



DESIGN COLLABORATIVE Pty Limited

ABN 36 002 126 954
ACN 002 126 954

Town Planning and Liquor Licensing Consultants

www.designcollaborative.com.au

Managing Director

J Lidis
BTP (UNSW)
MPIA CPP

Director

David Rippingill
BEP (WSU)
Juris Doctor (UNE)
RPIA

16 November 2023

Ref: 221713.4L

Assessment Officer
Sydney Olympic Park Authority
Level 8, 5 Olympic Boulevard,
Sydney Olympic Park, NSW, 2127,
Via the Planning Portal

Dear Assessment Officer,

[Development Application for Installation of a Charcoal Woodfire Grill for Restaurant at URBNSurf Wave Park, Pod B P5 Carpark, Hill Road Sydney Olympic Park.](#)

Introduction

We act on behalf of Applejack Hospitality (*the Applicant*) an experienced Sydney based hospitality group, established in 2011, currently operate nine venues. The venues include 'Bopp & Tone' a restaurant and bar in Sydney's CBD and 'Forrester's' a popular contemporary Hotel in Surry Hills. As such, they have extensive experience in the operation and management of food and drink premises.

The Applicant seeks to expand their hospitality offerings through opening and operating a new restaurant (*the Premises*) at URBNSURF Wave Park, Pod B, P5 Carpark, Hill Road, Sydney Olympic Park (*the Subject Site*).

On 19 October 2023 Complying Development Certificate 23052 was issued by Blackett Maguire + Goldsmith for the internal fitout of the Premises (**enclosed**). However, part of the fitout is prohibited under cl 5.2 (g) and 5.8 (d) of the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

The Application proposes the installation of a solid fuel cooking appliance (*the grill*) shown in red in the **enclosed** Architectural Drawings prepared by Luchetti Krelle dated 11 September 2023. Accompanying mechanical ventilation to be installed are detailed by the **enclosed** drawings and specifications by JC Ventilation and Engineering dated 18 October 2023. There are not any changes to the operational conditions approved under SSD-7942 or CDC 23052.

Also **enclosed** with the Application is an Odour Report prepared by the Odour Unit dated 6 November 2023. The Odour Report concludes that the Premises is able to manage all emissions associated with the grill with no undue loss of amenity subject to installation of the proposed mechanical ventilation.

The Application does not propose any changes to the operational conditions approved under SSD-7942 or CDC 23052.

This letter comprises the Statement of Environmental Effects for the Application.

Site and Surrounding Area

The Premises is located within the main entrance building of the under construction URBNSURF Wave Park located at Pod B, P5 Carpark, Hill Road, Sydney Olympic Park. The Subject Site is legally described as a section of Lot 71 of DP 1191648 and is zoned as RE1 Public Recreation. An aerial image of the Subject Site can be seen below in **Figure 1**.



Figure 1 – The Subject Site (Source: Nearmap; 1 May 2023)

The Subject Site is the under construction URBNSurf Surf Park, prior . The Premises ascends two stories from ground level on the southern corner of the Subject Site, which itself is located within the Sydney Olympic Park Parklands. The Premises is located within the entry building containing reception and patron facilities. The location of the Premises within the Subject Site and a concept image is provided at **Figure 2** and **Figure 3**.

