

SYDNEY OLYMPIC PARK AUTHORITY

Development Application Assessment Report

Application No:	DA 01-05-2025
Application Site:	Land adjacent to 2 Murray Rose Avenue and Bennelong Parkway, Sydney Olympic Park NSW 2127 Lot 87 DP 870992, Lot 2 DP 1122970 and Lot 9 DP 1185060.
Proposed development:	Landscape restoration works
Applicant:	Decode 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).

2 Recommendation

It is recommended that the Director, Urban Renewal and Environment of the Sydney Olympic Park Authority (the 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, 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, 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.

3 Site and Surrounding Area

The site is located within the Parkview Precinct of Sydney Olympic Park, within a landscape corridor between 2 Murray Rose Avenue to the west and Bennelong Park to the east. The site comprises three part lots, namely: Lot 87 DP 870992 (where the majority of works are proposed), Lot 2 DP 1122970 and Lot 9 DP 1185060 (**Figure 1**). The site is rectangular in shape, orientated north – south, with an area of approximately 690 square metres (**Figure 2**).



Figure 1: Map showing the site in red outline, Lot 87 DP 870992 in yellow, Lot 2 DP 1122970 in blue, Lot 9 DP 1185060 in green (Source: Nearmap, 2025)

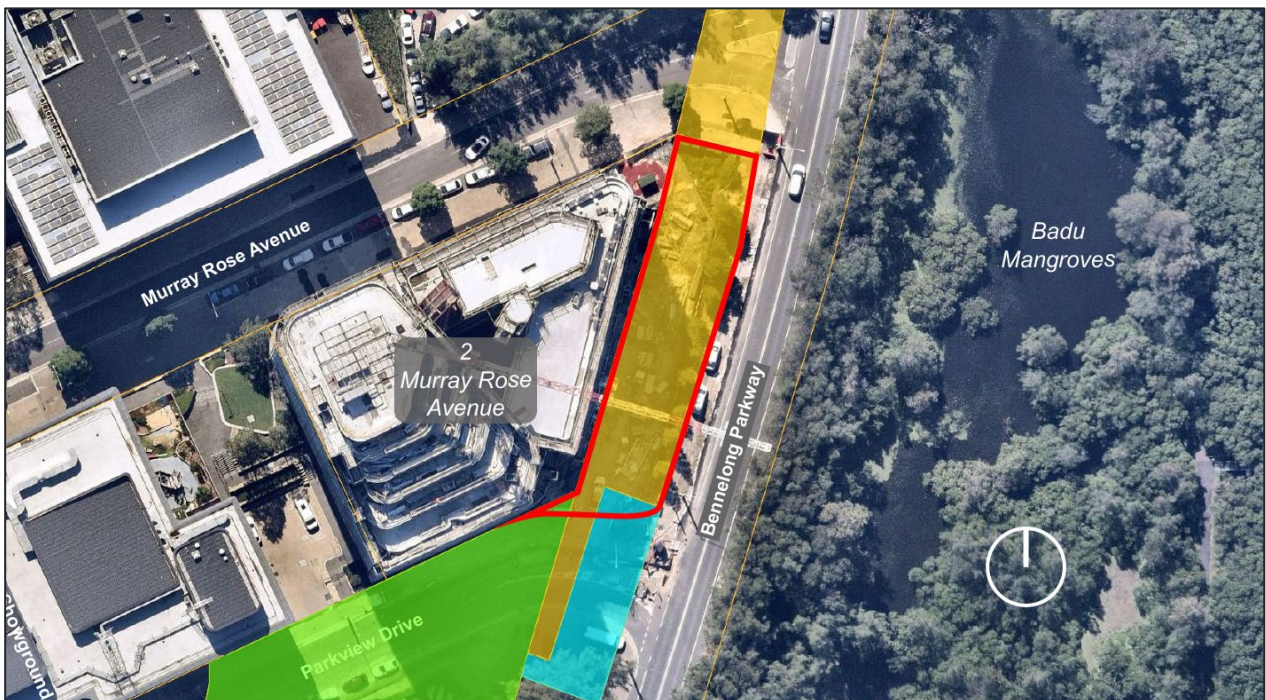


Figure 2: Map showing the site in red outline, Lot 87 DP 870992 in yellow, Lot 2 DP 1122970 in blue, Lot 9 DP 1185060 in green (Source: Nearmap, 2025)

The site is predominantly cleared of vegetation and excavated for use as a compound for the construction of the adjacent 2 Murray Rose Avenue (approved under State Significant Development (SSD) 9403) (**Figure 3**). There are some remnant trees, a gabion wall and stormwater detention basin and swale located to the east and north of the site.



