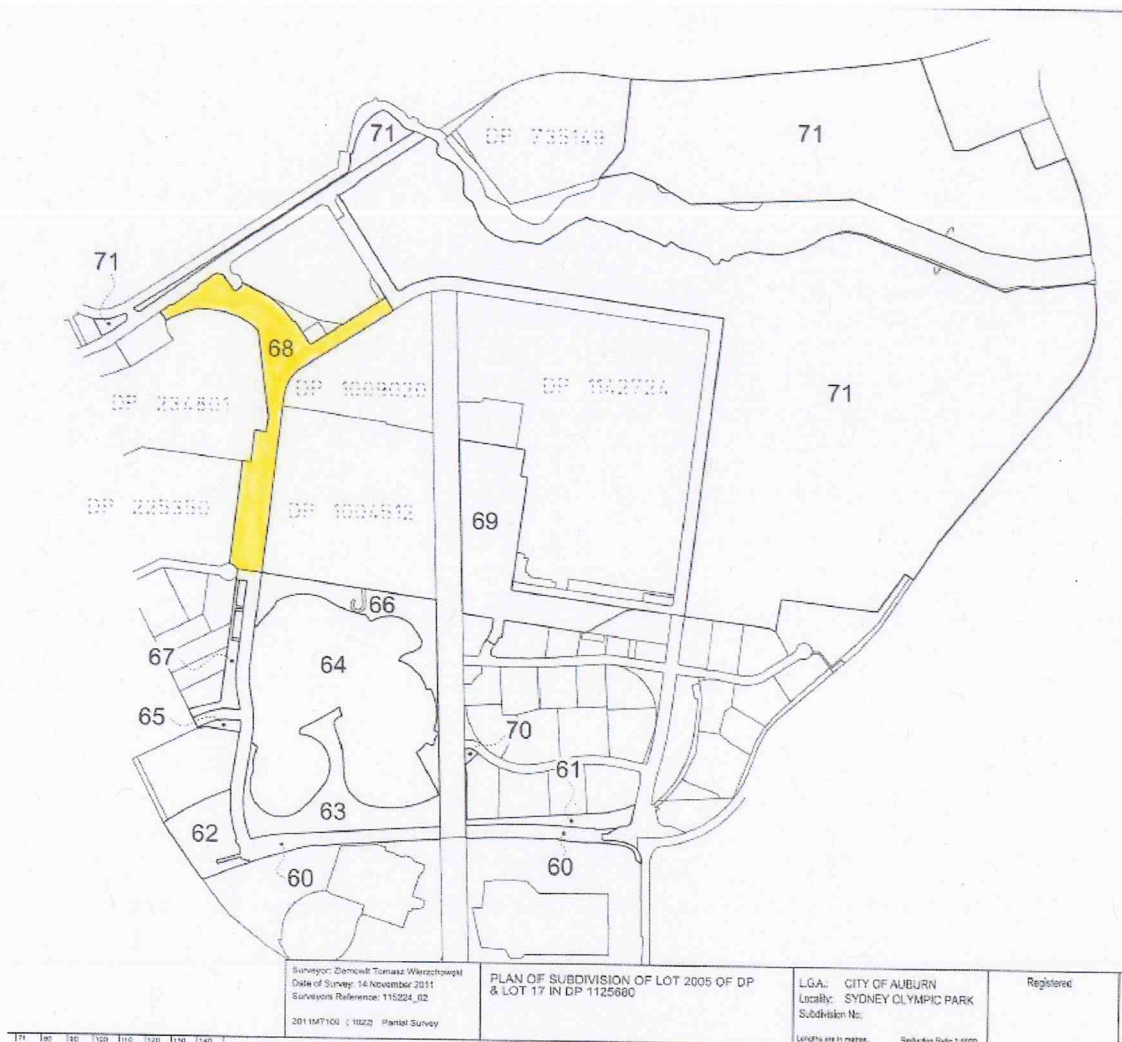


Figure 2 – Lot 68 unregistered DP

3 The proposed development

It is proposed to subdivide the subject land (Lot 68) into 3 new lots; being lots 101 to 103 (inclusive), refer to Figure 3 below.

This subdivision application is the third of four subdivision applications submitted concurrently to the Department for determination. For reference purposes, it is known as "SUB 3". Appendix B contains a summary table of the four proposed subdivision applications.