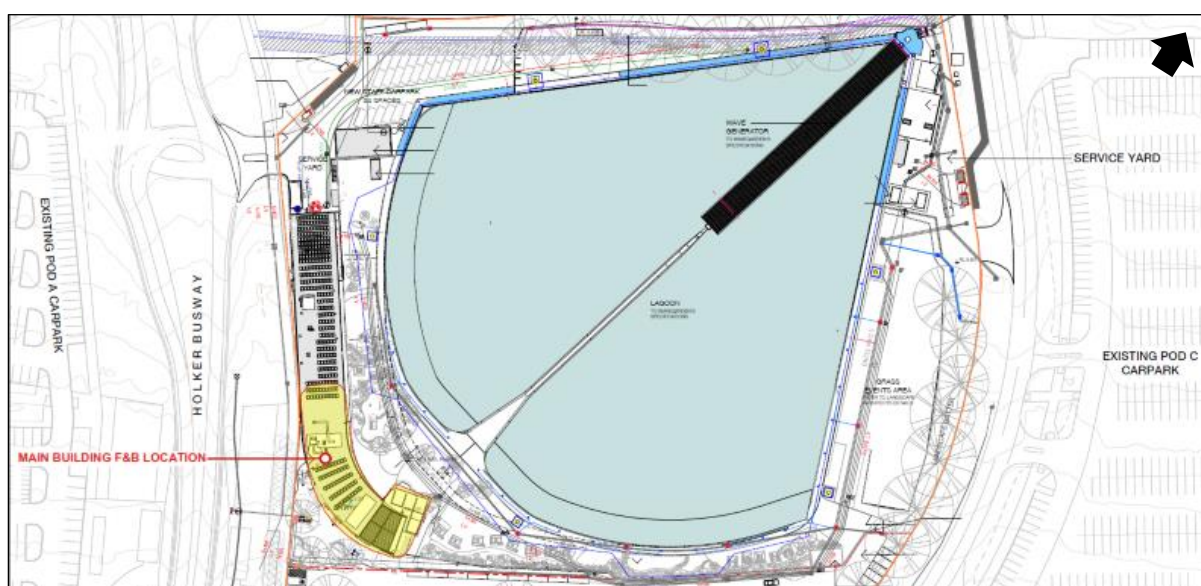


Figure 2 – Location of Premises (in Red) (Source: Clair Hopkins Clarke; 27 October 2021)



Figure 3 – Premises Concept Image (in Red) (Source: Clair Hopkins Clarke; 27 October 2021)

The Premises will operate across the ground and first floor providing function, alfresco, and rooftop terrace dining. The Premises is permitted following hours of operations per SSD-7942:

- 6:00am till 12:00am Friday and Saturdays
- 6:00am till 10:00pm All other days.

The immediately surrounding the Subject Site are roads, parking, and parklands. The nearest sensitive receivers are located approximately 600m to the north west.

The Subject Site is approximately 1.2km away from Olympic Park train station serviced by the T7 line. The nearest bus stop is approximately 250m away serviced by the bus route 526. The Subject Site will also be served by Stage 2 of the Parramatta light rail when constructed.

Relevant Development History

SSD-7942 – was granted on 11 October 2017 for a state significant surf park at the Subject Site. The Application included consent for space within the surf park for a *food and drinks premises*.

CDC-23052 – was granted 19 October 2023 for fitout of the Premises as a restaurant / café, including back-of-house facilities.

Details of the Application

The Application seeks consent for installation of a solid fuel cooking appliance using charcoal. No other works or changes to approved operational conditions are proposed. **Figure 4** below shows the proposed grill, extracted from the **enclosed** Architectural Drawings.

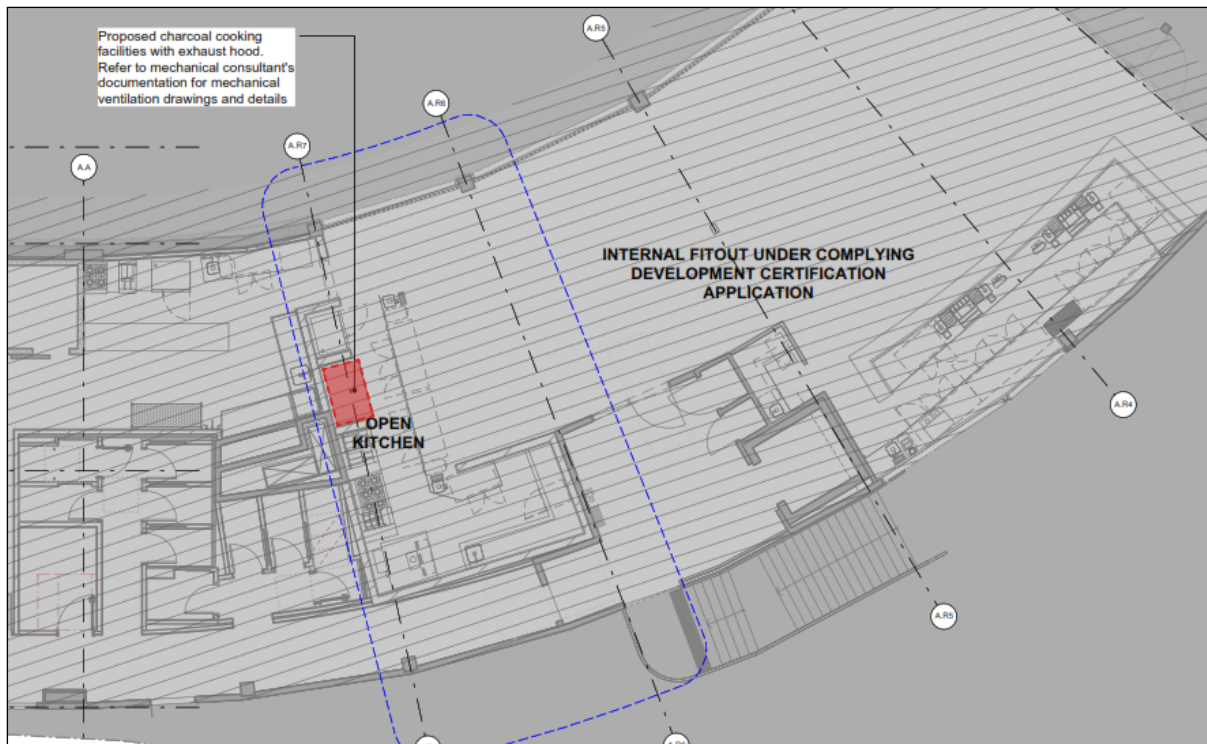


Figure 4 – Location of Proposed Grill on First Floor (source: Luchetti Krelle; dated 11 September 2023)