Figure 3: Map showing the use of the site during the construction works of the residential development at 2 Murray Rose Avenue (site shown in red) (Source: Nearmap 2025)

4 Background

On 14 August 2019, the (then) Minister for Planning and Public Spaces granted consent to SSD 9403 for two residential apartment buildings totalling 293 dwellings, with one building located at 1 Murray Rose Avenue and a second building at 2 Murray Rose Avenue. The development consent has been modified three times.

When construction commenced at 2 Murray Rose Avenue, between October 2022 and March 2023, the landscape buffer, outside of the SSD 9403 site area, was cleared of vegetation, partial gabion walls demolished and excavated to form a level site. This provided an area for a compound for the construction of 2 Murray Rose Avenue, including the storage of construction materials, construction waste and site deliveries (**Figure 4 and 5**).



Figure 4: Satellite imagery showing the original state of the land in August 2022 (left image) and the state of the land in May 2025 during construction works (right image) (Source: Nearmap 2025)



Figure 5: Imagery showing the original state of the land in December 2021 with mature vegetation, topography and gabion walls (top image) and the state of the land in October 2024 during construction works (lower image) (Source: Google Street View 2025).

5 The Proposed Development

The proposal seeks development consent for landscape restoration works on the site, comprising the replacement of the original landform, replacement of gabion walls, construction of a retaining wall and associated drainage infrastructure, and planting of vegetation including 33 new trees, plants and ground cover (**Figure 6**).

The proposed landform is intended to rise from Bennelong Parkway (with a slope ratio of 1:3), supported by the staggered gabion walls, to maximum height of RL 6.2 metres (m). The topography then falls to integrate with a retaining wall at the site boundary with the new residential development at 2 Murray Rose Avenue (**Figure 7**). The proposed works integrate with the retained trees, stormwater infrastructure and gabion walls located to the north and east of the site.

The Estimated Development Cost (EDC) of the proposal is **\$350,000.00** including GST.

