

# Response to Submissions

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*84 Tallawong Road, Rouse Hill  
(SSD-80287510)*

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Project Code            P47576  
Report Number        Formal RtS Lodgement 21.04.2026

## *Acknowledgment of Country*

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*The river is the symbol of the Dreaming and the journey of life. The circles and lines represent people meeting and connections across time and space. When we are working in different places, we can still be connected and work towards the same goal.*

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# Glossary and Abbreviations

| Reference       | Description  |
|-----------------|--|
| <b>ACHAR</b>    | Aboriginal Cultural Heritage Assessment Report                                 |
| <b>ACM</b>      | Asbestos Containing Material   |
| <b>AEP</b>      | Annual Exceedance Probability  |
| <b>AHD</b>      | Australia Height Datum   |
| <b>AHIMS</b>    | Aboriginal Heritage Information Management System                              |
| <b>AIA</b>      | Arboricultural Impact Assessment   |
| <b>ANEF</b>     | Australian Noise Exposure Forecast   |
| <b>AQIA</b>     | Air Quality Impact Assessment  |
| <b>ARI</b>      | Average Recurrence Interval  |
| <b>ASS</b>      | Acid Sulphate Soils  |
| <b>BAM</b>      | Biodiversity Assessment Method   |
| <b>BC Act</b>   | <i>Biodiversity Conservation Act 2016</i>                                      |
| <b>BC Reg</b>   | <i>Biodiversity Conservation Regulation 2017</i>                               |
| <b>BCA</b>      | <i>Building Code of Australia</i>  |
| <b>BCC</b>      | Blacktown City Council   |
| <b>BDAR</b>     | Biodiversity Development Assessment Report                                     |
| <b>CBD</b>      | Central Business District  |
| <b>CEEC</b>     | Critically Endangered Ecological Community                                     |
| <b>CDA</b>      | Concept Development Application  |
| <b>CEMP</b>     | Construction Environmental Management Plan                                     |
| <b>CMP</b>      | Construction Management Plan   |
| <b>COPC</b>     | Contaminants of Potential Concern  |
| <b>CPCP</b>     | Cumberland Plain Conservation Plan   |
| <b>CRC SEPP</b> | <i>State Environmental Planning Policy (Precincts—Central River City) 2021</i> |
| <b>CTMP</b>     | Construction Traffic Environmental Plan  |
| <b>CWC</b>      | Connecting with Country  |
| <b>DCP</b>      | Development Control Plan   |
| <b>DP</b>       | Deposited Plan   |
| <b>DPHI</b>     | New South Wales Department of Planning, Housing and Infrastructure             |
| <b>DoE</b>      | NSW Department of Education  |

| <b>Reference</b>      | <b>Description</b>   |
|-----------------------|--|
| <b>DSI</b>            | Detailed Site Investigation  |
| <b>EDC</b>            | Estimated Development Cost   |
| <b>EIS</b>            | Environmental Impact Statement   |
| <b>EP&amp;A Act</b>   | <i>Environmental Planning and Assessment Act 1979</i>                    |
| <b>EPA Regulation</b> | <i>Environmental Planning and Assessment Regulation 2021</i>             |
| <b>EPBC Act</b>       | <i>Environment Protection and Biodiversity Conservation Act 1999</i>     |
| <b>EIS</b>            | Environmental Impact Statement   |
| <b>EPA</b>            | New South Wales Environment Protection Authority                         |
| <b>EPI</b>            | Environmental Planning Instrument  |
| <b>ESCP</b>           | Erosion and Sediment Control Plan  |
| <b>ESD</b>            | Ecologically Sustainable Development                                     |
| <b>GANSW</b>          | Government Architect New South Wales                                     |
| <b>GFA</b>            | Gross Floor Area   |
| <b>GTP</b>            | Green Travel Plan  |
| <b>HIPAP</b>          | Hazardous Industry Planning Advisory Paper                               |
| <b>HIS</b>            | Heritage Impact Statement  |
| <b>Housing SEPP</b>   | <i>State Environmental Planning Policy (Housing) 2021</i>                |
| <b>LAeq</b>           | A frequency-weighted Equivalent Continuous Sound Level                   |
| <b>LEC</b>            | Land Environment Court New South Wales                                   |
| <b>LEP</b>            | Local Environmental Plan   |
| <b>LGA</b>            | Local Government Area  |
| <b>LSPS</b>           | Local Strategic Planning Statement                                       |
| <b>MNES</b>           | Matters of National Environmental Significance                           |
| <b>MUSIC</b>          | Model for Urban Stormwater Improvement Conceptualisation                 |
| <b>NML</b>            | Noise Management Level   |
| <b>NRAR</b>           | Natural Resource Access Regulator  |
| <b>NSW</b>            | New South Wales  |
| <b>NVIA</b>           | Noise and Vibration Impact Assessment                                    |
| <b>OEMP</b>           | Operational Environmental Management Plan                                |
| <b>R&amp;H SEPP</b>   | <i>State Environmental Planning Policy (Resilience and Hazards) 2021</i> |
| <b>PAD</b>            | Potential Archaeological Deposit   |
| <b>PBP</b>            | Planning for Bushfire Protection   |

| <b>Reference</b>             | <b>Description</b>   |
|------------------------------|--|
| <b>PCT</b>                   | Plant Community Type   |
| <b>PMF</b>                   | Probable Maximum Flood   |
| <b>POM</b>                   | Plan of Management   |
| <b>PSI</b>                   | Preliminary Site Investigation   |
| <b>Planning Systems SEPP</b> | <i>State Environmental Planning Policy (Planning Systems) 2021</i>             |
| <b>RFI</b>                   | Response for Additional Information  |
| <b>RtS</b>                   | Response to Submissions  |
| <b>SAII</b>                  | Serious and Irreversible Impacts   |
| <b>SARs</b>                  | Commonwealth Supplementary Assessment Requirements                             |
| <b>SEARs</b>                 | Secretary's Environmental Assessment Requirements                              |
| <b>SEPP</b>                  | State Environmental Planning Policy  |
| <b>SIA</b>                   | Social Impact Assessment   |
| <b>SIDRA</b>                 | Signalised & Unsignalised Intersection Design and Research Aid                 |
| <b>Site</b>                  | 84 Tallawong Road, Rouse Hill NSW 2155 – Lot 63 in Deposited Plan 30186        |
| <b>SSD</b>                   | State Significant Development  |
| <b>SSDA</b>                  | State Significant Development Application                                      |
| <b>T&amp;I SEPP</b>          | <i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i> |
| <b>TfNSW</b>                 | Transport for New South Wales  |
| <b>TIA</b>                   | Traffic Impact Assessment  |
| <b>UXO</b>                   | Unexploded Ordnance  |
| <b>VIA</b>                   | Visual Impact Assessment   |
| <b>VIS</b>                   | Vegetation Integrity Score   |
| <b>WSAP</b>                  | Western Sydney Aerotropolis Plan   |
| <b>WSAPP</b>                 | Western Sydney Aerotropolis Precinct Plan                                      |
| <b>WCM</b>                   | Water Cycle Management   |
| <b>WMP</b>                   | Waste Management Plan  |
| <b>WSUD</b>                  | Water Sensitive Urban Design   |
| <b>WWTP</b>                  | Wastewater Treatment Plant   |

# Executive Summary

## Background and Purpose

This Response to Submissions (**RtS**) Report has been prepared on behalf of LK Property Holdings Pty Ltd (**the Applicant**) to address the matters raised by government agencies, local Council, the community, and relevant stakeholder groups during public exhibition of the proposed development at 84 Tallawong Road, Rouse Hill (**the site**).

The State Significant Development Application (**SSDA**) (SSD-80287510) was lodged with the Department of Planning, Housing and Infrastructure (**DPHI**) on 25 November 2025 for residential development with infill affordable housing at the site. The SSDA was placed on public exhibition between 4<sup>th</sup> December 2025 and 17<sup>th</sup> December 2025.

DPHI issued a letter to the Applicant on 15<sup>th</sup> January 2026 requesting a response to the issues raised during the public exhibition of the application. The following matters were identified by DPHI in its Request for Additional Information (**RFI**):

- Calculation of building height
- Residential amenity
- Noise
- Traffic and parking
- Waste management
- Activation of existing consents

This RtS Report provides clarifications on these matters, details amendments which have been made in response to submissions as relevant, and response to all concerns raised within the submissions received. This RtS Report has been prepared in accordance with DPHI's *State significant development guidelines – preparing a submissions report (Appendix C)* (March 2024).

## Overview of Submissions

The SSDA was on public exhibition between 4<sup>th</sup> December 2025 and 17<sup>th</sup> December 2025. A total of 14 submissions (excluding the DPHI RFI letter) was received from NSW Government agencies, Blacktown City Council, and members of the public, namely:

- NSW Department of Education (**DoE**)
- NSW Rural Fire Service (**RFS**)
- Blacktown City Council (**BCC**)
  - Note that BCC provided their comments in three separate items of correspondence. However, for the purposes of this RtS report, these individual responses are considered a singular submission.
- 11 submissions made by members of the public, comprising:
  - 2 in support of the project
  - 8 objections
  - 1 comment

The key issues raised in the submissions can be broadly grouped into the following categories:

- Calculation of building height
- Residential amenity

- Noise
- Traffic and parking
- Waste management
- Activation of existing consents
- Overshadowing and solar access
- Location of affordable housing within the development
- Waste management

Since only a small number of submissions were received, this Submissions Report provides a response to each individual submission within **Section 4**.

## Actions Taken Since Exhibition

Since the SSDA was publicly exhibited, the Applicant has not undertaken further consultation with agencies to discuss the issues raised within their submissions. Additional documentation and assessments have been prepared to respond to the issues raised within the submissions. These include:

- Updated Architectural Drawings
- Updated Architectural Design Report
- Updated ADG Compliance Assessment
- Updated Noise and Vibration Impact Assessment
- Updated Civil Plans (including MUSIC and DRAINS files)
- Updated Landscape Concept Design
- Updated Waste Management Plan
- Updated Transport Impact Assessment
- Preliminary Indicative Construction Management Plan
- Legal advice regarding the lawful physical commencement of the existing consents
- AutoCAD Files (showing all truck movements)
- Updated Clause 4.6 Variation Request
- Updated Mitigation Measures
- Submissions Register

## Response to Submissions

The Applicant has refined the proposed development in response to the submissions received. The key changes are summarised as follows:

- Changes to ground surface treatment at the ground-plane common open space, including new permeable surfaces.
- Additional waste rooms / bin chute rooms and storage added to basement (including FOGO waste storage)
- Reduction of total basement car parking spaces, with 500 spaces now proposed (as a result of refinements to waste management measures in the basement).
- Updates to the basement loading zone in response to submissions regarding traffic / access and waste management

- Introduction of new awnings at the rooftop common open space to each building.

Importantly, these refinements are changes that fit within the limits set by the project description as exhibited, and do not result in material changes to the scope of development for which this SSDA seeks consent.

## Updated Project Justification and Evaluation

The proposed development will deliver a high-quality residential development that incorporates a significant affordable housing component consistent with the aims of the infill affordable housing policy provided by *State Environmental Planning Policy (Housing) 2021 (Housing SEPP)*. The proposed density and form of development is appropriate for the site, which is located within an identified growth area and zoned R3 Residential Medium Density.

The minor refinements address relevant comments received during the public exhibition period and will enhance the amenity of the site for future residents.

The proposed development is consistent with the strategic and statutory planning context with any variations are fully justified. The refinements now proposed will not result in any additional environmental impacts and the site remains highly suitable for the proposed development.

Critically, the proposal serves the public interest by addressing an urgent requirement for diverse housing options, including affordable housing, within a key growth area.

**On this basis, the proposed development is appropriate and approval is recommended, subject to the implementation of the mitigation measures outlined in the supporting documentation and the standard conditions of consent.**

# 1 Introduction

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# 1 Introduction

## 1.1 Background and Purpose

This Response to Submissions (**RtS**) Report has been prepared on behalf of LK Property Holdings Pty Ltd (**the Applicant**) to address the matters raised by government agencies, local Council, the community, and relevant stakeholder groups during public exhibition of the proposed development at 84 Tallawong Road, Rouse Hill (**the site**).

The State Significant Development Application (**SSDA**) (SSD-80287510) was lodged with the Department of Planning, Housing and Infrastructure (**DPHI**) on 25 November 2025 for residential development with infill affordable housing at the site. The SSDA was placed on public exhibition between 4<sup>th</sup> December 2025 and 17<sup>th</sup> December 2025.

