

SYDNEY OLYMPIC PARK AUTHORITY

Development Application Assessment Report

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| Application No: | DA 02-11-2024 |
| Application Site: | 15 Hill Road, Sydney Olympic Park NSW 2127 Lot 71 DP 1191648 |
| Proposed development: | Subdivision of Lot 71 in DP 1191648 to create a new lot for Open Water Surf Facility (URBNSURF) |
| Applicant: | URBNSURF (Developments) Sydney Pty Ltd |
| Consent Authority: | Sydney Olympic Park Authority (as delegate of the Minister for Planning and Public Spaces) |

1. Purpose

The purpose of this report is to provide an assessment of the subject development application (DA) under Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act 1979).

2. Recommendation

It is recommended that the Director, Urban Renewal and Environment of Sydney Olympic Park Authority (Authority), as delegate of the Minister for Planning and Public Spaces:

- a. Consider all relevant matters prescribed under Section 4.15 of the EP&A Act 1979, as contained in the findings and recommendations of this report;
- b. Determine that **consent be granted to the DA subject to the recommended conditions** pursuant to Section 4.16 of the EP&A Act 1979, having considered the relevant matters in accordance with (a) above;
- c. Sign the attached Development Consent; and
- d. Authorise the Authority to carry out post-determination notification pursuant to Section 4.18 of the EP&A Act 1979.

3. Site and Surrounding Area

The existing lot is located within the Millenium Parklands of Sydney Olympic Park, being Lot 71 DP 1191648. It is an exceptionally large lot, irregular in shape, with an area of approximately 105 hectares (**Figure 1**). The lot is bound by Hill Road to the north, Bennelong Parkway to the east, Murray Rose Avenue and Kevin Coombs Avenue to the south and Australia Avenue and Pondage Link to the west. The lot includes the P5 Carpark (Pods A, B and C), the Archery Centre, Wentworth Common, Kronos Hill and the Brickpit. Haslams Creek runs west to east through the lot.

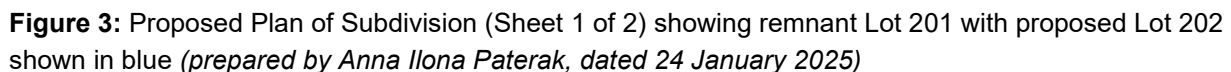


Figure 1: Site plan showing the existing extent of Lot 71 DP 1191648 in yellow, and the subject site in blue. (Source: Six Maps, 2024)

The URBNSURF Open Water Surf Facility (blue in **Figures 1 & 2**), which is the subject site for the purpose of this DA, is in the northern portion of the existing lot. The subject site for this proposed new lot is bound by Hill Road to the north, Loop Road to the east, the remnant area of P5 Carpark Pod B to the south and Holker Busway to the west. The subject site is 3.19 hectares in area and there are no existing easements over this portion of the lot.



Figure 2: Image showing the subject site in blue. (Source: Nearmap, 2024)