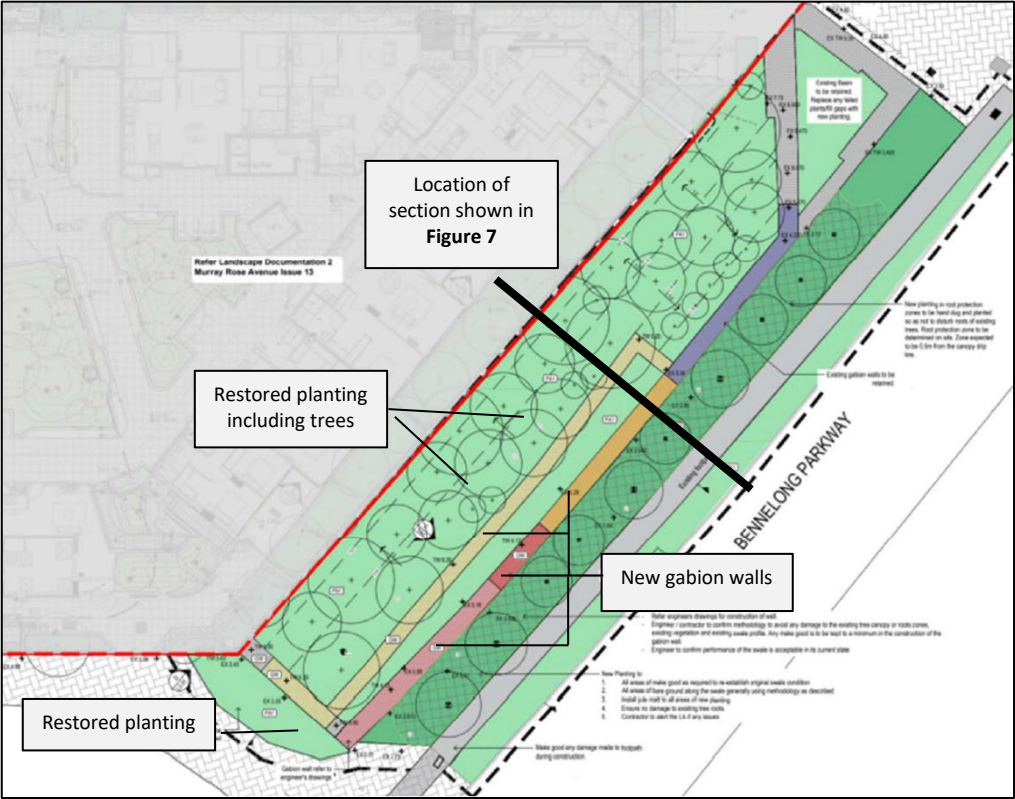


Figure 6: Plan showing the proposed works (Source: Statement of Environmental Effects, prepared by HDC Planning, dated May 2025)

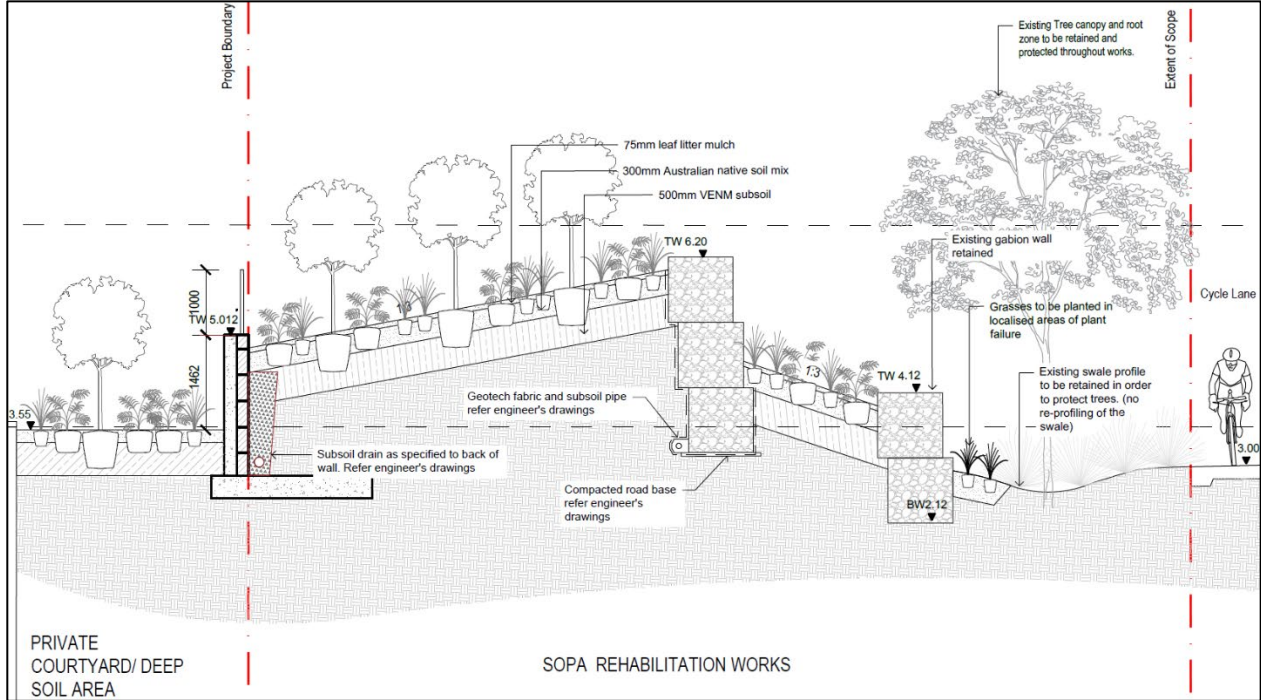


Figure 7: Section of the proposed landscape restoration works (Source: Statement of Environmental Effects, prepared by HDC Planning, dated May 2025)

6 Consultation

6.1 Public exhibition and submissions

The DA was publicly exhibited for a period of 17 days, from 30 May 2025 to 16 June 2025, in accordance with the *Environmental Planning and Assessment Regulation 2021*.

All documentation was made available on the NSW Planning Portal. The DA was referred to the City of Parramatta Council, Transport for NSW, Ausgrid, Sydney Water and Jemena.