This RtS Report provides clarifications on these matters, details amendments which have been made in response to submissions as relevant, and response to all concerns raised within the submissions received. This RtS Report has been prepared in accordance with DPHI's *State significant development guidelines – preparing a submissions report (Appendix C)* (March 2024).

## 1.2 Exhibited Project

This SSDA seeks consent to amend the three existing consents (SPP-17-00031, SPP-17-00032, and SPP-1700033) for residential development comprising 1 shop-to housing and 5 residential flat buildings with a combined total of 411 units (including 70 affordable housing units) consistent with the infill affordable housing provisions of Chapter 2, Part 2, Div. 1 of *State Environmental Planning Policy (Housing) 2021 (Housing SEPP)*.

Specifically, the project objectives are to:

- Deliver a significant number of new, high-quality dwellings within the emerging Tallawong town centre, including a substantial proportion of affordable units.
- Further reinforce Tallawong, as a connected and well-designed residential locality with good access to infrastructure and green spaces.
- Facilitate the achievement of the area's housing targets as set out in relevant State- and local-level strategic policies.

The SSDA seeks consent for the following modifications to SPP-17-00031, SPP-17-00032, and SPP17-00033:

- One-storey addition to each of the approved buildings
- An additional 78 residential apartments across the development
- Allocation of all apartments in Building F for affordable housing, to be maintained for a period of at least 15 years in accordance with the requirements of the Housing SEPP
- Consolidation of the previously approved three basements into a single basement structure across the site
- Increased setback to some level 4 apartments to achieve ADG compliance
- Redesigned lift cores in each of the buildings
- Redesign of rooftop communal open space
- Changes to external materials and finishes
- Amendments to approved landscaping scheme

## 1.3 Supporting Documentation

This RtS Report is supported by the following technical reports and documentation.

Table 1 Supporting Documentation

| Appendix   | Report   | Prepared By               |
|------------|--|---------------------------|
| Appendix A | Updated Architectural Drawings   | Place Studio              |
| Appendix B | Updated ADG Compliance Table   | Place Studio              |
| Appendix C | Updated Landscape Concept Design   | Ratio                     |
| Appendix D | Updated Noise and Vibration Impact Assessment                                    | Acoustic Logic            |
| Appendix E | Updated Transport Impact Assessment  | TEF Consulting            |
| Appendix F | Updated Waste Management Plan  | Dickens Solutions         |
| Appendix G | Updated Architectural Design Report  | Place Studio              |
| Appendix H | Preliminary Indicative Construction Management Plan                              | LK Property Group         |
| Appendix I | Updated Civil Plans (including MUSIC and DRAINS files)                           | C&M Consulting Engineers  |
| Appendix J | Legal advice regarding the lawful physical commencement of the existing consents | Messenger Cole Solicitors |
| Appendix K | MUSIC + Drains Files   | C&M Consulting Engineers  |
| Appendix L | Copy of Development Consents   | N/A                       |
| Appendix M | AutoCAD Files (Truck Movements)  | TEF Consulting            |
| Appendix N | Updated Clause 4.6 Variation Request   | Urbis                     |
| Appendix O | Updated Mitigation Measures  | Urbis                     |
| Appendix P | Submissions Register   | Urbis                     |

# 2 **Analysis of Submissions**

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# 2 Analysis of Submissions

This section provides a summary of the submissions received including a breakdown of respondent type, nature/ position and number of submissions received.

## 2.1 Breakdown of Submissions

The SSDA was publicly exhibited between 4<sup>th</sup> December 2025 and 17<sup>th</sup> December 2025. There were 4 submissions received from public agencies and Blacktown City Council (**BCC**), and 11 submissions received from members of the local community and individuals.

All submissions were managed by DPHI, which included registering and uploading the submissions onto the 'Major Projects website' (SSD-80287510).

A breakdown of the submissions made by group and issues raised is provided in **Table 2**, below.

Overall, 2 people supported the project, 1 commented on the project and 8 objected to the project based on the submissions received.

Table 2 Breakdown of Submissions Received

| Submitter                   | Category of Issues Raised   |                    |          |               |          |   |  |
|-----------------------------|---|--------------------|----------|---------------|----------|---|--|
|                             | The Project   | Procedural Matters | Impacts  |               |          | Justification and Evaluation of the Project | Issues Beyond the Scope of the Project |
|                             |   |                    | Economic | Environmental | Social   |   |  |
| DPHI                        | X   | X                  |          | X             | X        | X   |  |
| NSW Department of Education | X   |                    |          | X             | X        | X   |  |
| NSW RFS                     | No issues were raised by the NSW RFS during exhibition of the SSDA. |                    |          |               |          |   |  |
| Blacktown City Council      | X   | X                  |          | X             | X        | X   |  |
| Individuals                 | X   |                    |          | X             | X        | X   | X                                      |
| <b>TOTAL</b>                | <b>4</b>  | <b>2</b>           | <b>0</b> | <b>4</b>      | <b>4</b> | <b>4</b>                                    | <b>1</b>                               |

## 2.2 Categorising Key Issues

The key issues raised in the submissions include:

- Calculation of building height
- Residential amenity
- Noise
- Traffic and parking
- Waste management
- Activation of existing consents
- Overshadowing and solar access
- Location of affordable housing within the development
- Waste management

# **3** **Actions Taken Since Exhibition**

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# 3 Actions Taken Since Exhibition

In response to the key issues raised within the submissions, minor design refinements and clarifications have been made to the proposed development since public exhibition.

This section summarises the changes that have been made to the project since its public exhibition. It also outlines the additional assessment undertaken to respond to the concerns raised with the public agency, organisation and public submissions outlined in **Section 2**.

## 3.1 Further Engagement

No further consultation has been undertaken following the public exhibition of the SSDA.

## 3.2 Refinements to the Project

The following refinements have been made to the project since public exhibition in response to the submissions received. Importantly, these refinements are changes that fit within the limits set by the project description as exhibited, and do not result in changes to the scope of development for which this SSDA seeks consent.

- Changes to ground surface treatment at the ground-plane common open space, including new permeable surfaces
- Additional waste rooms / bin chute rooms and storage added to basement (including FOGO waste storage)
- Reduction of total basement car parking spaces, with 500 spaces now proposed (as a result of refinements to waste management measures in the basement). A comparison of originally proposed and amended car parking spaces is provided below:
  - **Lot 1**
    - Existing consent: 175 spaces
    - Originally proposed by this SSD: 166 spaces (- 9 spaces relative to existing consent)
    - Amended scheme: 142 spaces (- 33 spaces relative to existing consent)
  - **Lot 2**
    - Existing consent: 168 spaces
    - Originally proposed by this SSD: 190 spaces (+ 22 spaces relative to existing consent)
    - Amended scheme: 190 spaces (+ 22 spaces relative to existing consent – no change from number of spaces originally proposed by this SSD)
  - **Lot 3**
    - Existing consent: 168 spaces
    - Originally proposed by this SSD: 170 spaces (+ 2 spaces relative to existing consent)
    - Amended scheme: 168 spaces (no change relative to existing consent)
- Updates to the basement loading zone in response to submissions regarding traffic / access and waste management
- Introduction of new awnings at the rooftop common open space to each building

The proposed project refinements are shown on the updated Architectural Plans enclosed in **Appendix A**. Refinements are also detailed in relevant technical documentation which is provided with this RTS.

### 3.3 Updated Impact Assessments

Additional assessments and documents have been prepared to respond to the issues raised within the submissions. These include:

- Updated Architectural Drawings
- Updated Architectural Design Report
- Updated ADG Compliance Assessment
- Updated Noise and Vibration Impact Assessment
- Updated Civil Plans (including MUSIC and DRAINS files)
- Updated Landscape Concept Design
- Updated Waste Management Plan
- Updated Transport Impact Assessment
- Preliminary Indicative Construction Management Plan
- Legal advice regarding the lawful physical commencement of the existing consents
- AutoCAD Files (showing all truck movements)
- Updated Clause 4.6 Variation Request
- Updated Mitigation Measures
- Submissions Register

The findings and recommendation of the additional assessments are discussed in detail within **Section 4** of this report.

# **4 Responses to Submissions**

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# 4 Responses to Submissions

This section provides a detailed summary of the Applicant's response to the issues raised in submissions. A response to each individual submission is included in **Table 3**, below.

## 4.1 The Project

The SSDA proposes to deliver high-quality mixed-use and residential development with the provision of in-fill affordable housing. It improves upon the existing planning work previously completed at the site, to maximise the residential offering and create a high-amenity residential community which responds to the local environmental context.

This project will provide a significant quantum of affordable housing in this key residential growth area, with over 17% of the development's total dwelling yield to be dedicated as affordable housing managed by a registered Community Housing Provider over a period of 15 years in accordance with the requirements of Chapter 2, Part 2, Division 1 of *State Environmental Planning Policy (Housing) 2021 (Housing SEPP)*. Chapter 2, Part 2, Division 1 of the Housing SEPP allows for development for the purposes of residential flat buildings that incorporate an affordable housing component equating of at least 10% of the total GFA to benefit from floor space ratio (**FSR**) and height of building bonuses of up to 30%. Importantly, the Housing SEPP **does not** state or infer that only those buildings that include affordable housing can benefit from the bonus building height provisions available. Section 16(3) of the Housing SEPP states:

*If the development includes residential flat buildings or shop top housing, the maximum building height for a building used for residential flat buildings or shop top housing is the maximum permissible building height for the development on the land plus an additional building height that is the same percentage as the additional floor space ratio permitted under subsection (1).*

Accordingly, if an affordable housing component (of at least 10%) is provided on a site, the building height bonus can be utilised by any buildings proposed on the same site (irrespective of whether the particular building contains any affordable housing).

Noting the natural slope of the site, it is identified that some areas of the development will encroach above the 30% building height bonus. However, as demonstrated within the Clause 4.6 Variation Request accompanying this application, this is fully justified and compliance with the relevant development standard is unnecessary and unreasonable in this instance.

From social planning and CHP perspectives, the documentation provided with this application (including additional responses provided as part of this RtS) confirms that:

- The concentration of affordable housing within a single building on the land will not result in adverse social outcomes, noting the development's provision of common open space at the ground plane that will be accessible to all residents regardless of tenure type.
- The affordable units will receive equitable amenity relative to market-rate units with respect to internal amenity (solar access, cross-ventilation, apartment dimensions, storage, parking, etc.) and will benefit from the same rooftop common open space which is present across all the buildings.
- CHPs have a clear preference for affordable units to be concentrated in a single part of the development, to enable easier and more efficient management of these units.

## 4.2 Procedural Matters

DPHI and BCC raised procedural matters requiring confirmation that the existing development consents applying to the site (SPP-17-00031, SPP17-00032 and SPP-17-00033) are currently active.

Legal advice has been provided by Messenger Cole Solicitors (**Appendix J**), confirming that the existing consents have all been legally activated on the basis of:

- Physical survey works having been commenced on the land (applicable to all three existing consents)

- Completion of early road works at the perimeter of the site (applicable to all three existing consents)
- Completion of sewer construction works to service the future site (applicable to all three existing consents)

On this basis, and as set out in detail in the accompanying legal advice, development consents SPP-17-00031, SPP17-00032 and SPP-17-00033 have all physically commenced and the consents have not lapsed.

## 4.3 Environmental, Economic, and Social Impacts

### 4.3.1 Overshadowing

Overshadowing concerns were raised, specifically regarding the property located on the southern side of Pomany Street, and its approved future development.

The updated architectural drawings accompanying this RtS illustrate the potential overshadowing impacts to the future low-density residential development adjoining the site at the south. The shadow diagrams have been based on publicly accessible information regarding these future developments, and it is understood that to date only the subdivision and road layout has been approved for this adjoining land. Accordingly, indicative built forms have been shown to illustrate the likely (but not confirmed) shadow impacts. The updated shadow diagrams illustrate the potential for minor additional impacts above those which would be generated to the future southern dwellings in a compliant scheme, concentrated between 1pm and 3pm in mid-winter and, therefore, according up to 4 hours of direct sunlight into these indicative dwellings.

To ensure overshadowing impacts are mitigated as far as possible, the proposed development maintains the building setbacks from the street frontages, as well as building separation to achieve breaks in the built form and permit solar access through the southern properties. Overall, the additional investigations confirm the proposed modification does not result in unreasonable additional overshadowing impacts to future development directly to the south of the site as compared with a compliant (15.6m) height plane, with minor additional impacts only exhibited between 1-3pm in mid-winter.

