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**SYDNEY OLYMPIC PARK AUTHORITY**

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**Planning Development Application Assessment Report**

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| <b>Application No:</b>     | DA 18-10-2012  |
| <b>Application Site:</b>   | Shop 6, 11 Australia Avenue (Site 3 – Stage 1), Sydney Olympic Park  |
| <b>File No:</b>            | F12/926  |
| <b>Proposal:</b>           | Fitout & use of subject premises as a Bread, Cake & Pastry Shop  |
| <b>Background/History:</b> | Site 3 (Stage 1) is a completed residential tower development approved by the Minister for Planning under Major Project Consent No. MP 06_0127 |
| <b>Applicant:</b>          | Kevin Lum  |
| <b>Determining Agency:</b> | Sydney Olympic Park Authority  |

## **1 Site and surrounds**

A site visit was carried out on 1 November 2012.

11 Australia Avenue (Site 3) is located to the south east of Sydney Olympic Park Rail Station and is within the area currently known as the 'Parkview' Precinct. The site is legally described as Lot 74 DP 1134933.

The site is located on the Australia Avenue frontage and is immediately bounded by Parkview Drive to the north, and a rail corridor to the south and east.

## **2 The proposed development**

The proposed development is for the fitout and use of the commercial/retail tenancy on the ground floor (to be known as Shop 6) for a bread, cake & pastry shop. There will be strictly no cooking/ food preparation, all products will be delivered to the premises. The proposed hours are 6am to 8pm seven days a week.

## **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<br>*/✓/N/A |
|--|---|-----------------------|
| (9) Zone B4 Mixed Use  | The proposed development is for commercial/retail shop and is permissible with consent.<br>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.                  | n/a                   |
| (24) Major event capability  | The proposed development will not adversely impact major events and will provide takeaway food service (bread/cakes/pastry) to residents and workers within SOP as well as patrons of major events. | ✓                     |
| (25) Transport   | Transport/ parking requirements have been addressed in the base building approval.  | ✓                     |
| (26) Master Plan<br>(Note: Master Plan 2030 is a deemed DCP and is also considered here for the purpose of S79C(1)(a)(iii)). | Master Plan applies 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 environmental conservation area  | The subject site is not in an environmental conservation area.  | n/a                   |
| (30) Design excellence   | Design excellence requirements have been addressed in the base building approval. The works proposed for the development are generally internal.  | n/a                   |
| (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.   | n/a                   |

**Table 1 SEPP Major Development – Planning Provisions**

### 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 commercial/retail use and will not adversely affect the natural, social or economic environment subject to compliance with 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 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 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 Internal referrals

The application was referred to the following internal Sydney Olympic Park Authority units for comment(s) on 1 November 2012:

| INTERNAL DEPARTMENT | RESPONSE                            |
|---------------------|-------------------------------------|
| BUILDING SERVICES   | No objections subject to conditions |

Conditions recommended by the Building Services 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 dated 1 October 2011.

## 7 Conclusion and recommendations

### 7.1 Conclusions

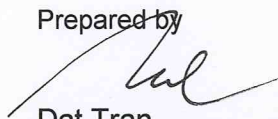
The application has been considered with regard to the matters raised in section 79C of the EP&A Act. The proposed development is considered to be acceptable, in the public interest and is recommended for approval subject to Conditions of Consent.

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## 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



Dat Tran  
**Planner, Urban Planning**

Date: **1 November 2012**

Reviewed & Endorsed by



Andrew Brown  
**Executive Manager, Urban Planning and Design**

Date: **1 November 2012**