No public submissions were received. Sydney Water provided a submission, while Transport for NSW and Jemena advised of no comments.

6.2 Agency Submissions

Agency submissions received are summarised in **Table 1**.

Table 1: Summary of agency submissions

Stakeholder	Comments
Sydney Water	No objections to the proposal, subject to conditions of consent to address the following: - ensure sewer, water or stormwater mains or easements are not affected, - ensure the species and location of trees to be planted are appropriate.
Transport for NSW	No comment
Jemena	No comment

6.3 Internal Referrals

The DA was referred to various internal subject matter experts with comments received summarised in **Table 2**. All comments received were considered, and conditions were imposed accordingly.

Table 2: Summary of internal referrals

Unit	Comments
Public Domain	No objections to the proposal, subject to conditions of consent to address the following: - maintain consistency between approved plans, - ensure materials and soil used are appropriate.

6.4 Request for Further Information

No Request for Further Information (RFI) was sent to the Applicant.

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 applies. The DA has been assessed against the matters for consideration under Section 4.15 of the EP&A Act (**Appendix 1**).

7.2 Sydney Olympic Park Authority Act 2001

Clause 22(2) of the *Sydney Olympic Park Authority Act 2001* (SOPA Act) requires consideration of the *Environmental Guidelines for Sydney Olympic Park (updated 2008)* (Environmental Guidelines) for all proposed developments. The proposal is generally consistent with the requirements of the Environmental Guidelines as the proposed landscaping restoration works will

support biodiversity within Sydney Olympic Park, while promoting the ecological and aesthetic value of an urban site with high species diversity and abundance.

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) 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
(9) Zone B4 Mixed Use	The proposal for a landscaped area is permissible with consent within the B4 Mixed Use zone.	✓
(18) Height of Buildings	There is no applicable height of buildings control applying to the site and the DA does not propose a building.	N/A
(19) Floor Space Ratio	There is no applicable floor space ratio (FSR) control applying to the site and the DA does not propose floor space.	N/A
(24) Major event capability	Consent must not be granted if the development impacts on traffic generation, prevents the effective management of crowd movement and transport services, compromises the effective functioning of major event infrastructure and conflicts with emergency management plans. The proposal will not impact major event capability of Sydney Olympic Park as the site is not currently nor previously publicly accessible and is not located on a pedestrian desire line. Notwithstanding, a condition of consent is recommended to ensure a valid works permit and traffic management plan are in place to manage construction traffic, especially during major events.	✓
(26) Master Plan	Consent must not be granted unless the consent authority has considered the master plan (currently <i>Master Plan 2030 (2018 Review) and Interim Metro Review</i>). The site is located within the Parkview Precinct, where Master Plan 2030 envisages a green, leafy character in between residential development with a continuous public domain corridor along the western side of Bennelong Parkway. The consent authority is satisfied that the proposal is consistent with Master Plan 2030, as the works propose to restore the landscape corridor following its use as a construction compound.	✓

8 Assessment

8.1 The suitability of the site for the development

The DA seeks consent for landscape restoration works in the public domain. The proposed use is permitted with consent within the B4 Mixed Use zone and consistent with Master Plan 2030.

The site is suitable for the development, as the DA is seeking to restore the site to its previous character as a landscape corridor, following its use as a construction compound for 2 Murray Rose Avenue.

8.2 Structural integrity, material and drainage

The proposed landscape restoration works seek to create a mound supported by a number of gabion walls on one side and a concrete retaining wall on the other, with vegetation (including trees) on top. The applicant has provided plans for the proposed retaining wall and a Structural Design Statement from Smart Structures Australia, which confirms that the retaining wall has been design in accordance with the relevant Australian Standards.

Having reviewed the proposed plans and Structural Design Statement, the Authority raises the following issues:

- The structural engineering drawings prepared by Smart Structures Australia for the proposed retaining wall are inconsistent with the proposed DA drawings prepared by RPS Australia East. Section 2 S01.11 in Drawing S01.43 must accurately incorporate the design of the proposed landscaping restoration works shown in drawing titled Sections, L3.00, of the Landscaping Drawings prepared by RPS Australia East (**Figure 8**).