### 4.3.2 Solar Access

In addition to the overshadowing justification, the proposal achieves the solar access requirements under the ADG while also maintaining adequate solar access for neighbouring properties.

The updated ADG assessment demonstrates all 78 of the new apartments (100%) will receive at least 2 hours of direct sunlight between 9am and 3pm in mid-winter. The proposed development's minor height exceedances – which are the product of a sloped site – does not affect the ability of the development to achieve key ADG amenity criteria as noted above, as well as privacy, cross ventilation and building separation, and does not result in unreasonable additional overshadowing impacts to future development directly to the south of the site as compared with a compliant (15.6m) height plane.

The proposal has been designed to maintain the building setbacks from the street frontages, as well as the building separation to achieve breaks in the built form and permit solar access through the site. The new 5th storey achieves a greater building separation to permit sunlight access, as well as other amenity benefits like ensuring privacy, visual permeability and consistency with the ADG.

### 4.3.3 Acoustic Impacts

Comments were raised concerned about the additional noise impacts generated by the proposal. Acoustic Logic prepared the original Noise and Vibration Impact Assessment (**NVIA**), which details the proposal will not significantly alter the acoustic impacts from the overall development when compared to the original, approved design.

One of the acoustic concerns discussed the noise impact from outdoor communal open space areas on internal and external receivers. It is important to note that at these spaces, it is typical that for a significant proportion of the time they are either not used, or used for passive purposes that do not generate significant noise, particularly at night. In addition, Acoustic Logic outline there are no specific noise emission criteria for

residential private open spaces, and guidelines such as the commonly adopted NPfl are not appropriate for assessment of this noise type. Notwithstanding, the ADG Objective 4H-1 provides some guidance, indicating active communal open spaces and circulation areas should be located at least 3m away from bedrooms. The proposal confirms compliance with this objective and the proposed communal spaces are at least 3m from any bedrooms.

In addition, comments discussed the need for the NVIA to assess construction noise impacts and consider the school as a sensitive receiver. Accordingly, an assessment of construction noise impacts has been provided in Section 8 of the revised NVIA. Impacts to the new Tallawong Public School have been considered, and noise management levels have been adopted based on the guidelines outlined by the NSW EPA's *Interim Construction Noise Guideline (ICNG)*. Recommendations were identified and include a range of feasible and practical mitigation strategies which could be implemented during construction, including community liaison, notification, acoustic screening, scheduling of works, and respite periods where necessary. Overall, Acoustic Logic confirm the results to be acceptable from a noise perspective, subject to the implementation of the recommended mitigation measures as part of conditions of consent.

### 4.3.4 Traffic, Parking, and Access

Agency comments and community feedback was provided which raised questions regarding the traffic, parking and accessibility impacts.

#### Construction Traffic Impacts

Construction traffic impacts were noted, detailing if the development is approved, it is recommended the proposal be conditioned to prohibit construction vehicles accessing and egressing the site during school drop-off and pick-up times given that pick-up and drop-off is located along the adjoining road. A Preliminary Construction Traffic Management Plan (**CTMP**) has been provided in the Updated Transport Impact Assessment (**TIA**) at **Appendix E** of this submission, outlining the following measures which are recommended to be incorporated into the final CTMP post-approval to maintain the safe and effective operation of the adjoining Tallawong Public School:

- Construction vehicles will be prohibited from accessing and egressing the site during school drop-off and pick-up times, being 30 minutes before and after school start and finish times.
- Works zone locations on Road R1 and Pomany Street will be configured so as not to compromise pedestrian, cyclist or vehicular access to the school or its associated drop-off and pick-up spaces.
- Traffic controllers will be deployed to manage construction vehicle entry and exit movements at times when pedestrian and cyclist safety may be affected.
- Should any impacts to school bus services be identified during detailed CTMP preparation, mitigation measures will be developed and incorporated into the plan.

In addition, the safety of pedestrians and cyclists should be closely considered and managed including where necessary, especially in relation to construction vehicle entry and exit movements. To this end, the Preliminary CTMP includes the following recommendations to be incorporated into the final, post-approval CTMP:

- Construction vehicles will not access the site via the narrow residential streets adjoining the site.
- Temporary works zones will be managed to maintain all-times access for emergency vehicles.
- The detailed CTMP will include a construction vehicle route map, construction hours, dust and noise mitigation measures, and worker parking arrangements.
- The detailed CTMP will be submitted as a condition of consent prior to the commencement of works.

#### Car Parking

Further details on parking breakdown for affordable and market apartments were sought, as well as compliance with Housing SEPP provisions. It is noted that, as part of the revisions made in response to submissions, the project's car parking provision has been reduced to 500 spaces (resident + visitor +

commercial tenancy). This represents a reduction of 11 spaces from the existing consents, and reduction of 26 spaces from the original SSDA.

Car parking has been assessed in the updated TIA in accordance with Section 19(2) of the Housing SEPP and the Blacktown Growth Centres DCP.

Section 19(1) of the Housing SEPP provides that compliance with Section 19(2) prevents the consent authority from imposing more onerous standards for those matters. As Sections 19(2)(e) and 19(2)(f) together prescribe parking rates for affordable and non-affordable dwellings respectively, the DCP residential parking rates are not applicable to the dwelling component. The DCP rate of 1 space per 30 m<sup>2</sup> GFA applies to the retail tenancy, which is outside the scope of Section 19 of the Housing SEPP.

The required and provided spaces are summarised below, with full calculations provided at Appendix B of the updated TIA.

- Affordable housing – Building F (70 dwellings: 6 × 1-bed, 59 × 2-bed, 5 × 3-bed), assessed at the rates in Section 19(2)(e): 37 spaces required.
- Market dwellings – Buildings A–E (341 dwellings: 11 × 1-bed, 291 × 2-bed, 39 × 3-bed), assessed at the rates in Section 19(2)(f): 355 spaces required.
- Retail tenancy – Building A (118.2 m<sup>2</sup> GFA), at 1 space per 30 m<sup>2</sup> GFA, assessed at the rates in the DCP: 4 spaces required.

In accordance with the requirements of Section 19 of the Housing SEPP (with respect to residential parking rates) and the Blacktown Growth Centres DCP (with respect to commercial parking rates), a minimum of 396 spaces is required to service the development. The project provides a total of 500 car spaces, representing a surplus of 104 spaces.

The surplus of 104 spaces is sufficient to accommodate visitor parking at 0.2 spaces per dwelling for all 411 dwellings (83 spaces), with 21 spaces remaining. Visitor parking is not prescribed by the Housing SEPP; the provision of 83 visitor spaces is made from the surplus, with an additional 19 spaces remaining to accommodate any additional demand.

No separate on-plan allocation between affordable and market spaces is required at this stage; spaces will be allocated in accordance with the schedule at Appendix B of the updated TIA prior to the issue of a Construction Certificate.

### **Network Capacity**

Community concerns were raised about traffic, access and road capacity concerns generated by the proposal.

Updated SIDRA intersection modelling has been prepared as part of the updated TIA, to assess the potential impacts of the development's revised car parking provision of 500 spaces. The updated SIDRA modelling finds no change to existing levels of service for the assessed intersections surrounding the subject site, with only minor increases in queuing, average vehicle delay, and degree of saturation. Based on this updated SIDRA modelling – and having regard for the decreased parking provision as now proposed – the updated TIA finds that the additional traffic generation will have no detrimental impacts on the existing road network operation, nor on road safety.

### **4.3.5 Social Impacts**

Social impact comments were identified in relation to the concentration and location of affordable housing units, and the type of commercial tenancy use proposed. Details addressing these comments are provided below, clarifying these matters.

#### **Location of Affordable Housing**

Under the Housing SEPP requirements, affordable housing units should be distributed throughout the development rather than concentrated to just one building. The proposal seeks to concentrate the affordable housing units into one building, informed by the selected CHP's advice. The selected CHP is a Tier 1 CHP with

experience managing affordable housing units within mixed-tenure developments and is well-positioned to report on the benefits of separating affordable homes from a customer experience, asset management, and financial viability perspective. In its letter of support provided as part of this application, Evolve Housing has set out its rationale for supporting the consolidation of the affordable units within the development. Notwithstanding, the proposal will still encourage social interaction and to have equitably accessible areas where people can run into each other. This is achieved through the provision of outdoor communal spaces, a shared carparking basement and commercial tenancy. The design is intended to minimise feelings of tenure segregation based on socio-economic disparities. As such, the proposal includes communal open spaces, play spaces, fitness stations, a shared carparking basement, and a commercial tenancy accessible to all future residents, regardless of tenure type, to support social interactions and cohesion amongst all future residents. Overall, the proposal's design is balanced by the management preferences of the selected CHP and best practice research undertaken by AHURI (2020).

### **Commercial Tenancy**

Restrictions were requested to be placed on the future commercial tenancy uses in Building A. These restrictions seek to ensure that future use is complementary to the site and is a positive impact to the locality. The proposal details that given its location, it is agreed that an active, high-value commercial use is therefore a preferred outcome for the development.

Appendix 11 of the Central River City SEPP – being the principal environmental planning instrument that applies to the site – includes restrictions on certain uses (restricted premises and sex services premises) where land adjoins, is directly opposite, or is separated only by a local road from land uses for the purposes of a school. From a statutory planning/regulatory perspective, this is a standard restriction contained in environmental planning instruments that seeks to minimise potential land-use conflicts. However, it is uncommon for other potential retail or commercial uses to be further restricted, noting that ultimately the use and occupation of a commercial space is largely a market-driven outcome.

This SSDA seeks consent only for a minor change in the quantum of overall floorspace within the retail tenancy, and not for its use (which is already approved) or any fitout works. Once completed, the SSDA will provide a 'cold shell' tenancy, and fitout will be required to be undertaken by the future tenant. As such, it is noted that the future fitout and operation of the retail tenancy will likely be subject to a separate Development Application to be made to BCC, and that any such application will be assessed against the relevant heads of consideration outlined under Section 4.15 of the EP&A Act including the public interest test, during which time BCC will determine whether a proposed use is (or is not) supportable.

## **4.4 Project Evaluation**

Minor refinements are proposed to the original proposal to address comments received through the public exhibition period. The proposed refinements include:

- Changes to ground surface treatment at the ground-plane common open space, including new permeable surfaces.
- Additional waste rooms / bin chute rooms and storage added to basement (including FOGO waste storage), resulting in a net loss of 26 car spaces. The development will now provide a total of 500 car spaces.
- Updates to the basement loading zone in response to submissions regarding traffic / access and waste management
- Introduction of new awnings at the rooftop common open space to each building.

Overall, the proposed development will continue to comprise a high-quality residential development in an accessible area identified for growth under relevant State and local planning policies. The proposal will deliver critically-needed market-rate and affordable dwellings, which will address a significant demand for new housing in this key growth area of north-western Sydney.

The refinements will improve the amenity of the proposed development and will not result in any additional adverse environmental impacts beyond those previously assessed and identified within the Environmental Impact Statement (**EIS**). The site is suitable for the proposed development, and the proposal will remain in the public interest for the reasons discussed within the EIS.

Since only a small number of submissions were received during the public exhibition process, a response to each individual submission is included at **Table 3**, below.