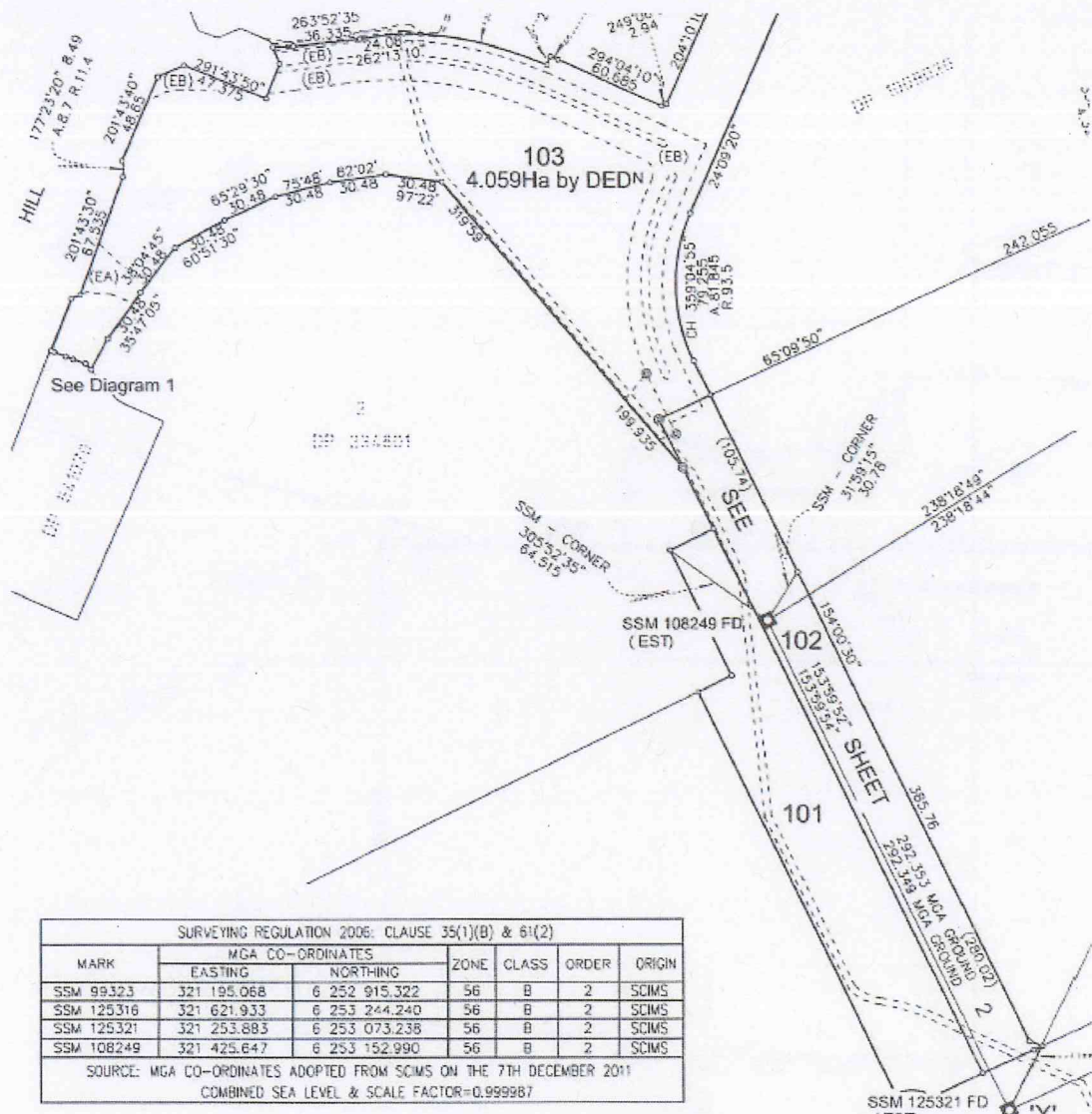


Figure 3 – Proposed new subdivision & lots

4 Zoning & Permissibility

The site is zoned B4 Mixed Use under State Environmental Planning Policy (Major Development) 2005 (refer to Figure 3 below).