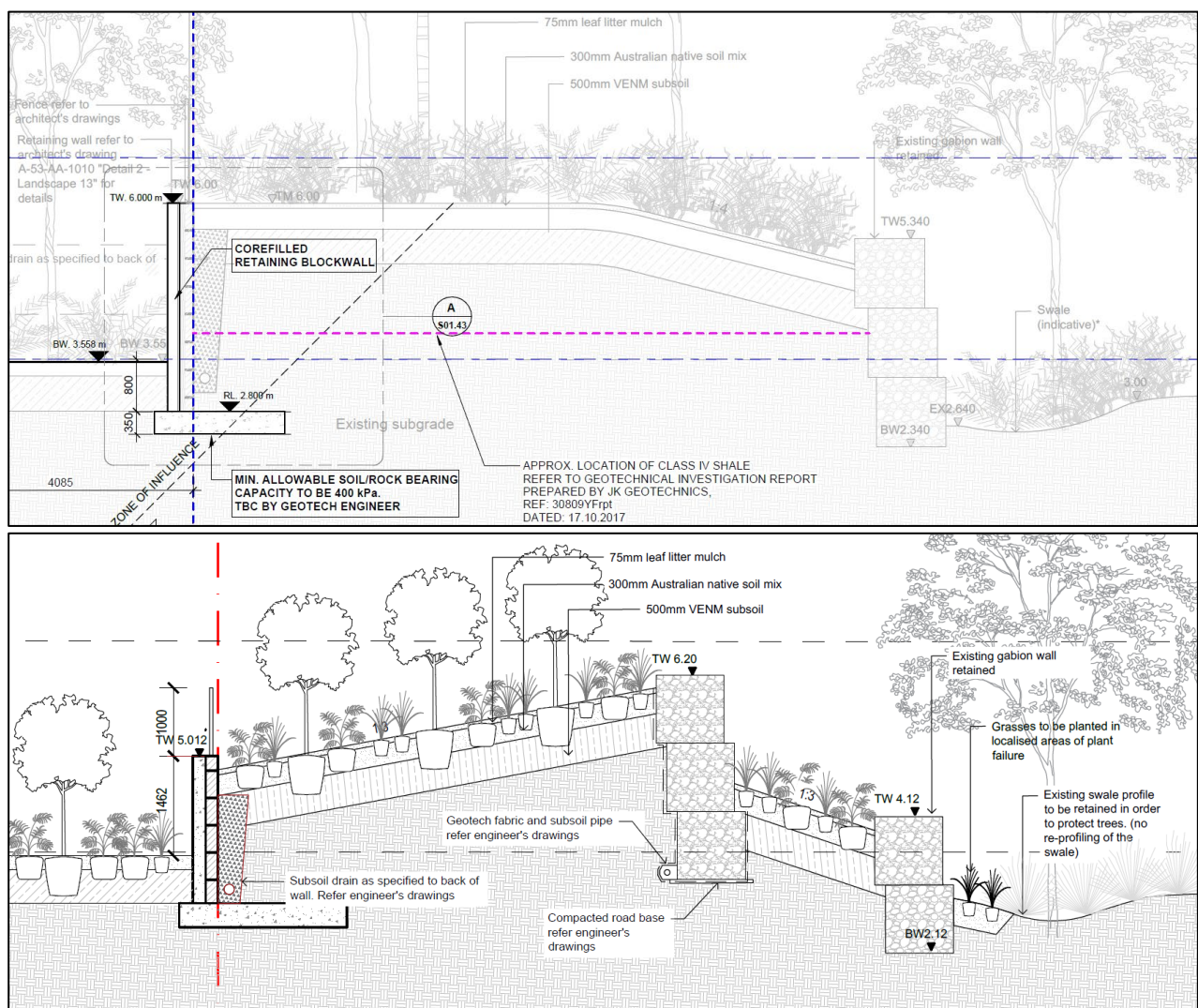


Figure 8 Images showing the structural engineering section prepared by Smart Structures Australia (above) inconsistent with the proposed DA drawing prepared by RPS Australia East (below).