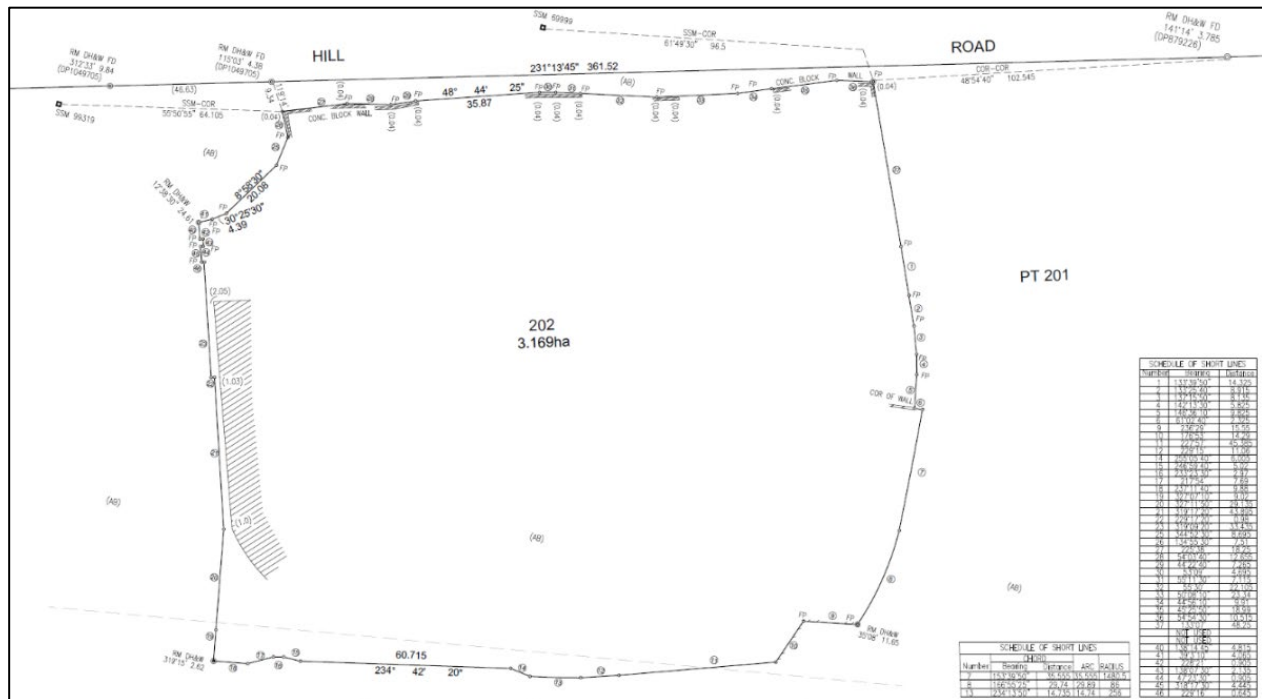


Figure 4: Proposed Plan of Subdivision – proposed new Lot 202 (prepared by Anna Ilona Paterak, dated 24 January 2025)

6. Consultation

6.1 Public exhibition and submissions

The DA was publicly exhibited for a period of 14 days from 25 November 2024 to 9 December 2024, in accordance with the requirements prescribed under the *Environmental Planning and Assessment Regulation 2021*. All documentation was made available on the NSW Planning Portal.

No public submissions were received.

6.2 Agency/Council submissions

The DA was referred to City of Parramatta Council, Transport for NSW (including Parramatta Light Rail Stage 2 (PLR2)), Sydney Water, Ausgrid and Jemena.

The Authority received submissions from City of Parramatta Council, Transport for NSW (including PLR2) and Jemena, as summarised in **Table 1**.

Table 1: Agency submissions

| Agency | Comments |
|------------------------------------|--------------------------------|
| City of Parramatta Council | No objections to the proposal. |
| Transport for NSW (including PLR2) | No objections to the proposal. |
| Jemena | No objections to the proposal. |

6.3 Internal Referrals

The DA was referred to various internal subject matter experts with comments received summarised in **Table 2**.

Table 2: Summary of internal referrals

| Unit | Comments |
|------------------------------|--------------------------------|
| Environmental Infrastructure | No objections to the proposal. |

6.4 Request for Further Information

On 13 December 2024, the Authority issued a Request for Further Information (RFI) to the Applicant requiring:

- confirmation of the site boundary and an updated site plan that reflects the proposed subdivision and excludes the car park
- further justification for the proposed subdivision boundary extending beyond the URBNSURF boundary fence on the north-western corner of the site
- clarification on the purpose of Sheet 1 of the proposed plan of subdivision, which illustrates significant detail that may not be relevant
- further justification for the proposed easements, or confirmation that the application removes the easements for right of carriage.