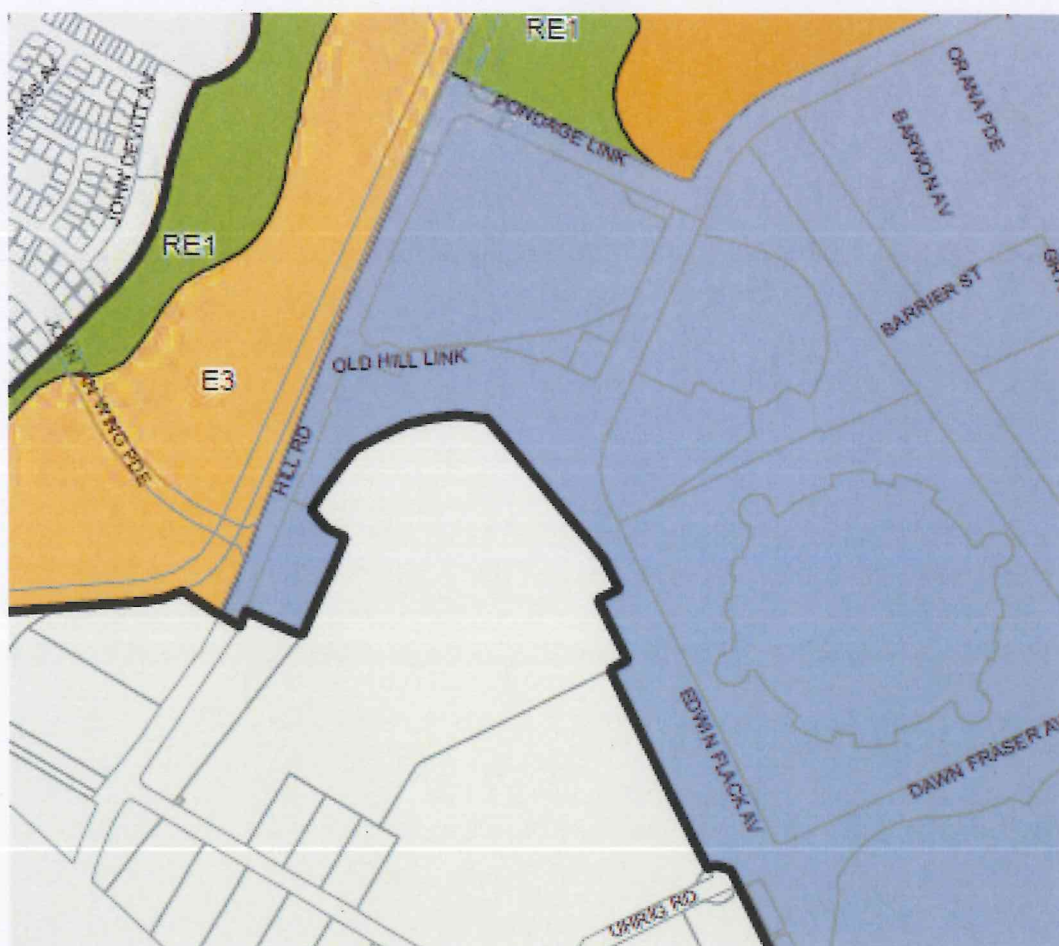


Figure 3 – SEPP MD 2005 zoning

Subdivision of land in Sydney Olympic Park is permitted with consent, pursuant to clause 16(1) of SEPP (Major Development) 2005.

5 Crown Development

SOPA is a statutory authority representing the Crown pursuant to Section 6 of the SOPA Act 2001. Accordingly, this application is a Crown DA to which Part 4, Division 4 of the EP&A Act applies.

6 Delegated Authority

The Minister for Planning & Infrastructure is the consent authority pursuant to Schedule 6, Part 1, Clause 3 of 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, to the Directors in the Major Projects Assessment Division of the Department Planning & Infrastructure, where:

- The relevant local Council has not made an objection, and
- A political disclosure statement has not been made, and
- There are less than 10 public submissions in the nature of objections

Auburn City Council has not objected to the proposal, a political donations disclosure statement has not been made, and no public submissions have been received. Accordingly, a Director in the Major Projects Assessment Division can determine this DA under delegated authority.

7 Statutory framework

Environmental Planning and Assessment Act 1979

The proposal is local development to which Part 4 of the Environmental Planning and Assessment Act 1979 (the Act) applies. Refer to Part 9 of this report for the assessment of the application against the heads of consideration set out under Section 79C of the Act.

Sydney Olympic Park Authority Act 2001

Clause 22(2) of the SOPA Act requires consideration of the Environmental Guidelines. The application is only for the subdivision of land; consideration of the Guidelines will be applicable for any future physical developments of the subdivided lots.

8 Consultation

Public notification

Land proposed to be subdivided is wholly within Sydney Olympic Park. The proposal did not require public advertising or notification. Notwithstanding, the Authority notified, for information purposes, the local Council (Auburn) of the proposed development by letter dated 25 July 2013.

Internal referrals within SOPA

This subdivision application was made by SOPA's Property/Commercial Unit; the only relevant stakeholder within SOPA to this application. Therefore, no other internal referral was required.