Table 3 Response to Submissions

| Comment   | Response  | Supporting Document  |
|---|---|--|
| <b>NSW Department of Planning, Housing and Infrastructure</b>   |   |  |
| <b>Building height and associated documentation</b>   |   |  |
| <p>1. Provide amended architectural plans (including elevation and cross-section plans) to include annotation of the existing RL(s) directly below the highest point(s) of the buildings.</p> <p>In this regard, the Department notes that the proposed buildings C and E are positioned directly above an existing dam on the site. Per the definition of building height in the Blacktown Local Environmental Plan 2015, the existing ground level should be at the base/bottom of the dam.</p> | <p>The Standard Instrument LEP defines “building height” as follows:</p> <p><i>(a) in relation to the height of a building in metres—the vertical distance from ground level (existing) to the highest point of the building, or</i></p> <p><i>(b) in relation to the RL of a building—the vertical distance from the Australian Height Datum to the highest point of the building.</i></p>   | <p>Updated Architectural Drawings at <b>Appendix A</b></p> |
| <p>2. Provide a height plane diagram with annotation of the extent of the building height breach (in RIs and meters).</p>   | <p>The Standard Instrument LEP defines “ground level (existing)” as:</p> <p><i>the existing level of a site at any point</i></p>  |  |
| <p>3. Provide an updated clause 4.6 variation request with revised buildings and associated exceedances, if required, as a result of the amended base RIs.</p>  | <p>It is noted that the dam on the site, nominally underneath the footprints of Buildings C and E, has been decommissioned and is currently being filled as part of the approved consents SPP-17-00031, SPP-17-00032, and SPP-17-00033 (<b>the existing consents</b>) which have now been activated.</p> <p>As construction under the existing consents has now resulted in the filling of the dam, the existing ground level can be reasonably understood to refer to the level of the ground surface following the completion of the works to fill the dam. It is noted that, as of 2 April 2026, the dam has been infilled to match the surrounding existing ground levels.</p> <p>Accordingly, there is no need to update the architectural drawings with respect to this matter.</p> |  |

| Comment   | Response   | Supporting Document  |
|---|--|--|
| <p>4. Provide a detailed analysis of the impacts of the shadows cast on approved future developments located on the southern side of Pomany Street, by the building components above the maximum building height control, between 9am - 3pm in mid-winter.</p> <p>Include elevational shadow diagrams as necessary to illustrate the shadow impacts.</p>  | <p>The shadow diagrams included in the architectural drawing set have been updated to illustrate shadow impacts on the southern properties, consistent with this request.</p> <p>It is noted that the built forms on the southern dwellings at Pomany Street are indicative only, and are based on publicly known information which is currently available (based on that property's approved subdivision layout). Accordingly, no elevational shadow diagrams are provided as the built form outcomes remain unknown.</p> | <p>Updated Architectural Drawings at <b>Appendix A</b></p> |
| <p><b>Residential Amenity</b></p>   |  |  |
| <p><u>Solar access and cross ventilation</u></p>  |  |  |
| <p>5. Provide an Apartment Design Guide (ADG) assessment that demonstrates how the proposal performs against the ADG design criteria for the following:</p> <ul style="list-style-type: none"> <li>a. private open spaces and living areas of at least 70% of proposed apartments in a building receive a minimum of 2 hours direct sunlight between 9am and 3pm in mid-winter</li> <li>b. at least 50% of the principal useable part of the communal open space receives direct sunlight for a minimum of two hours between 9am -3pm in mid-winter.</li> </ul> | <p>The ADG compliance table has been updated.</p> <p>All 78 of the new apartments (100%) will receive at least 2 hours of direct sunlight between 9am and 3pm in mid-winter.</p>   | <p>Updated ADG Compliance Table at <b>Appendix B</b></p>   |
| <p>6. Provide an updated solar access and cross ventilation analysis against the relevant ADG design criteria, considering all of the additional 78 apartments, rather than 42 apartments. Include updated architectural plans and design reports (as needed).</p>  | <p>The ADG compliance table has been updated.</p> <p>All 78 of the new apartments (100%) will receive at least 2 hours of direct sunlight between 9am and 3pm in mid-winter.</p> <p>54 of the 78 new apartments (69%) are naturally cross-ventilated.</p> <p>These metrics both exceed the minimum criteria set in the ADG.</p>  | <p>Updated ADG Compliance Table at <b>Appendix B</b></p>   |
| <p><u>Apartment dimensions</u></p>  |  |  |
|   | <p>The architectural drawings have been updated to illustrate typical apartment dimensions. All new apartments exceed the minimum criteria set in the ADG.</p>   | <p>Updated Architectural</p>                               |

| Comment   | Response   | Supporting Document  |
|---|--|--|
| <p>7. Provide an ADG assessment that demonstrates how each proposed apartment (including affordable apartments) performs against the applicable ADG design criteria, including (but not limited to):</p> <ul style="list-style-type: none"> <li>a. habitable room and living room area depths and widths</li> <li>b. depths of cross over and cross through apartments, measured glass line to glass line</li> <li>c. combined kitchen/living room depths measured from a window</li> <li>d. bedroom dimensions and areas</li> <li>e. apartment sizes, by apartment type</li> <li>f. balcony sizes</li> <li>g. apartment storage, including clarification of internal and basement storage.</li> </ul> <p>Provide numeric confirmation and specific reference to plans or details to establish consistency with the respective design criteria, rather than stating 'compliance has been achieved'.</p> | <p>All new apartments are provided with storage areas which exceed the minimum dimensions set in the ADG.</p>  | <p>Drawings at <b>Appendix A</b></p> <p>Updated ADG Compliance Table at <b>Appendix B</b></p>  |
| <p><u>Deep Soil Area</u></p> <p>8. Recalculate the deep soil provision consistent with the ADG definition, excluding (as a minimum):</p> <ul style="list-style-type: none"> <li>a. built and hard paved areas</li> <li>b. landscaped areas less than 6 m in width.</li> </ul>   | <p>The deep soil calculation has been updated, consistent with the ADG definition.</p> <p>The development will deliver 1,082.9m<sup>2</sup> of deep soil across the ground plane, representing a total of 7% of total site area which is consistent with the ADG criteria.</p> | <p>Updated Architectural Drawings at <b>Appendix A</b></p> <p>Updated ADG Compliance Table at <b>Appendix B</b></p> <p>Updated Landscape Concept Design at <b>Appendix C</b></p> |

| Comment   | Response  | Supporting Document  |
|---|---|--|
| <p>9. Following the above recalculation, amend the proposed building footprints, as necessary, to provide for deep soil area consistent with the ADG design criteria.</p>   | <p>7% of the total site area will comprise deep soil. As this is consistent with the ADG criteria, no changes to the building footprints are required.</p>  | <p>Updated Architectural Drawings at <b>Appendix A</b></p> <p>Updated ADG Compliance Table at <b>Appendix B</b></p> <p>Updated Landscape Concept Design at <b>Appendix C</b></p> |
| <p><u>Apartment storage</u></p> <p>10. Update the architectural plans to confirm the location and volume of storage spaces for each proposed apartment and ensure that the proposed storage volumes (internal to the apartments and external at other locations) are consistent with the ADG design criteria.</p> | <p>All new apartments are provided with storage areas which exceed the minimum dimensions set in the ADG.</p>   | <p>Updated Architectural Drawings at <b>Appendix A.</b></p> <p>Updated ADG Compliance Table at <b>Appendix B</b></p>   |
| <p><b>Noise</b></p>   |   |  |
| <p>11. Provide an updated Noise Report that includes the following:</p> <p>a. a noise impact assessment considering only the elements of the proposed development included in the scope of the SSD application, rather than the development in its entirety.</p>  | <p>The Noise and Vibration Impact Assessment (<b>NVIA</b>) prepared by Acoustic Logic was developed to address the site in its entirety, given the age of the previously submitted acoustic report prepared by NG Child &amp; Associates in 2017 as part of the existing approved development (project ref: CA17/126/1002, dated 31/08/2017). Many of the relevant guidelines presented in this previous report have since been superseded. For example, the SEPP 2007 and NSW Industrial Noise</p> | <p>Updated Noise and Vibration Impact Assessment at <b>Appendix D</b></p>  |

| Comment   | Response  | Supporting Document   |
|---|---|---|
|   | <p>Policy 1999 have since been superseded by the T&amp;I SEPP and <i>Noise Policy for Industry 2017 (NPfI)</i>.</p> <p>Acoustic Logic note the additional impact resulting from the updated design proposed by this SSD will not significantly alter the acoustic impacts from the overall development when compared to the original, approved design.</p> <p>On this basis, Acoustic Logic recommend that the NVIA prepared for this SSDA be adopted for the whole site.</p>   |   |
| <p>b. the noise impact from outdoor communal open space areas on internal and external receivers.</p> | <p>Communal open spaces are proposed at rooftop areas of the development and provide the opportunity for residents to participate in a range of outside activities. For these spaces, it is typical that for a significant proportion of the time they are either not used, or used for passive purposes that do not generate significant noise, particularly at night.</p> <p>It is noted that there are no specific noise emission criteria for residential private open spaces, and guidelines such as the commonly adopted NPfI are not appropriate for assessment of this noise type.</p> <p>Objective 4H-1 of the ADG provides the following objectives regarding communal open spaces:</p> <p style="padding-left: 40px;"><i>Noise sources such as garage doors, driveways, service areas, plant rooms, building services, mechanical equipment, active communal open spaces and circulation areas should be located at least 3m away from bedrooms.</i></p> <p>Regarding the objectives of the ADG, the proposed communal spaces are at least 3m from any bedrooms.</p> <p>As with noise from private open space in detached dwellings, a level of noise generated on residential lots is accepted as part of community living. For example, noise from lawn mowing is accepted as “normal”, notwithstanding the relatively high levels of noise generated. These</p> | <p>Updated Noise and Vibration Impact Assessment at <b>Appendix D</b></p> |

| Comment   | Response  | Supporting Document   |
|---|---|---|
|   | <p>noisier activities are typical of urban living, as other noise generating activities carried out in private open space from time to time.</p> <p>There are legislated time restrictions contained within the <i>Protection of the Environment Operations (Noise Control) Regulation 2017</i> to manage activities carried out on residential properties and prevent them from adversely impacting other properties, particularly at night.</p> <p>Given that the nearest receivers around communal open spaces are the occupiers of the same development, it is common for the owners' corporations to include by-laws to manage the use of these spaces such as time limits, restriction on the number of users, etc.</p> <p>Given that the nearest receivers around communal open spaces are the occupiers of the same development, the updated NVIA concludes that most appropriate noise mitigation strategy would be for the owners corporation or building management to include by-laws to manage the use of these spaces such as time limits (e.g., no use during nighttime), restriction on the number of users, etc.</p> |   |
| <p>c. the proposed layout and location of mechanical plant.</p> | <p>A preliminary review of mechanical services has been undertaken based on mechanical services spatial drawings prepared by Bestec, noting that detailed layouts of plant and equipment selections have not been made yet at this stage. The assessment is presented in Section 7.2 of the revised NVIA.</p> <p>Summarily, the findings of this assessment provide indicative maximum permissible sound power levels applicable to each rooftop plant compound, noting that treatments to specific plant items are to be reviewed in more detail prior to obtaining CC and is to be assessed cumulatively from all external plant in this area. It is a typical approach to undertake further detailed design development with respect to the selection of plant as part of the post-approval phase.</p>   | <p>Updated Noise and Vibration Impact Assessment at <b>Appendix D</b></p> |

**Traffic and parking**

| Comment   | Response   | Supporting Document   |
|---|--|---|
| <p>12. Provide a breakdown of proposed car parking for both affordable and market apartments and demonstrate compliance with the car parking rates stipulated in Section 19 of the State Environmental Planning Policy (Housing) 2021 (Housing SEPP).</p> | <p>Car parking has been assessed in accordance with Section 19(2) of the Housing SEPP and the Blacktown Growth Centres DCP.</p> <p>Section 19(1) of the Housing SEPP provides that compliance with Section 19(2) prevents the consent authority from imposing more onerous standards for those matters. As Sections 19(2)(e) and 19(2)(f) together prescribe parking rates for affordable and non-affordable dwellings respectively, the DCP residential parking rates are not applicable to the dwelling component. The DCP rate of 1 space per 30 m<sup>2</sup> GFA applies to the retail tenancy, which is outside the scope of Section 19 of the Housing SEPP.</p> <p>The required and provided spaces are summarised below, with full calculations provided at Appendix B of the updated TIA.</p> <ul style="list-style-type: none"> <li>▪ Affordable housing – Building F (70 dwellings: 6 × 1-bed, 59 × 2-bed, 5 × 3-bed), assessed at the rates in Section 19(2)(e): 37 spaces required.</li> <li>▪ Market dwellings – Buildings A–E (341 dwellings: 11 × 1-bed, 291 × 2-bed, 39 × 3-bed), assessed at the rates in Section 19(2)(f): 355 spaces required.</li> <li>▪ Retail tenancy – Building A (118.2 m<sup>2</sup> GFA), at 1 space per 30 m<sup>2</sup> GFA, assessed at the rates in the DCP: 4 spaces required.</li> </ul> <p>In accordance with the requirements of Section 19 of the Housing SEPP (with respect to residential parking rates) and the Blacktown Growth Centres DCP (with respect to commercial parking rates), a minimum of 396 spaces is required to service the development. The project provides a total of 500 car spaces, representing a surplus of 104 spaces.</p> <p>The surplus of 104 spaces is sufficient to accommodate visitor parking at 0.2 spaces per dwelling for all 411 dwellings (83 spaces), with 21 spaces remaining. Visitor parking is not prescribed by the Housing SEPP; the provision of 83 visitor spaces is made from the surplus, with</p> | <p>Updated Transport Impact Assessment at <b>Appendix E</b></p> |