On 24 January 2025, the Applicant provided the additional information including:

- a revised Statement of Environmental Effects (SEE) with an amended site plan aligning with the proposed subdivision plan and excluding the car park
- a revised plan of subdivision aligning to the URBNSURF boundary fence at the north-western corner of the site and removes all proposed easements
- confirmation that Sheet 1 is a registration requirement of NSW Land Registry Services (LRS).

7. Statutory Context

7.1 Environmental Planning and Assessment Act 1979

The proposal is local development to which Part 4 of the EP&A Act 1979 applies. The application has been assessed against the matters for consideration under Section 4.15 of the EP&A Act 1979 (**Appendix 1**).

7.2 Sydney Olympic Park Authority Act 2001

Clause 22(2) of the *Sydney Olympic Park Authority Act 2001* (SOPA Act 2001) requires consideration of the *Environmental Guidelines for Sydney Olympic Park (updated 2008)* (Environmental Guidelines) for all proposed developments. The application relates to subdivision of land within the Millennial Parklands of Sydney Olympic Park and there are no physical works proposed. The construction and operation of the URBNSURF facility was approved as State Significant Development on 20 December 2017.

Given the above, the Authority is satisfied that the proposed subdivision is generally consistent with the requirements of the Environmental Guidelines.

7.3 Environmental Planning Instruments

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

Appendix 4, Part 2 of *State Environmental Planning Policy (Precincts – Central River City) 2021* (CRC SEPP 2021) applies to the site. The relevant provisions of the SEPP are addressed in **Table 3** below.

Table 3: Assessment against Appendix 4 of CRC SEPP 2021

| Clause | Response | Compliance */✓/N/A |
|---|---|-----------------------|
| (7) Zone RE1 Public Recreation | The proposal seeks approval for subdivision of the site which is permissible with consent within the RE1 Public Recreation zone, noting that the construction and operation of the URBNSURF facility has development consent under SSD 7942. | ✓ |
| (16) Subdivision | The proposal seeks consent for subdivision of the site into two lots, which is permissible with consent. | ✓ |
| (23) Public utility infrastructure | The proposed subdivision will not impact any utility infrastructure as there are no physical works proposed. | ✓ |
| (24) Major event capability | The proposed subdivision will not impact the major event capability of Sydney Olympic Park as there are no physical works proposed. | ✓ |
| (25) Transport | The proposed subdivision will not impact on transport infrastructure as there are no physical works proposed. | ✓ |
| (26) Master Plan | The <i>Sydney Olympic Park Master Plan 2030 (2018 Review)</i> does not apply to the Parklands and therefore, not to the site. The URBNSURF facility, which already has development consent under SSD 7942, is consistent with the Draft Sydney Olympic Park Master Plan 2050. | ✓ |

7.3.2 State Environmental Planning Policy (Biodiversity and Conservation) 2021

Chapter 6 of the *State Environmental Planning Policy (Biodiversity and Conservation) 2021* applies to the site as it is located within the Sydney Harbour Catchment.

The Authority is satisfied the trees, vegetation, foreshores, catchments, waterways and islands of Sydney Harbour will not be impacted by the proposed subdivision as there are no physical works proposed and the construction and operation of the URBNSURF facility already has development consent under SSD 7942.

8. Assessment

8.1 The suitability of the site for the development

The application seeks development consent for the subdivision of the existing lot into two lots to create a lot aligned with the approved URBNSURF facility. The proposal is suitable for the site as the facility is already approved and operating, and there are no physical works proposed.

8.2 Potential adverse impacts

The proposal is for subdivision only, no physical works are proposed and as such the proposal will not adversely affect the natural, social or economic environment. Additionally, road and pedestrian access surrounding the approved URBNSURF facility will not be adversely impacted by the proposed subdivision.

8.3 Easements

The proposed plan of subdivision lodged as part of the original DA included easements for right of carriage over a portion of Holker Busway and Loop Road.

The Authority noted in its RFI to the Applicant, the areas of the proposed easements are existing publicly accessible roads and public domain areas of Sydney Olympic Park, and easements for access are therefore unlikely to be necessary. The Authority requested further justification for the proposed easements or a revised subdivision plan that removes the easements.