- The proposed drainage of the land restoration works appears to be insufficient. A channel (or swale) is required adjacent to the top of proposed retaining wall to divert stormwater. Similarly, several “holes” through the retaining wall may be required to reduce water accumulation within the mound and pressure build up, minimising potential long term

stability issues with the retaining wall. The Authority seeks to address this through a condition of consent that Drawing S01.43 (Elevation 1 S01.11 and Section 2 S01.11) be amended to incorporate holes for drainage through the retaining wall and incorporates a suitable drainage channel or swale at the top of the mound adjacent to the retaining wall.

- The plans indicate Virgin Excavated Natural Material (VENM) be used in the creation of the mound. While this is supported, the Authority recommends a condition of consent requiring further information on the origin and composition of the VENM.

The proposed retaining wall structure includes a foundation or footing located partly on land owned by the Authority (**Figure 9**), totalling approximately 59 square metres. The Authority recommends a condition of consent to ensure that the structural stability and maintenance of the retaining wall, including the footing, be the responsibility of the applicant.

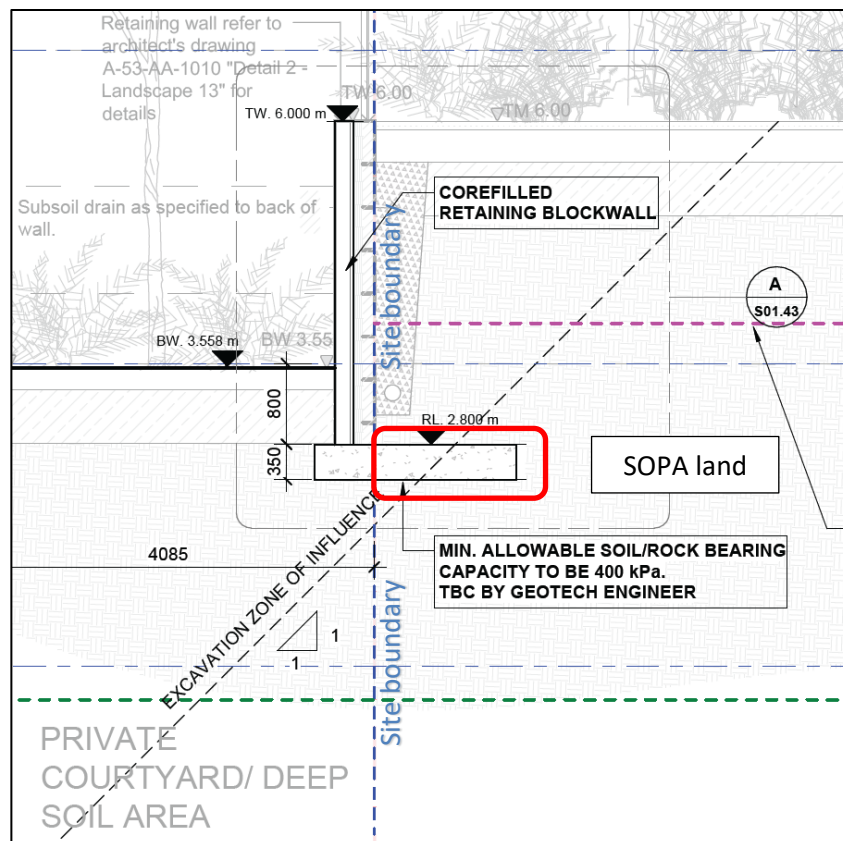


Figure 9 Section showing the foundation under SOPA land in red (Source: S01.43, Retaining Wall Details, prepared by Smart Structures Australia, dated 29 April 2025)

8.3 Landscaping

The proposed landscape restoration works comprise planting over the proposed mound, including ground covering and trees. The Authority is concerned that the detail shown in Drawing L4.00, Details 1, 2, 3 and 4 is inconsistent with Drawing L3.00 Sections and L3.01 Section and Elevation.

The Authority will address via conditions of consent to ensure consistency between the approved plans.

8.4 Deep soil zone

The proposed landscaping restoration works comprise the construction of a retaining wall along the eastern edge of the site, adjacent to the private courtyards of the residential development at 2

Murray Rose Avenue. The foundations for this retaining wall extend beneath the private courtyards for an approximate area of 58 square metres, reducing the deep soil zone at 2 Murray Rose (Figure 10).

The *State Environmental Planning Policy (Housing) 2021* (Housing SEPP) and associated *Apartment Design Guide* (ADG) requires residential developments to provide a minimum of 7% of the total site area for deep soil planting.