9 Assessment

The application has been assessed against the relevant heads of consideration set out under Section 79C (1) of the Act, which requires a consent authority, in determining a development application, to take into consideration the provisions of:

Environmental Planning Instruments

The only EPI relevant to this development is State Environmental Planning Policy (Major Development) 2005. Consideration of the SEPP is provided in **Appendix A**. The proposal is generally consistent with the relevant provisions of the SEPP.

Development Control Plans

Sydney Olympic Park Master Plan 2030 (MP 2030) is a deemed DCP. Consideration of MP 2030 is provided in **Appendix A**.

Proposed Instruments

There are no draft EPIs that are applicable to Sydney Olympic Park.

Planning Agreements

There are no planning agreements that are applicable to this application.

Prescribed matters EP&A Regulations 2000

The proposed development is able to comply with relevant provisions of the *Environmental Planning and Assessment Regulations 2000* subject to fulfilment of conditions of consent.

Impact of the development

The proposal is only for the subdivision of land, with no physical works proposed. It is a minor and routine development with no adverse environmental impacts.

Suitability of the site for the development

The proposal is only for the subdivision of land, which is permitted with consent.

Public notification & submissions

This matter has been addressed in Part 8 of this report.

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*;
- Is consistent with MP 2030 vision and objectives; and
- Is a minor and routine development and will not result in any adverse environmental impacts.

10 Key Issues

The key issues for the proposed subdivision are considered to be services/infrastructure, pedestrian & vehicle access, and easements for those services and access.

Lot 68 is a new lot created as part of the subdivision application known as DA 16-07-2013 (SUB 2). It is proposed to further subdivide Lot 68 into 3 new lots; being lots 101 to 103 (inclusive).

The proposed lots will serve to better define the boundaries of the existing coach parking areas (proposed lots 103 and 101) and part of Edwin Flack Avenue (proposed lot 102), and reduce the size of Lot 68. The proposed plan of subdivision lists all existing easements; no new easements are proposed.

The SOPA Property Unit has indicated that additional surveying work, to subdivide other venues, roads and lands will be undertaken in the future, and that the proposed subdivision is by no means the final subdivision of this part of the SOP site.

Notwithstanding the above, the current subdivision DA is recommended for approval because:

- The coach parking area and Edwin Flack Avenue are all clearly recognised in MP 2030 as existing infrastructure/venues and are not identified as future development sites. The coach parking and Edwin Flack Avenue are always available for access/parking (subject to SOPA Major Events/precinct operation requirements).

- Most importantly, all land & roads within SOP are private and owned by SOPA, and therefore access to/from any of the lots are under the full control and discretion of SOPA. Therefore, at this stage, there is no need to create easements when all the land is under single ownership.

Conclusion

The proposed subdivision is will not result in any adverse environmental impacts. It is consistent with the provisions of the principle environmental planning instrument applying to the land contained with *State Environmental Planning Policy (Major Development) 2005*, and is consistent MP 2030 vision and objectives.

The subdivision will better define boundaries of existing development/roads/infrastructure, and also allow for easier and more accurate property valuations.

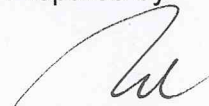
The application has been considered with regard to the matters raised in section 79C of the EP&A Act.; the proposed development is considered to be acceptable, in the public interest and is recommended for **conditional approval**.

11 Recommendation

It is recommended that the Director – Industry, Social Projects and Key Sites of the NSW Department of Planning & Infrastructure:

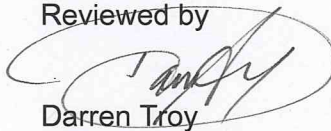
- A) **Consider** the findings and recommendations of this report;
- B) **Approve** this development application, subject to conditions, pursuant to Section 80(1) and 80(A) of the EP&A Act;
- C) **Sign** the attached Instrument of Approval;

Prepared by



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Reviewed by



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Endorsed by



Heather Warton
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Director, Industry, Social Projects and Key Sites
NSW Department of Planning & Infrastructure

Appendix A

Environmental Planning Instruments

State Environmental Planning Policy (Major Development) 2005

The aims of the SEPP are to facilitate the development, redevelopment or protection of important urban, coastal and regional sites of economic, environmental or social significance to the State so as to facilitate the orderly use, development or conservation of those State significant sites for the benefit of the State, and to facilitate service delivery outcomes for a range of public services and to provide for the development of major sites for a public purpose or redevelopment of major sites no longer appropriate or suitable for public purposes.