In its response, the Applicant provided a revised plan of subdivision that removes these easements.

The Authority considers the revised plan of subdivision, which does not include any easements, to be acceptable.

8.4 Infrastructure Contributions

The application does not provide any additional gross floor area (GFA). Accordingly, a Housing and Productivity Contribution is not required.

In addition, the Sydney Olympic Park Infrastructure Contributions Framework does not apply to the site as it is in the Parklands.

9. Delegations

Under section 22(1) of the SOPA Act 2001, the consent authority for any development carried out by any person on land within Sydney Olympic Park is the Minister for Planning.

On 3 June 2022, the Minister delegated to the Authority and Public Service senior executive members of staff of the Authority certain specified functions of the Minister relating to the approval and control of development other than State Significant Development on land within the Sydney Olympic Park site.

The Director, Urban Renewal and Environment, has delegation to determine this application as:

- the development is not State Significant Development
- the Authority is not the applicant
- the Authority will not derive a commercial benefit in excess of \$250,000 per year from the operation of URBNSURF
- the Director, Urban Renewal and Environment, is a Public Service senior executive member of staff of the Authority.

Accordingly, it is appropriate for the Authority to exercise its delegations in determining this development application. It should be noted that while the Authority derives a commercial benefit greater than \$250,000 per year from URBNSURF in the form of land leasing, the Authority is satisfied that these are derived from the development approved under SSD 7942 and not the proposed subdivision of the lot.

10. Conclusion

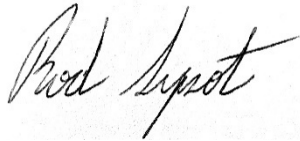
The application has been assessed regarding the matters raised in:

- i. Section 4.15 of the EP&A Act 1979
- ii. SOPA Act 2001
- iii. provisions of relevant environmental planning instruments (EPIs), including the CRC SEPP 2021
- iv. submissions and other potential impacts associated with the proposal.

The Authority considers the proposal to be acceptable as it will not result in any adverse environmental, social or economic impacts as there are no physical works proposed, creates a new lot aligned to the URBNSURF boundary and is in the public interest.

Therefore, it is recommended for approval subject to the recommended conditions of consent.

Assessed and recommended by:



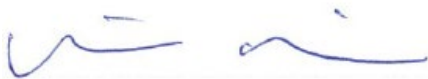
Rod Sepsot
Urban Planner

Reviewed:



Brendon Roberts
Manager, Planning and Design

Approved:



Vivienne Albin
Director, Urban Renewal and Environment

18/02/2025

Appendix 1: Section 4.15 EP&A Act 1979 Assessment

Table 4: Assessment against section 4.15 of the EP&A Act 1979

| Clause | Response | Compliance x/✓/N/A |
|---|---|-----------------------|
| (1) Matters for consideration – general | | |
| In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application | | |
| (a) the provisions of | | |
| (i) any environmental planning instrument, and | The proposed development complies with all applicable EPI's (see Section 7 of this report). | ✓ |
| (ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and | N/A. | N/A |
| (iii) any development control plan, and | N/A | N/A |
| (iv) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and | N/A | N/A |
| (v) the regulations (to the extent that they prescribe matters for the purposes of this paragraph) | The DA process has been carried out in accordance with the <i>Environmental Planning and Assessment Regulation 2021</i> . | ✓ |
| (b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality, | All impacts of the proposed development have been considered and assessed (Section 8). | ✓ |
| (c) the suitability of the site for the development | The Authority is satisfied that the site is suitable for the development as there are no physical works proposed and it will enable the creation of lot aligned to the URBNSURF boundary. | ✓ |
| (d) any submissions made in accordance with this Act or the regulations, | All submissions have been considered and have informed the assessment of the proposed development. | ✓ |
| (e) the public interest | The Authority is satisfied the proposal is in the 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 CRC SEPP 2021 and would not result in any adverse environmental impacts. | ✓ |