| Comment  | Response  | Supporting Document   |
|--|---|---|
|  | <p>an additional 19 spaces remaining to accommodate any additional demand.</p> <p>No separate on-plan allocation between affordable and market spaces is required at this stage; spaces will be allocated in accordance with the schedule at Appendix B of the updated TIA prior to the issue of a Construction Certificate.</p>  |   |
| <p>13. Provide a justification for any non-compliances with the stipulated car parking rates in the Housing SEPP.</p>  | <p>The proposed car parking provision of 500 spaces complies with and exceeds the non-discretionary standards prescribed by Sections 19(2)(e) and 19(2)(f) of the Housing SEPP and the DCP retail requirement. No non-compliance exists. Refer to Appendix B of the updated TIA for full calculations.</p>  |   |
| <p>14. Provide swept path diagrams demonstrating that that vehicles (cars and other vehicles as relevant) can perform a U-turn and exit in a forward direction at the southern ends of basement levels 2, 3 and 4 (see example in diagram below) without relying on a car parking bay.</p> | <p>Clause 2.4.2(c) of AS/NZS 2890.1:2004 requires a turning facility at dead ends only in car parks open to the public. The basement car park is a private residential car park and accordingly this requirement does not apply. It is also noted that AS/NZS 2890.1 requires a turning facility, not specifically a U-turn. This request is therefore not supported by the standard.</p> <p>Notwithstanding the above, turning provisions have been assessed and, where considered beneficial, voluntarily provided. Swept path diagrams are provided at Appendix B of the updated TIA.</p> <p>For Lot 1 basement level 4, a dedicated turning facility has been provided at the end of the aisle, given that visitor parking spaces are located in that area.</p> <p>For Lots 2 and 3, no specific turning facility is required at the dead-end sections, as these serve allocated resident parking only and extend for a short distance beyond the last bend. Swept path diagrams demonstrate that vehicles can safely turn around at the last bend before each dead-end section without encroaching on parked vehicles.</p> | <p>Updated Transport Impact Assessment at <b>Appendix E</b></p> |

| Comment  | Response  | Supporting Document                                 |
|--|---|---|
| 15. Provide a number annotation and label all the car parking spaces on the architectural plans.   | The architectural plans have been updated with annotations and numbers of all car parking spaces to be delivered as part of the development.  | Updated Architectural Drawings at <b>Appendix A</b> |
| <b>Waste Management</b>  |   |   |
| 16. Provide an updated waste management plan:<br>a) considering only the elements of the proposed development included in the scope of the SSD application, rather than the development in its entirety<br>b) addressing Council's comments in relation to waste management on the site. | While this SSDA only seeks consent for additional components to previously approved developments, the WMP has been prepared to address all matters related to the development on the site (including demolition waste, which will be generated as part of the activation of the existing consents) in order to ensure a consistent approach to waste management and handling across the entire construction phase. From a document control perspective, it is considered prudent for a future principal contractor to rely on a single WMP.<br><br>An amended WMP has been provided with this RtS, and addresses all comments provided by Blacktown City Council in relation to waste management on the site. | Amended Waste Management Plan at <b>Appendix F</b>  |
| <b>Existing consents</b>   |   |   |
| 17. Provide details and evidence with supporting documentation demonstrating that the three development consents (SPP-17-00031, SPP-17-00032 and SPP-17-00033) applying to the site are active. This should include dates and details of how the consents have been activated.           | Legal advice has been provided by Messenger Cole Solicitors, confirming that the existing consents have all been legally activated on the basis of: <ul style="list-style-type: none"> <li>▪ Physical survey works having been commenced on the land (applicable to all three existing consents)</li> <li>▪ Completion of early road works at the perimeter of the site (applicable to all three existing consents)</li> <li>▪ Completion of sewer construction works to service the future site (applicable to all three existing consents)</li> </ul> On this basis, and as set out in detail in the accompanying legal advice, development consents SPP-17-00031, SPP17-00032 and SPP-17-                  | Legal advice at <b>Appendix J</b>                   |

| Comment  | Response   | Supporting Document                                 |
|--|--|---|
|  | 00033 have all physically commenced and the consents have not lapsed.  |   |
| 18. Provide a copy of development consents (including any modifications) and approved plans for SPP-17-00031, SPP-17-00032 and SPP-17-00033.   | A copy of the development consents have been collated into one document and provided for your reference.   | Copy of Development Consents at <b>Appendix L</b>   |
| <b>Other matters</b>   |  |   |
| 19. Provide updated architectural plans (including all floor plans, communal open space plans, deep soil zone plans) to include a scale, internal dimensions (bedrooms etc), measurements to the site boundaries, building separation distances, site boundary dimensions, and private open space dimensions/area. | The architectural plans have been updated with these details as requested.   | Updated Architectural Drawings at <b>Appendix A</b> |
| 20. Provide updated architectural floor plans to show the garbage chute discharge locations.   | The architectural plans have been updated and now show the garbage chute discharge locations.  | Updated Architectural Drawings at <b>Appendix A</b> |
| 21. Provide civil stormwater plans demonstrating how the proposed development would be connected to an approved stormwater management system on site.  | <p>Concept stormwater plans are included with this RtS response.</p> <p>Each lot has an area of approximately 5,000m<sup>2</sup> and features two building towers. Much of the area is covered by basement car parking.</p> <p>Each lot has its own stormwater system, including its own on-site detention tank. Given that the site is covered with building structures, the stormwater system will be designed and constructed as part of the building's hydraulic works. These include downpipes, penetrations, high-level pipes, etc. which are generally not shown on civil engineering plans at the application stage.</p> | Updated Civil Plans at <b>Appendix I</b>            |

| Comment  | Response  | Supporting Document  |
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|  | The included concept plan shows some of the in-ground drainage system, demonstrating that the site can be drained to the designated on-site detention system. |  |
| 22. Provide a preliminary indicative construction management plan. | A Preliminary Indicative Construction Management Plan is provided with this RTS, addressing matters raised in the submissions received.                       | Preliminary Indicative Construction Management Plan at <b>Appendix H</b> |

## Blacktown City Council

### 1. Town Planning

We have limited information and need clarification to confirm if the previous consents on the site have been activated. We need to know to what extent this proposal is relying on the original development consents and if full compliance with these development consents will be expected by the Department.

Legal advice has been provided by Messenger Cole Solicitors, confirming that the existing consents have all been legally activated on the basis of:

- Physical survey works having been commenced on the land (applicable to all three existing consents)
- Completion of early road works at the perimeter of the site (applicable to all three existing consents)
- Completion of sewer construction works to service the future site (applicable to all three existing consents)

On this basis, and as set out in detail in the accompanying legal advice, development consents SPP-17-00031, SPP17-00032 and SPP-17-00033 have all physically commenced and the consents have not lapsed. While the existing consents have now been activated and early site works have been physically commenced, this situation does not affect the ability to construct the development as now proposed by this SSDA, noting that the early works for the approved developments and the early works for the SSDA remain consistent. In

Throughout the EIS

Legal advice at **Appendix J**

| Comment   | Response  | Supporting Document   |
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|   | <p>particular, it is noted that the approved internal subdivision, internal road layout, and building footprints will remain wholly consistent with the existing, activated consents.</p> <p>The proposed amendments to the scheme, as proposed by this SSDA, are documented in various sections of the EIS (including Section 1.3.2 and Section 3.2) and illustrated in the architectural drawings accompanying the application.</p> <p>This SSDA therefore proposes that the existing, activated consents will be modified by DPHI to amend (and subsequently deliver) the approved developments in the manner now proposed by this SSDA.</p>   |   |
| <p>If there is no reliance on the previous consents, the applicant must provide full detailed plans as part of this application rather than relying in part on the previous plans approved under the previous consents that have either lapsed or are not intended to be complied with.</p> | <p>As discussed above, this SSDA relies on the activation and physical commencement of the previous consents. Proposed amendments to these consents, as proposed by this SSDA, are documented in the EIS and the architectural drawings accompanying the application.</p>   | <p>Throughout the EIS</p>   |
| <p><b>2. Section 7.11 Contributions</b></p>   |   |   |
| <p>Full detailed architectural plans are required to reassess the contributions.</p>  | <p>The contribution obligations set out in the existing consents will continue to be satisfied as the project moves forward. It is anticipated that, upon approval of this SSDA, a condition of consent will be imposed requiring the payment of adjusted development contributions which reflect the scope of this proposal.</p> <p>For clarity, it is noted that this SSD seeks consent for the following additional dwellings:</p> <ul style="list-style-type: none"> <li>▪ 55 new 2-bedroom apartments</li> <li>▪ 23 new 3-bedroom apartments</li> </ul> <p>BCC's Section 7.11 Contributions Plans which apply to the site (No. 22L and No. 22W) specify the assumed occupancy rates for "other</p> | <p><b>Section 6.11</b> of the EIS</p> <p>Updated Architectural Plans at <b>Appendix A</b></p> |

| Comment   | Response  | Supporting Document   |
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|   | <p>medium density" developments, "including but not limited to residential flat buildings and shop top housing", as follows:</p> <ul style="list-style-type: none"> <li>▪ 1-bedroom dwelling: 1.2 persons / dwelling</li> <li>▪ 2-bedroom dwelling: 1.9 persons / dwelling</li> <li>▪ 3-bedroom dwelling: 2.7 persons / dwelling</li> </ul> <p>The EIS and accompanying architectural drawings also specify the additional development yield in square metre terms, which is required to assist with the calculation of some components of the 7.11 development contribution.</p> <p>Accordingly, it is considered that sufficient information has been provided to enable BCC to calculate the Section 7.11 contributions which will be payable by the proponent for this SSDA.</p>  |   |
| <h3>3. Development Engineering</h3>   |   |   |
| <p>a. As Council will treat this as a new DA and not a mod to existing DA as per the submitted Environmental Impact Statement, Development Engineer will require the following in order to carry out a complete assessment:</p>   |   |   |
| <p>i. Full set of engineering plans providing all road designs and stormwater drainage management design as per Council's Engineering Guide to Development, including the road designs to demonstrate the proposal compliments existing site conditions and adjoining site approvals.</p> | <p>This SSDA seeks consent for uplift on approved and activated consents on the site (SPP-17-00031, SPP-17-00032, and SPP-17-00033). It is highlighted that <u>this SSDA does not constitute a modification to these consents</u> (as defined by Section 4.55 of the <i>Environmental Planning and Assessment Act 1979 [EP&amp;A Act]</i>), and that the scheme, as proposed by this SSDA, does not seek to amend the internal subdivision, internal road layout, or building footprints (including number of buildings) as previously approved by BCC under these local development consents.</p> <p>The existing, activated consents include stormwater control measures previously assessed and approved by BCC. The Integrated Water Management Plan (<b>IWMP</b>) included at <b>Appendix P</b> of the SSDA addresses only the scope of additional stormwater management</p> | <p>Throughout the EIS</p> <p>Integrated Water Management Plan at <b>Appendix P</b> of the original submission</p> |

| Comment   | Response   | Supporting Document   |
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|   | works which will be required to facilitate the development as proposed to be amended by this SSDA. Relevant drawings are included within the IWMP, showing the extent of stormwater works for which consent is sought by this SSDA.  |   |
| <p>ii. All swept path analysis of truck deliveries and garbage collection movements to comply with AS2890. The current submissions do not have the sufficient information to carry out a complete assessment.</p>   | <p>Swept path analysis and design checks for vehicle manoeuvring within the basement car park have been carried out in accordance with AS/NZS 2890.1:2004 and AS 2890.2-2018 and are provided at Appendix B of the updated TIA. Swept paths for waste collection vehicle movements at the loading bay are provided for a 10.5m long Council truck.</p> <p>The original WMP used the abbreviation 'HRV' for this vehicle. This was not intended to refer to the 12.5 m heavy rigid vehicle defined in AS 2890.2-2018; the reference has been corrected in the updated WMP.</p> <p>Servicing and deliveries will be by medium rigid vehicles as the largest design vehicle for these purposes. Larger deliveries will be made to the loading dock at basement level 4 of Lot 1, to a centralised storage room. From there, goods will be transferred to the lifts serving each lot by towed trailer, pulled by either a bin tug or the building management vehicle. Smaller deliveries to each Lot will be made by vans, which can park in visitor spaces.</p> | <p>Updated Transport Impact Assessment at <b>Appendix E</b></p> |
| <p><b>4. Drainage Engineering</b></p>   |  |   |
| <p>Supporting documents shall be provided in electric format for assessment:</p> <p>a. MUSIC model shall be provided to confirm the reduction target and the non-potable reuse target are achieved.</p> <p>b. DRAINS model to confirm the drainage design on road 1 if applicable</p> | <p>a. A MUSIC model has now been included in the SSDA submission at <b>Appendix K</b> (attached as a zip file). For completeness, the MUSIC model files have been resubmitted with this RtS response. It is noted that, as this development is for residential purposes, meeting the rainwater reuse target of 80% as set out in the DCP is not necessary. Notwithstanding, rainwater tanks are provided as part of the development as part of the water quality treatment measures.</p>   | <p>MUSIC and DRAINS files at <b>Appendix K</b></p>              |