The residential development at 2 Murray Rose Avenue was approved (SSD 9403) with a deep soil zone of 10.4% (excluding the podium deep soil zone), with the majority of the deep soil zone provided by the private courtyards.

As a result of the works proposed under this DA, this deep soil zone at 2 Murray Rose Avenue reduces from 10.4% to 8.1%. The Authority is satisfied that this reduction in deep soil is satisfactory, as it is minor and maintains compliance with the standards in the ADG.

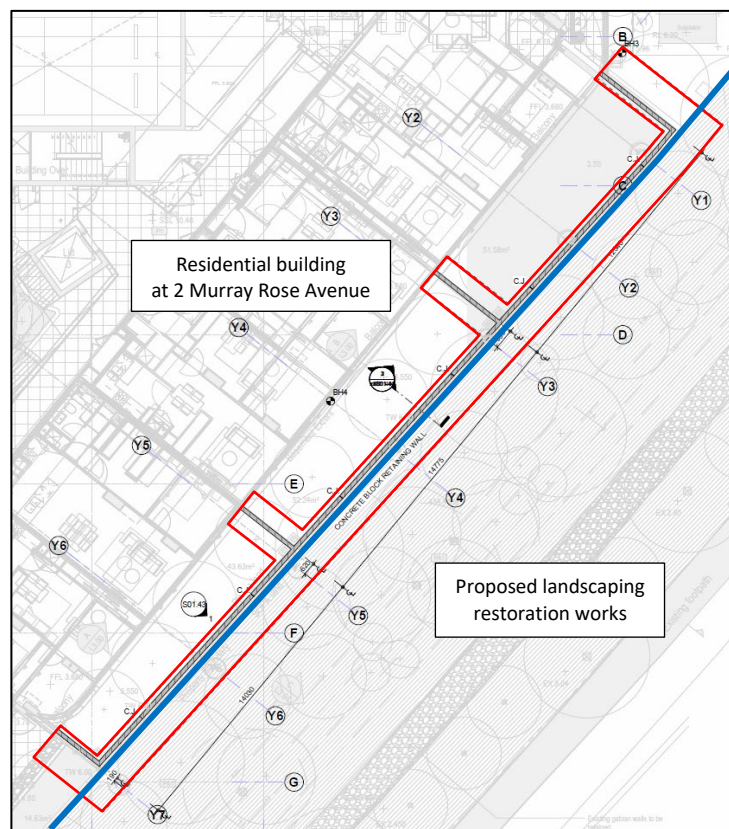


Figure 10 Plan showing the extent of the foundations of the proposed retaining wall in red and site boundary in blue (Source: S01.11, *Retaining Wall Plan*, prepared by Smart Structures Australia, dated 29 April 2025)

9 Delegations

Under section 22(1) of the SOPA Act, 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. This delegation does not include DAs lodged by the Authority for

development that is expected to result in the future realisation by the Authority of income or other economic benefit of over \$250,000 per financial year.

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 development.
- 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 DA.

10 Conclusion

The application has been assessed regarding the matters raised in:

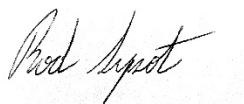
- i. Section 4.15 of the EP&A Act
- ii. SOPA Act
- iii. provisions of relevant environmental planning instruments (EPIs), including the CRC SEPP
- iv. submissions and other potential impacts associated with the proposal.

The proposed development is considered acceptable as:

- it is in the public interest as it will restore the site to its original form, continuing the landscape corridor along Bennelong Parkway.
- it aligns with the Environmental Guidelines to support biodiversity within Sydney Olympic Park, while promoting the ecological and aesthetic value of an urban site with high species diversity and abundance.
- any potential impacts associated with the proposal, such as structural stability and drainage, are considered reasonable and/or can be mitigated through recommended conditions of consent.

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

Assessed and recommended by:



Rod Sepsot

A/Senior Urban Planner

Reviewed:



Luke Thorburn

A/Manager, Planning and Design

Approved:



Vivienne Albin

Director, Urban Renewal and Environment

3 September 2025

Appendix 1: Section 4.15 EP&A Act Assessment

Table 1: Assessment against section 4.15 of the EP&A Act

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 7.4 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 discussed in Section 8.1 .	✓
(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 supports the green character of the area.	✓