Potential odour impacts have been considered in the Odour Report **enclosed** which identifies the Premises is able to manage emissions from the Charcoal Grill subject to the installation of proposed mechanical ventilation indicated below in **Figure 5** extracted from the **enclosed** Mechanical Exhaust System specifications.

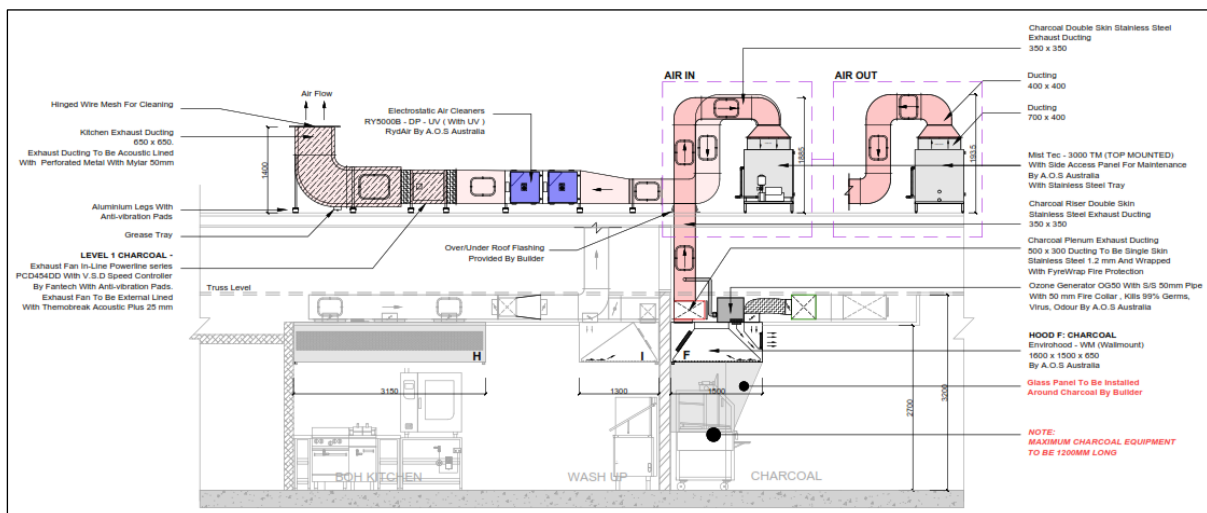


Figure 5 – Proposed Mechanical Ventilation Extract (source: JC Ventilation and Engineering; dated 18 October 2023)

The accuracy of the findings can be verified through the appropriate conditions of consent prior to commencement of operation of the grill if deemed necessary.

The purpose of the Application is to improve the patron dining experience through food cooked via charcoal fire.

Environmental Assessment

The Application is assessed under the *Environmental Planning and Assessment Act 1997* and the *Sydney Olympic Park Authority Act 2001*.

The Environmental Planning Instruments relevant to the Application are:

- *State Environmental Planning Policy (Precincts – Central River City) 2021*

It is noted the relevant considerations of:

- *State Environmental Planning Policy (Biodiversity and Conservation) 2021*; and
- *State Environmental Planning Policy (Resilience and Hazards) 2021*

are addressed by earlier approvals and are not considered to provide additional matters to be addressed as the Application is only for kitchen alterations.

The Sydney Olympic Park policy documents relevant to the Application are:

- *Sydney Olympic Park Environmental Guidelines 2008*;
- *Sydney Olympic Park Master Plan (Interim Metro Review) 2030*;
- *Parklands Plan of Management 2010*; and
- *Major Event Impact Assessment Guidelines*.

Sydney Olympic Park Authority Act 2001 (version dated 13 January 2023)

The Application has been assessed against the *Sydney Olympic Park Environmental Guidelines 2008* as required by cl 20 of the *Sydney Olympic Park Authority Act 2001* and found to be consistent with the guidelines.

The Application is minor in scope and has limited potential for negative impacts. The Application will enhance the provision of food at a world class sporting facility encouraging social interaction and general recreation.