| Comment  | Response  | Supporting Document   |
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|  | <p>b. DRAINS modelling is not applicable to this development. This is due to the fact that the Road 1 stormwater system has been designed by Northrop as part of the Tallawong Public School development which adjoins the site to the north. It is understood that the s138 Roads Act approval has been approved by Blacktown City Council. The road and drainage works for the school have now been completed.</p>  |   |
| <p>The submitted Civil drawing, C&amp;M consulting, drawing Number 02175, Rev 1 and dated 1/04/25 has been reviewed. However, it is insufficient for assessment on the proposed drainage design. A full set of the civil design must be provided including the future pit and pipe of the road 1 and the nearby section of Tallawong Road.</p> | <p>As noted above, the Road 1 stormwater system was designed by Northrop for the Tallawong Public School and has been approved by Blacktown City Council. The road and the drainage works are now complete.</p> <p>The design of the OSD tanks and their outlets, as shown on the drawings prepared by C&amp;M Consulting Engineers (included in the Integrated Water Management Plan at <b>Appendix P</b> of the SSDA), has been coordinated with Northrop's approved and constructed design. The drawings presented in the current SSD demonstrate the intent to connect the OSD outlets to the school's stormwater system.</p> <p>The engineering plans submitted with this application illustrate all relevant interface works, including finalisation of stormwater in Tallawong Road at the intersection with Road 1. It is prudent to note that the stormwater works at the intersection, designed by Northrop, are temporary arrangements, while the information depicted on the C&amp;M drawings for this SSDA constitute a permanent arrangement.</p> <p>The drainage section of the engineering plans at <b>Appendix P</b> consists of the following.</p> <ul style="list-style-type: none"> <li>▪ Drawings 02175_201 to 202 show the layout of the works.</li> <li>▪ Drawings 02175_601 to 603 show the watershed catchments.</li> <li>▪ Drawings 02175_621 to 624 show details of the on-site detention system.</li> </ul> | <p>Integrated Water Management Plan at <b>Appendix P</b> of the original submission</p> |

| Comment  | Response  | Supporting Document   |
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|  | <ul style="list-style-type: none"> <li>▪ Drawings 02175_631 to 633 show pipe details – longitudinal sections.</li> <li>▪ Drawing 02175_634 shows hydraulic and hydrological calculations to Council standard.</li> </ul> <p>Together with the IWMP to which the drawings are appended, it is considered that these form a complete set of stormwater design drawings for the purposes of this application.</p>  |   |
| <p>Additionally, the change of the business use must be addressed on the water conservation and rainwater tank design.</p>   | <p>It is clarified that this SSDA does not seek consent to change the use of the commercial space provided in Building A. The space is currently approved for retail purposes, and this proposed use is not subject to change as part of this SSDA. Accordingly, no changes are required to the water conservation or rainwater tank design to facilitate a change of use.</p>  |   |
| <h2>5. Social Planning</h2>  |   |   |
| <p>Social Planning has reviewed the proposed SSD package and is generally supportive of the amendments to deliver affordable housing in part with additional residential dwellings. This will support the growing population in the North West Growth Area. However, Social Planning raises some concern with elements of the proposal, most of which are consistent with previous feedback and advice provided to the applicant in August 2025.</p> <p>Items to resolve are as follows:</p>   |   |   |
| <p><u>Concentration of affordable housing</u></p> <p>In accordance with requirements of the SEPP (Housing) 2021 (2.1.15), evidenced best practice and the recommendations outlined in the REF, the concentration and dispersion of the affordable units should be separated across the site. The project is supported by HAFF funding, which provides financial assistance to the CHP for the length of affordable housing management. Social Planning is not satisfied by the justification that potential management costs outweigh the known negative implications on residents and community that result from the concentration of units. This lack of best practice approach by</p> | <p>The proposal's design aligns with research undertaken by the Australian Housing and Urban Research Institute (AHURI) '<i>Form mixed tenure developments to mixed tenure neighbourhoods</i>' (2020). This research states that mixed-tenure developments and communities should be designed to encourage social interaction and to have equitably accessible areas where people can run into each other. This is achieved through the provision of outdoor communal spaces, a shared carparking basement and commercial tenancy.</p> <p>The design is intended to minimise feelings of tenure segregation based on socio-economic disparities. As such, the proposal includes</p> | <p>CHP Letter of Support at <b>Appendix AA</b> of the original submission</p> |

| Comment  | Response  | Supporting Document                                     |
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| <p>the CHP raises concern for the future tenancy management of these residents. With the support of the HAFF funding and the known benefits of scattering the affordable dwellings the applicant must revise the scheme</p>  | <p>communal open spaces, play spaces, fitness stations, a shared carparking basement, and a commercial tenancy accessible to all future residents, regardless of tenure type, to support social interactions and cohesion amongst all future residents.</p> <p>The proposal's design is balanced by the management preferences of the selected CHP and best practice research undertaken by AHURI (2020).</p> <p>The design rationale for separating the affordable housing units has been informed by the selected CHP's advice. The selected CHP is a Tier 1 CHP with experience managing affordable housing units within mixed-tenure developments and is well-positioned to report on the benefits of separating affordable homes from a customer experience, asset management, and financial viability perspective. In its letter of support provided as part of this application, Evolve Housing has set out its rationale for supporting (and, indeed, preferring) the consolidation of the affordable units within the development. In particular, Evolve Housing highlights that, based on its extensive experience managing affordable housing in NSW, that the separation of affordable homes from other tenure types is preferable from a customer experience, asset management, and financial viability perspective. Refer to Evolve Housing's letter of support (<b>Appendix AA</b> of the EIS) for further discussion.</p> |   |
| <p><u>Shared Spaces</u></p> <p>The applicant is encouraged to develop a Plan of Management (POM) for the site to support the operation and management of shared spaces on the site and within the towers. This will help future residents have shared use of bookable spaces and will support future strata rules. Including these within measures within the POM will also ensure that affordable housing tenants are provided equal access to these spaces</p> | <p>Shared spaces within the development will be accessible to all residents and are equitably distributed across the site. The shared spaces relate to outdoor landscaped areas at the ground plane, and common open space on the rooftops of each of the buildings. It is highlighted that Building F, in which the affordable units are proposed to be located, will benefit from a rooftop common open space which is commensurate in dimension and amenity with the rooftop common areas to be provided across Buildings A–E.</p>   | <p>Updated Architectural Plans at <b>Appendix A</b></p> |

| Comment  | Response  | Supporting Document  |
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|  | <p>The use of the shared spaces will be subject to strata by-laws which will be developed in the post-consent / operational phase of the development. The Applicant is amenable to an appropriate condition of consent requiring the preparation of a Plan of Management for the shared communal spaces, which in turn will form the basis of relevant future strata by-laws once the development is operational.</p>   |  |
| <p><u>Landscaping and urban heat</u></p> <p>The inclusion of the children's play space is supported and will be a positive addition to the development. However, in line with the ESD report, it is recommended that the applicant replace the softfall ground cover in the kids play area to a natural turf and replace the ground cover in the fitness area to a light-coloured paving or alternate material. Rubber softfall and artificial turf has been found to be some of the hottest ground covers, radiating heat back into the immediate area and reaching temperatures up to 70 degrees, limiting year-round use. Whilst the shade cloth will provide some cover and cooling, the sites orientation and existing urban heat context will impact comfort and use of the area, particularly for young children.</p> | <p>SPP-17-00031, on which this application is partly based, has been approved to include softfall ground cover in the children's play area and a ground cover in the fitness area within the communal open space at ground plane.</p> <p>However, it is recognised that since this approval was granted, there are new policy settings in place which seek to mitigate the effects of urban heat in new development, including the Cool Suburbs tool which has been developed by the Western Sydney Regional Organisation of Councils (which, although not statutory policy, provides a best practice framework for the mitigation of the urban heat island effect). These policies are of particular importance to Western Sydney and the emerging residential growth areas, such as Tallawong.</p> <p>In parallel, it is also reiterated that this application seeks to amend only specific components of the existing consents which apply to the site (including SPP-17-00031, which includes consent for the common open space at the ground plane across the entirety of the site). Consent is not sought as part of this SSDA for changes to the approved landscape design outside of those changes which are required to accommodate the development as now proposed (namely, the consolidated basement carpark levels).</p> <p>Notwithstanding, the applicant is amenable to replacing the approved softfall in the children's play area and the approved ground surface in the outdoor fitness area in line with Council's request. We note that Condition 7.1.1 of SPP-17-00031 requires that a revised landscape plan be submitted and approved to the consent authority prior to the issue</p> | <p>Updated Architectural Plans at <b>Appendix A</b></p> <p>Updated Landscape Concept Design at <b>Appendix C</b></p> |

| Comment  | Response  | Supporting Document  |
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|  | <p>of a Construction Certificate. Condition 7.1.1 includes several specific requirements for inclusion in the revised landscape plan. In light of this requirement and with consideration for the potential impacts of the urban heat island, the applicant invites BCC to recommend a condition of consent to DPHI which requires that the revised landscape plan also include provision to replace the approved softfall with natural turf in the children’s play area, and to replace the approved ground cover with a light coloured paving or alternate material in the outdoor fitness area. Advice has also been sought from the project’s landscape architect, Ratio, on this matter, and the following further recommendations are made with consideration to WSROC’s Cool Suburbs tool:</p> <ul style="list-style-type: none"> <li>▪ Children’s play area – softfall (as previously shown) to be replaced with bark mulch, wood chips, wood fibre, and rubber mulch in accordance with AS4422:2022</li> <li>▪ Fitness area – approved ground cover to be replaced with light colour EPDM to reflect more UV rays</li> </ul> |  |
| <p><u>Communal Spaces</u></p> <p>The SIA Comment within the REF notes that existing challenges for community access to social infrastructure. The proposed development does not contain any additional common rooms for residents to use or all weather gathering spaces, as recommended by the ADG 4F-2. The major development should deliver spaces for residents to reduce this negative impact. The design as is does not propose any mitigation measures or site enhancements. Social Planning encourages the applicant to deliver a communal space, similar to the commercial footprint within another buildings ground floor level. This will provide a vibrant, flexible, community space for residents and reduce some pressure on existing community spaces.</p> | <p>The proposal includes several communal areas, including outdoor landscaped areas at ground level and common open space on the rooftops of each building. While these are not indoor or bookable communal spaces, they are expected to support the needs of the incoming residential community, as they are large and adaptable, able to accommodate a range of activities, events, and group sizes.</p> <p>To accommodate all-weather uses of the rooftop common open space, the design of these spaces has been refined to now include covered awnings over the barbecue areas.</p>   | <p>Updated Architectural Plans at <b>Appendix A</b></p> <p>Updated Landscape Concept Design at <b>Appendix C</b></p> |