Sydney Olympic Park is identified as a State Significant Site under the SEPP, and Part 23 of Schedule 3 of the SEPP identifies a number of provisions for the carrying out of development within Sydney Olympic Park, which are considered below.

Clause 9 Zone B4 Mixed Use

The issue of zoning & permissibility has been considered in detail in Part 4 of this report.

Clause 16 – Subdivision

Land within Sydney Olympic Park can be subdivided with consent.

Clause 23 – Public utility infrastructure

The consent authority is required to be satisfied that any public utility infrastructure that is essential for the proposed development is available or that adequate arrangements have been made to make that infrastructure available when required.

Public infrastructure requirements for future developments on the subdivided lots can be addressed when applications for such developments are submitted. This application is only for subdivision, and does not require additional public infrastructure to that already approved.

Notwithstanding, a condition can be included to require the applicant to consult various utility service providers regarding connection, relocation and/or adjustment of any services affected by the subdivision.

Clause 24 – Major events capability

The consent authority is required to consider impacts of the proposal during major events held in Sydney Olympic Park, including consideration of traffic, crowd management, functioning of major event infrastructure, and emergency evacuation plans.

The proposed development is for subdivision only and as such do not impact on major events.

Clause 25 – Transport

Development consent must not be granted for development in Sydney Olympic Park unless the consent authority is satisfied that the development includes measures to promote public transport use, cycling and walking.

The proposed development is for subdivision only and as such do not impact on transport infrastructure.

Clause 26 – Master plan

Development consent must not be granted for development in Sydney Olympic Park to which a master plan applies unless the consent authority has considered that master plan.

Sydney Olympic Park Master Plan 2030 (MP 2030) was approved by the Minister for Planning & Infrastructure in accordance with Section 18(4) of the Sydney Olympic Park Authority Act 2001 and came into effect on the 10 March 2010. The proposed subdivision is generally consistent with MP 2030 boundaries.

Clause 29 – Development within an Environmental Conservation Area

Before granting development consent to development on land within an environmental conservation area, the consent authority must consider the likely effect of the proposed development on that environmental conservation area.

The proposed subdivision is not within an environmental conservation area.

Clause 30 – Design excellence

Development consent must not be granted for development that is the erection of a new building or external alterations to an existing building unless the consent authority has considered whether the proposed development exhibits design excellence.

Design excellence requirements are only applicable to the built environment and therefore are not applicable to this subdivision application.

Appendix B

DA 13-07-2013 (SUB 1)

Existing Lot	Proposed New Lot
Lot 201 DP 1041756	Lot 2002 Unregistered DP
	Lot 2003 Unregistered DP
	Lot 2004 Unregistered DP
	Lot 2006 Unregistered DP
Lot 161 DP 1155500	Lot 2005 Unregistered DP (only a change in legal description/lot number)

DA 16-07-2013 (SUB 2)

Existing Lot	Proposed New Lot
"Proposed" Lot 2005 Unregistered DP (from SUB 1)	Lot 60 Unregistered DP
	Lot 61 Unregistered DP
	Lot 62 Unregistered DP
	Lot 63 Unregistered DP
	Lot 65 Unregistered DP
	Lot 66 Unregistered DP
	Lot 67 Unregistered DP
	Lot 68 Unregistered DP
	Lot 69 Unregistered DP
	Lot 70 Unregistered DP
	Lot 71 Unregistered DP
Lot 17 DP 1125680	Lot 64 Unregistered DP

DA 14-07-2013 (SUB 3)

Existing Lot	Proposed New Lot
"Proposed" Lot 68 Unregistered DP (from SUB 2)	Lot 101 Unregistered DP
	Lot 102 Unregistered DP
	Lot 103 Unregistered DP

DA 15-07-2013 (SUB 4)

Existing Lot	Proposed New Lot
Lot 70 DP 1134933	Lot 12 Unregistered DP
Lot 77 DP 1134933	Lot 7 Unregistered DP
	Lot 8 Unregistered DP
	Lot 9 Unregistered DP
"Proposed" Lot 69 Unregistered DP (from SUB 2)	Lot 1 Unregistered DP
	Lot 2 Unregistered DP
	Lot 3 Unregistered DP
	Lot 4 Unregistered DP
	Lot 5 Unregistered DP
	Lot 11 Unregistered DP
Part Lot 77 DP 1134933 & Part "Proposed" Lot 69 Unregistered DP (from SUB 2)	Lot 6 Unregistered DP
	Lot 10 Unregistered DP