

Notice of decision

Section 2.22 and clause 20 of Schedule 1 of the *Environmental Planning and Assessment Act 1979*

Application type	State significant development
Application number and project name	SSD-9403 Residential development, 1 & 2 Murray Rose Avenue, Sydney Olympic Park
Applicant	Austino Sydney Olympic Park Pty Ltd
Consent Authority	Minister for Planning and Public Spaces

Decision

The Executive Director, Compliance, Industry and Key Sites under delegation from the Minister for Planning and Public Spaces has, under section 4.38 of the *Environmental Planning and Assessment Act 1979 (the Act)* granted consent to the development application subject to the recommended conditions.

A copy of the development consent and conditions is available [here](#).

A copy of the Department of Planning, Industry and Environment's Assessment Report is available [here](#).

Date of decision

14 August 2019

Reasons for decision

The following matters were taken into consideration in making this decision:

- the relevant matters listed in section 4.15 of the Act and the additional matters listed in the statutory context section of the Department's Assessment Report;
- the prescribed matters under the *Environmental Planning and Assessment Regulation 2000*;
- the objects of the Act;
- all information submitted to the Department during the assessment of the development application and any additional information considered in the Department's Assessment Report;
- the findings and recommendations in the Department's Assessment Report; and
- the views of the community about the project (see Attachment 1).

The findings and recommendations set out in the Department's Assessment Report were accepted and adopted as the reasons for making this decision. Additional reasons for making the decision are also recorded in the Department's Assessment Report.

The key reasons for granting consent to the development application are as follows:

- the project would provide a range of benefits for the region and the State as a whole, including the development of two vacant sites to provide 293 residential apartments, with a total capital investment value of \$116 million and would create 1,380 construction jobs;
- the project is permissible with development consent, and is consistent with NSW Government policies including the Sydney Olympic Master Plan 2030 (2018 Review);
- the impacts on the community and the environment can be appropriately minimised, managed or offset to an acceptable level, in accordance with applicable NSW Government policies and standards;
- the issues raised by the community during consultation and in submissions have been considered and adequately addressed through changes to the project and the recommended conditions of consent; and
- weighing all relevant considerations, the project is in the public interest.

Attachment 1 – Consideration of Community Views

The Department exhibited the Environmental Impact Statement for the project from 21 November 2018 until 18 December 2018 (28 days) and received two public submissions, both objections.

The Department also undertook the following consultation activities:

- two site visits
- advised the two submitters that the Response to Submissions had been received by the Department and provided the opportunity for further comment.

The key issues raised by the community (including in submissions) and considered in the Department's Assessment Report and by the decision maker include building height/loss of views, construction impacts and increased demand for facilities in the area.

<i>Issue</i>	<i>Consideration</i>
<ul style="list-style-type: none"> • Proposed height/view impacts 	<p><i>Assessment</i></p> <ul style="list-style-type: none"> • The proposed development exceeds the maximum height controls for the site due to the transition in the height controls across the site from 33 m to 26 m for 1 Murray Rose Avenue and from 50 m to 26 m for 2 Murray Rose Avenue. • View impacts would be minimal given the 320 m distance to the nearest residential tower and the proposed variations to the height controls would be virtually imperceptible from this distance. • Strict compliance with the height controls would result in insignificant changes in relation view lines across the site from other residential towers in Sydney Olympic Park. • The variations to the height controls achieve the development outcomes as envisaged by the State Environmental Planning Policy (State Significant Precincts) 2005 (SSP SEPP) and the Sydney Olympic Park Master Plan 2030 (2018 Review) and any visual/view impacts would be negligible.
<ul style="list-style-type: none"> • Construction impacts 	<p><i>Assessment</i></p> <ul style="list-style-type: none"> • All construction works are proposed to comply with the DECCW Interim Construction Noise Guidelines subject to appropriate noise mitigation measures, including acoustic enclosures and silences on machinery. • The proposed construction hours are consistent with standard construction hours within SOP. • The construction works would be temporary, and the noise impacts can be reasonably mitigated by conditions. <p><i>Conditions</i></p> <p>Conditions include</p> <ul style="list-style-type: none"> • Prepare a Construction Environmental Management Plan and Noise and Vibration Management Plan. • Undertaken environmental monitoring. • Construction hours restricted to: <ul style="list-style-type: none"> - 7.00 am to 6 pm Monday to Friday - 7.30 am to 3 pm on Saturdays and - No work on Sundays or Public Holidays.
<ul style="list-style-type: none"> • Increased demand for public facilities in the area 	<p><i>Assessment</i></p> <ul style="list-style-type: none"> • The 2018 Review details a range of new infrastructure required to meet the needs of new residents, workers, students and visitors. • The proposed development would include infrastructure contributions to provide funding for these upgrades/new facilities. • The Department considers the proposed development is consistent with the strategic planning provisions for SOP.