| Comment   | Response   | Supporting Document   |
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| <p><u>Crime Prevention</u></p> <p>The application contains brief detail of safety measures and notes compliance with CPTED measures, the majority of the sites layout proposes a safe and activated ground plane. However, concern is raised for potential entrapment opportunity within the basement storage cage rooms. The CPTED measures should include surveillance cameras within these spaces and signage advertising CCTV is in use to discourage any negative activity.</p>  | <p>The applicant is amenable to a condition of development consent requiring the installation of CCTV and associated signage in the affected basement area/s.</p>  | <p>N/A</p>  |
| <p><u>Letter boxes and parcels</u></p> <p>From the architectural plans, it is unclear where resident mailboxes are located. Architectural plans should be updated to show the location of resident mailboxes to ensure future inclusion of these facilities. It is also recommended that these mailbox locations include space for parcel delivery to assist future residents.</p>  | <p>The proposal locates the letter boxes adjacent to the building foyer entrances on the external façade, ensuring they are clearly visible and identifiable from the street. In alignment with Crime Prevention through Environmental Design (CPTED) principles, this will provide natural wayfinding cues for mail delivery services and minimise the risk of accidental trespassing. The letterboxes will also be uncovered, serving as a suitable and safe location for parcel deliveries, given their setback from the street.</p>  | <p>Updated Architectural Drawings at <b>Appendix A.</b></p> |
| <p><u>Commercial Tenant</u></p> <p>It is recommended that restrictions be placed on the future commercial tenancy uses in building A. These restrictions can ensure that future use is complementary to the site and is a positive impact to the locality. A high value tenancy that supports community interaction, safety and benefit is well suited to the site as opposed to a low activation tobacco or the like. The applicant should provide the space with the necessary ventilation, plumbing and electric works needed to support future retro fitting for a range of commercial uses such as cafes, retail and the like.</p> | <p>The retail tenancy is located at the north-west corner of Building A, with a new local road separating it from Tallawong Public School. It is agreed that an active, high-value commercial use is therefore a preferred outcome for the development.</p> <p>Appendix 11 of the Central River City SEPP – being the principal environmental planning instrument that applies to the site – includes restrictions on certain uses (restricted premises and sex services premises) where land adjoins, is directly opposite, or is separated only by a local road from land uses for the purposes of a school. From a statutory planning/regulatory perspective, this is a standard restriction contained in environmental planning instruments that seeks to minimise potential land-use conflicts. However, it is uncommon for other potential retail or commercial uses to be further restricted,</p> | <p>N/A</p>  |

| Comment  | Response   | Supporting Document  |
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|  | <p>noting that ultimately the use and occupation of a commercial space is largely a market-driven outcome.</p> <p>This SSDA seeks consent only for a minor change in the quantum of overall floorspace within the retail tenancy, and not for its use (which is already approved) or any fitout works. Once completed, the SSDA will provide a 'cold shell' tenancy, and fitout will be required to be undertaken by the future tenant. As such, it is noted that the future fitout and operation of the retail tenancy will likely be subject to a separate Development Application to be made to BCC, and that any such application will be assessed against the relevant heads of consideration outlined under Section 4.15 of the EP&amp;A Act including the public interest test, during which time BCC will determine whether a proposed use is (or is not) supportable.</p> |  |
| <p>Social Planning is strongly opposed to the concentration of the affordable dwellings, if these dwellings can be better dispersed through the six residential flat buildings the proposal will achieve a good quality outcome and be a positive addition to the community, this change will allow for the full support of the social planning team. The additional items raised can be resolved through minor amendments to the design or additional details provided.</p> | <p>Refer to response at "Concentration of affordable housing", above.</p>  | <p>This RtS</p>  |
| <p><b>6. Waste Management</b></p>  |  |  |
| <p>In relation to SSD-80287510 the applicant must:</p> <p>a. Confirm if the basements are combined for Buildings A and B, C and D, and E and F. This is not clear from the plans or from the waste management plan. Please update the latter with this information.</p>  | <p>All basements are common to, and link, all buildings within the development.</p> <p>The WMP has been updated to reflect this arrangement.</p>   | <p>Updated Waste Management Plan at <b>Appendix F</b></p> <p>Updated Architectural Drawings at <b>Appendix A</b></p> |

| Comment   | Response   | Supporting Document   |
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| <p>b. Confirm that only one loading bay is proposed for the whole site (ie, 411 units).</p>   | <p>One (1) loading bay will be provided for the entire development, including all residential, waste, recycling and FOGO services as well as the provision of all commercial services. The loading bay is designed to accommodate a rear loading HRV collection vehicle with a maximum length of 10.5m.</p>  | <p>Updated Waste Management Plan at <b>Appendix F</b></p> <p>Updated Architectural Drawings at <b>Appendix A</b></p>  |
| <p>c. Add a bulky waste storage area adjacent to the lifts in the basement for Buildings C and D, and E and F.</p> <p>i. Residents currently have no convenient way of disposing of this material.</p> <p>ii. Building management will need to collect the material from each of these storage areas and take it to the main collection point.</p>  | <p>The WMP and architectural drawings have been updated to illustrate the provision of a bulky waste storage area adjacent to the lifts in the basement for Buildings C and D, and E and F.</p>  | <p>Updated Waste Management Plan at <b>Appendix F</b></p> <p>Updated Architectural Drawings at <b>Appendix A.</b></p> |
| <p>d. Demonstrate on amended plans, that the loading bay is adjacent to the bin and bulky waste storage areas to reduce manual handling. Currently, the bulky waste storage area is quite far from the rear of the truck sitting in the loading bay.</p>  | <p>The architectural drawings have been updated to demonstrate this arrangement.</p>   | <p>Updated Architectural Drawings at <b>Appendix A</b></p>  |
| <p>e. Demonstrate on amended plans, that the designated loading bay can accommodate the entire length of the 10.5m long truck plus an additional 3m rear clearance for bin servicing and rotation. The truck must not overhang the loading bay hindering traffic flow onsite. Currently:</p> <p>i. the area is not dimensioned</p> <p>ii. truck access is not shown on architectural plans.</p> <p>iii. the truck is shown protruding into carriageways</p> | <p>The loading bay layout has been updated in the revised documentation.</p> <p>The revised plans demonstrate that the loading bay accommodates the full length of the 10.5m heavy rigid vehicle together with a minimum 3m rear clearance for bin servicing and rotation. When stationary at the loading bay, the vehicle encroaches slightly into the adjacent parking aisle; the swept path diagrams confirm that circulation and parking manoeuvres remain unaffected. Waste collection is scheduled outside peak hours, three to four times per</p> | <p>Updated Architectural Drawings at <b>Appendix A</b></p> <p>Updated Waste Management Plan at <b>Appendix F</b></p>  |

| Comment   | Response   | Supporting Document   |
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| <p>iv. note – the WMP (page 39) states private contractors with 12.5m long trucks will service the commercial component. If this is the case, the loading bay needs to accommodate a 12.5m long vehicle; not a 10.5m one.</p>   | <p>week, with each visit taking approximately 30 minutes, resulting in negligible disruption to car park operation.</p> <p>It is noted that the WMP previously referenced “HRV” in the context of private contractor vehicles servicing the commercial component. This was a terminology error – the intended reference was to a heavy 10.5m truck, consistent with Council’s standard vehicle. The waste management plan has been updated to replace the term “HRV” with “heavy 10.5 m truck” throughout.</p> <p>Swept path diagrams for the 10.5m heavy rigid vehicle are provided at Appendix B of the updated TIA.</p> | <p>Updated Transport Impact Assessment at <b>Appendix E</b></p> |
| <p>f. Confirm how the bins from the chute discharge rooms in Building C and D and E and F will be moved to the single loading bay located in Building A and B.</p>  | <p>The movement of all bins from the respective bin/chute rooms in Buildings C and D, and E and F will be undertaken by the Building Manager or their authorised representative. This is detailed in the updated WMP.</p>  | <p>Updated Waste Management Plan at <b>Appendix F</b></p>       |
| <p>g. Relocate the support beam currently located within the bulky waste storage area.</p>  | <p>Relocating the support beam currently located within the bulky waste storage area will serve no meaningful purpose as it does not impact on the use of the area in any negative manner. The waste storage area will maintain sufficient height clearance despite this support beam remaining in place.</p>  | <p>N/A</p>  |
| <p>h. Provide physical treatment to the loading bay (eg, lockable, removable bollards), to prevent unauthorised parking:</p> <ul style="list-style-type: none"> <li>i. truck turning areas must be maintained</li> <li>ii. access must be coordinated by the building manager</li> <li>iii. the waste management plan must be updated to this effect</li> </ul> | <p>The loading bay will be provided with lockable, removable bollards to prevent unauthorised parking. All truck turning areas will be maintained, and access to the loading bay will be managed and coordinated by, the Building Manager.</p>   | <p>Updated Waste Management Plan at <b>Appendix F</b></p>       |
| <p>i. Indicate on amended plans the location of the bin storage and bulky waste storage area for the commercial/mixed use component.</p>  | <p>The architectural plans have been updated to indicate the location of the bin storage and bulky waste area for the commercial component of the development.</p>   | <p>Updated Architectural Drawings at <b>Appendix A</b></p>      |

| Comment   | Response  | Supporting Document                                 |
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| j. Demonstrate on amended plans, separate waste rooms for the retail/commercial component, and the residential component. Both must be located adjacent to the loading bay.   | The architectural plans have been updated to demonstrate separate waste rooms for the commercial and residential components of the development. Both areas are located adjacent to the loading bay. | Updated Architectural Drawings at <b>Appendix A</b> |
| k. Correct the waste management plan as it states provision of 'waste and recycling chutes' and 'dual chutes' in multiple locations (see pages 19-21 as examples).<br>i. correct this in all locations in the WMP.<br>ii. we only permit single chutes for waste with a requirement for recycling and FOGO bins to be rotated between the residential floors by building management | The WMP has been updated in accordance with these comments.   | Updated Waste Management Plan at <b>Appendix F</b>  |
| l. Clarify what the room marked with a pink cross is, if the waste and recycling bins are already indicated in red and yellow in the adjacent room.   | This room was originally part of the Bin Holding Room, which has now been removed owing to other design changes made in the basement in response to submissions received.                           | Updated Architectural Drawings at <b>Appendix A</b> |
| m. Reconfigure the waste room to a more regular shape so that the bins are closer to the loading bay to reduce manual handling  | The architectural drawings have been updated to demonstrate that the waste rooms have been reconfigured so that they are closer to the loading bay, in order to reduce manual handling.             | Updated Architectural Drawings at <b>Appendix A</b> |
| n. Demonstrate on amended plans, provision of 1 x 240L Food and Garden Organics waste bin per waste chute room per residential floor.   | The WMP has been amended to demonstrate that 15 x 240-litre FOGO bins will be provided in the main residential waste room.  | Updated Architectural Drawings at <b>Appendix A</b> |
| o. Demonstrate on amended plans, suitable storage space in the main residential waste room for the FOGO bins that normally sit in each waste chute room on each residential floor.  | The architectural drawings have been updated to demonstrate that there is suitable space for FOGO bins within the main residential waste room.  | Updated Architectural Drawings at <b>Appendix A</b> |

| Comment   | Response   | Supporting Document  |
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| <p>p. Demonstrate that the waste chute, 240L recycling bin and 240L FOGO bin are contained within the waste chute rooms on each residential floor, to encourage source separation.</p> <p>i. Currently, the waste chute and the recycling bins are in separate cupboards in the hallway. FOGO bins not indicated.</p> | <p>The WMP has been amended to demonstrate that 15 x 240-litre FOGO bins will be provided in the main residential waste room.</p>  | <p>Updated Architectural Drawings at <b>Appendix A</b></p> |
| <p>q. Demonstrate on amended plans that the chute rooms on each residential floor can accommodate wheelchair access.</p>  | <p>The architectural drawings have been updated with a note at the chute doors, stating that handle heights to the chute rooms are located to allow wheelchair access.</p>       | <p>Updated Architectural Drawings at <b>Appendix A</b></p> |
| <p>r. Indicate on amended plans, the chute discharge and linear track system on the basement plans. Currently, only a box labelled 'chute discharge' is indicated.</p>  | <p>The architectural drawings have been updated to indicate the chute discharge and linear track system on the basement plans.</p>   | <p>Updated Architectural Drawings at <b>Appendix A</b></p> |
| <p>s. Relocate the bulky waste room to open onto the loading bay at rear of truck to reduce manual handling.</p>  | <p>The architectural drawings have been updated to show the relocation of the bulky waste room to open onto the loading bay at the rear of truck, to reduce manual handling.</p> | <p>Updated Architectural Drawings at <b>Appendix A</b></p> |
| <p>t. Differentiate on amended plans, the 1,100L waste bins, 240L recycling bins and 240L FOGO bins. Currently all the bins look the same size, and no FOGO bins are indicated despite FOGO being referenced in the waste management plan.</p>  | <p>The architectural drawings have been updated to indicate the differentiation between the bin types.</p>   | <p>Updated Architectural Drawings at <b>Appendix A</b></p> |
| <p>u. Indicate on amended plans, the bin tug and trolley storage area. It must be caged and secured and located adjacent to the loading bay.</p>  | <p>The architectural drawings have been updated to indicate the bin tug and trolley storage area. The area will be caged and securely located adjacent to the loading bay.</p>   | <p>Updated Architectural Drawings at <b>Appendix A</b></p> |