The sustainability of the Premises generally has been assessed under SSD-7942. The limited scope the Application will not undermine local amenity or sustainability and consistent with the objects of the Millenium Parklands and the *Sydney Olympic Park Authority Act 2001*.

State Environmental Planning Policy (Precincts – Central River City) 2021 (version dated 1 October 2023)

Appendix 4 Clause 11 – Zone RE1 Public Recreation

The Application does not propose a change in use of the previously approved *food and drinks premises*, which is permitted in the above zoning; viz:

- | |
|--|
| <p>(2) Development for any of the following purposes is permitted without consent on land within Zone RE1 Public Recreation—</p> <p>environmental protection works; minor events; roads.</p> <p>(3) Development for any of the following purposes is permitted only with consent on land within Zone RE1 Public Recreation—</p> <p>boat sheds; car parks; caravan parks; community facilities; depots; entertainment facilities; environmental facilities; filming; food and drink premises; heliports; information and education facilities; kiosks (but only if the gross floor area is 30m² or less); major events; markets; recreation areas; recreation facilities (indoor); recreation facilities (outdoor); research stations; signage; water recreation structures.</p> <p>(4) Except as otherwise provided by this Appendix, development for any of the following purposes is prohibited on land within Zone RE1 Public Recreation—</p> <p>pubs; any other development not specified in subsection (2) or (3).</p> |
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Figure 4 – Zone RE1 Public Recreation Uses (Source: SEPP (Precincts – Central River City) 2021; 1 October 2023)



The objectives of the zone are as follows:

- (a) *to enable land to be used for public open space or recreational purposes,*
- (b) *to provide for a range of recreational settings and activities and compatible land uses,*
- (c) *to protect and enhance the natural environment for recreational purposes,*
- (d) *to support the Sydney Olympic Park site as a premium destination for major events*

The Application does not contradict or undermine any of the zone's objectives and will support a recreational setting and activities as a compatible land use.

The Application is limited to the installation of a charcoal grill, which cannot be accomplished as complying development. Non odour related environmental impacts have already been assessed as acceptable under SSD-7942. As such, the Application is not considered to breach any provisions within this State Environmental Planning Policy.

As noted within cl. 26 (2) consideration of the master plan is not required if the development is minor in nature.

Notwithstanding, the Application has been assessed against the *Sydney Olympic Park Master Plan 2030*, *Sydney Olympic Park Environmental Guidelines 2008*, the *Parklands Plan of Management (2010)*. The Application complies with all relevant provisions and will not lead to an undue loss of amenity as confirmed by the assessment conducted by the Odour Unit.

Potential Impacts

Context and Setting

The Premises is located within URBNSurf Wavepool, a world class entertainment precinct. The charcoal grill and associated mechanical ventilation are primarily surrounded by car parking, roads, and parkland. As such, they will be a significant distance from any residential receivers as shown in **Figure 1**.

Odour and Ventilation

The **enclosed** Odour Report finds the Premises' existing approved mechanical ventilation is able to manage emissions from the grill. Adoption of the recommendations can be verified by prior to commencement of operation of the grill through appropriate conditions of consent.

Suitability of the Site

The Premises is considered suitable for the Application as it has received consent to operate as a *food and drinks premises* under SSD-7942 and has been fit out via CDC.

Public Interest

The Application is considered to be in the public interest as it would enhance the food offerings at the Premises, strengthen employment opportunities, and compliment the surrounding world class tourism and entertainment.

Other Relevant Matters

Any concerns raised within public submissions received can be addressed if received.



There is no Planning Agreement that has been entered into under s. 7.4 of the EP&A Act, nor is there any Draft Planning Agreement that the Applicant is offering to enter.

It is not considered that there are any matters prescribed by the *Environmental Planning and Assessment Regulation 2000* relevant to the Subject Site or to the Application for the purposes of s 4.15(1)(a)(iv) of the EP&A Act.

Conclusion

The Application seeks consent for the installation of a Charcoal Grill at the Premises located within the URBNSurf Wave Park. An internal fitout including the necessary ventilation and mechanical exhaust was approved under the **enclosed** CDC.

The Premises will operate under the conditions of the existing consent, SSD-7942.

The location of the grill is displayed in the **enclosed** Architectural Plans prepared by Luchetti Krelle.

As demonstrated above, the Application complies with the relevant controls and considerations.

It is therefore concluded that there are no valid town planning reasons why development consent should not be granted to the Application as proposed.

Should you have any enquiries regarding the above please do not hesitate to contact the Author.

Yours Faithfully,

DESIGN COLLABORATIVE



David Rippingill
Director