| Comment  | Response   | Supporting Document                                      |
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| v. Provide the swept paths showing operation of the bin tug and trolley at each of the chute discharge locations and around the main waste room and loading bay area.  | Swept paths are provided as part of the updated TIA, showing operation of the bin tug and trolley at each of the chute discharge locations and around the main waste room and loading bay area.  | Updated Transport Impact Assessment at <b>Appendix E</b> |
| w. Provide for the waste and recycling generation rates listed in the EPA's Better Practice Guide for resource recovery in residential developments 2019 for each proposed retail/commercial tenancy.  | Waste and recycling generation rates have been calculated in accordance with the EPA's <i>Better Practice Guide for resource recovery in residential developments</i> 2019 for each proposed use.  | Updated Waste Management Plan at <b>Appendix F</b>       |
| x. Demonstrate on amended plans, that ramp grades and changes of rate of grade on the ramp do not exceed 15.4% (as per AS2890.2 Tables 3.2 and 3.3).   | Additional cross-section drawings have been provided to demonstrate that ramp grades and changes of rate of grade on the ramp do not exceed 15.4%, consistent with AS2890.2.   | Updated Transport Impact Assessment at <b>Appendix E</b> |
| y. Provide a vertical cross section plan demonstrating a 4m headroom allowance clear of eaves, overhangs, balconies, services, sprinklers and at the roller door entry point, for the trucks entire travel path. Please note, your development will also need to comply with Council's traffic requirements which may require 4.5m in accordance with AS2890.2 for access by removalist and delivery vehicles, and emergency vehicles. | Vertical cross-section drawings have been prepared along the truck travel path from the loading bay entry point through to the waste room, demonstrating minimum headroom clearance in accordance with AS 2890.2-2018.   | Updated Transport Impact Assessment at <b>Appendix E</b> |
| z. Provide a plan view showing where the section is located and that it also cuts through the trucks travel path.  | The architectural drawings have been updated to illustrate these details.  | Updated Architectural Drawings at <b>Appendix A</b>      |
| aa. Provide swept paths for a 10.5m long, heavy rigid vehicle with a 24m turning circle for the trucks entire travel path showing forward entry and exit with all manoeuvring onsite.  | Swept path diagrams for a 10.5 m heavy rigid vehicle with a 24m turning circle are provided at Appendix B of the updated TIA, demonstrating forward entry, all internal manoeuvring movements, and forward exit. When stationary at the loading bay, the vehicle encroaches slightly into the adjacent parking aisle; the swept path diagrams confirm that circulation and parking manoeuvres remain | Updated Transport Impact Assessment at <b>Appendix E</b> |

| Comment  | Response   | Supporting Document                                |
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|  | unaffected. Waste collection is scheduled outside peak hours, three to four times per week, with each visit taking approximately 30 minutes, resulting in negligible disruption to car park operation. |  |
| bb. Provide the AutoCAD file in DWG format and 1:1 scale for the trucks entire travel path in addition to the proposed swept paths for review. | AutoCAD files in DWG format at 1:1 scale for the truck travel path and swept path diagrams are included in the response to the RFI.  | AutoCAD files at <b>Appendix M</b>                 |
| cc. Update the waste management plan to reference the correct council website; not The Hills Shire.  | The WMP has been updated accordingly.  | Updated Waste Management Plan at <b>Appendix F</b> |

## 7. City Architect

The changes proposed in the application are quite significant to be considered as 'amendments'. The height and scale of the development is substantially different from the approved development with major issues regarding building height, basement carpark, apartment layout etc. Ideally it would be better if this application was assessed as a new DA entirely than relying on the previously approved MODs (which may be lapsed).

Consistent with early scoping discussions with DPHI, this SSDA seeks consent for an additional 78 dwellings and other associated modifications to SPP-17-00031, SPP-00032, and SPP-00033 (as approved and subsequently modified). This is in accordance with the consent authority's powers under Sections 4.17(1)(b) and (5) of the EP&A Act, which enable a consent authority to amend conditions in existing consents as part of the approval of a fresh development application including allowing for the substitution of plan references in conditions.

Legal advice has been provided by Messenger Cole Solicitors, confirming that the existing consents have all been legally activated on the basis of:

- Physical survey works having been commenced on the land (applicable to all three existing consents)
- Completion of early road works at the perimeter of the site (applicable to all three existing consents)

**Section 1.2** of the EIS.

Legal advice at **Appendix J**

| Comment  | Response   | Supporting Document   |
|--|--|---|
|  | <ul style="list-style-type: none"> <li>Completion of sewer construction works to service the future site (applicable to all three existing consents)</li> </ul> <p>On this basis, and as set out in detail in the accompanying legal advice, development consents SPP-17-00031, SPPI7-00032 and SPP-17-00033 have all physically commenced and the consents have not lapsed. While the existing consents have now been activated and early site works have been physically commenced, this situation does not affect the ability to construct the development as now proposed by this SSDA, noting that the early works for the approved developments and the early works for the SSDA remain consistent. In particular, it is noted that the approved internal subdivision, internal road layout, and building footprints will remain wholly consistent with the existing, activated consents.</p>  |   |
| <p>A full detailed architectural set of drawings is required for assessment which includes dimensions, setbacks, and building separation distances. Further solar and cross ventilation calculations are required for the whole development, not just the amended. The applicant should provide clear drawings/diagrams that support the calculations.</p> | <p>A full set of architectural drawings, as well as an Architectural Design Report, are provided with this application. As this SSDA seeks consent for the additional development scope only, it is only these new areas that have been addressed with respect to ADG compliance and other relevant matters for consideration.</p> <p>It is noted that the new components of this development, for which consent is now sought, will not impact the previously assessed and determined compliance (or any justified non-compliances) related to the existing approvals.</p> <p>It is, however, acknowledged that the development as now proposed will result in a breach to the site's maximum permitted building height of 15.6m (this being, the 'base' height of 12m, plus the additional 3.6m afforded through the application of the infill affordable housing provisions set out in Chapter 2, Part 2, Division 1 of the Housing SEPP). The non-compliance is addressed in the Clause 4.6 Variation Request accompanying this application and is found to be acceptable on environmental planning grounds.</p> | <p>Updated Clause 4.6 Variation Request at <b>Appendix N</b></p> <p>Updated Architectural Drawings at <b>Appendix A</b></p> <p>Updated Architectural Design Report at <b>Appendix G</b></p> |

| Comment   | Response   | Supporting Document   |
|---|--|---|
| <p><b>Matter: One-storey addition to each of the approved buildings.</b></p> <ul style="list-style-type: none"> <li>All buildings are over the increased height plane of 15.6m, this is non-compliant. This proposal has significant amounts of habitable space over the height plane, this will not be supported. Further, the additional storey results in increased shadowing to the low density homes south of the development, this is not supported.</li> </ul> | <p>The infill affordable housing provisions set out in Chapter 2, Part 2, Division 1 of the Housing SEPP of the Housing SEPP allow for up to an additional 30% of building height in developments where a minimum 10% of the dwelling yield is provided as affordable housing. On a site with a 'base' maximum building height of 12m, the 30% equates to 3.6m, or one (1) additional building level. This application therefore seeks consent for the addition of one (1) additional level to each of the 6 residential flat buildings above that which was already approved.</p> <p>It is highlighted that the original approvals also resulted in slight breaches to the maximum 'base' building height of 12m, owing to the natural topography of the site which falls towards the west. These breaches were assessed and determined as acceptable by Council on environmental planning grounds.</p> <p>As part of this application and in consideration of the likelihood of the development to breach the maximum permitted height limit, the ground-floor levels of the previously-approved development have been rationalised across the site to reduce the extent of height variances which would have otherwise resulted from the proposal applying the infill affordable housing building height incentives afforded by the Housing SEPP. It is noted that not all areas of the development breach the 15.6m maximum, and that in a number of locations the development will remain compliant with or under the 15.6m maximum.</p> <p>The updated architectural drawings accompanying this RtS illustrate the potential overshadowing impacts to the future low-density residential development adjoining the site at the south. The shadow diagrams have been based on publicly accessible information regarding these future developments, and it is understood that to date only the subdivision and road layout has been approved for this adjoining land. Accordingly, indicative built forms have been shown to illustrate the likely shadow impacts. The updated shadow diagrams</p> | <p>Clause 4.6 Variation Request at <b>Appendix N</b></p> <p>Updated Architectural Drawings at <b>Appendix A</b></p> |

| Comment   | Response   | Supporting Document                                 |
|---|--|---|
|   | illustrate the potential for minor additional impacts above those which would be generated to the future southern dwellings, concentrated between 1pm and 3pm in mid-winter and, therefore, according up to 4 hours of direct sunlight into these indicative dwellings.  |   |
| <ul style="list-style-type: none"> <li>Floor to floor heights of 3m are non-compliant – refer to ADG 4C.</li> </ul>   | The floor-to-floor heights of 3m for the residential units exceed the minimum 2.7m required by the ADG. These levels have been previously approved as part of the existing consents and are not being amended by this proposal.  | Existing consents at <b>Appendix L</b>              |
| <ul style="list-style-type: none"> <li>As per the RLs on approved plans, the proposed buildings have been shifted down approximately a meter. This is a poor design outcome as ground level units have poor amenity and public domain interface as per ADG 3C, this will not be supported.</li> </ul> | This outcome is a function of the split building and the natural slope of the site. While a small number of units have deep courtyards, the net benefit for the courtyards across the project remains positive following the rationalisation of floor levels which is contemplated by this proposal.   | Updated Architectural Drawings at <b>Appendix A</b> |
| <p><b>Matter: An additional 78 residential apartments across the development</b></p> <ul style="list-style-type: none"> <li>A more diverse unit mix is recommended, the proposal has a large number of two bedroom units and should cater with regard to local demographics.</li> </ul>               | LK Group have undertaken extensive sales and marketing research to ensure the product mix for the development are suitable and in demand for the area. In this endeavour, we have relied on local agents' information and recommendation along with advice received from Urbis Social Planning team. Further, the apartment mix is comparable to similar buildings in the area and along with the townhouse and single-family dwellings of 3+bed offerings in the nearby streets we are satisfied the mix is appropriate for this development. | N/A   |
| <p><b>Matter: Allocation of all apartments in Building F for affordable housing.</b></p> <ul style="list-style-type: none"> <li>Affordable housing units should be distributed throughout the development rather than concentrated to just one building.</li> </ul>                                   | Refer to response at "Concentration of affordable housing" at the Social Planning section of this response, above.   | This RtS  |
| <p><b>Matter: Consolidation of the previously approved three basements into a single basement structure across the site.</b></p>  | The deep soil provision for the project has been recalculated, following an error in the originally submitted documentation. The development   | Updated Architectural                               |

| Comment  | Response   | Supporting Document  |
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| <ul style="list-style-type: none"> <li>The site requires 15% deep soil, a total of 14.6% has been proposed, the applicant is required to amend and provide 15%.</li> </ul>   | <p>will provide 2,309.24m<sup>2</sup> of deep soil, representing 15.12% of the total site area and exceeding the ADG minimum requirement.</p>  | <p>Drawings at <b>Appendix A</b><br/>Updated Landscape Concept Design at <b>Appendix C</b></p>                       |
| <ul style="list-style-type: none"> <li>Landscape plans show footpaths and outdoor circulation areas included in deep soil zones. The deep soil calculations should only include deep soil and not include footpaths or hardscaping. Refer to ADG 3E.</li> </ul>  | <p>The architectural plans and Landscape Design Report have been updated to calculate deep soil in accordance with the ADG. Footpaths are now proposed to be finished with permeable treatments.</p> | <p>Updated Architectural Drawings at <b>Appendix A</b><br/>Updated Landscape Concept Design at <b>Appendix C</b></p> |
| <ul style="list-style-type: none"> <li>Confirm locations of waste collection loading bay and bin stores. Distribution of waste from a number of chute rooms to one point of collection would require excessive intermediate movement of bins.</li> </ul>   | <p>These details are illustrated in the updated architectural plans accompanying this RtS.</p>   | <p>Updated Architectural Drawings at <b>Appendix A</b></p>   |
| <p><b>Matter: Increased setback to some level 4 apartments to achieve ADG compliance.</b></p> <ul style="list-style-type: none"> <li>Assuming the lots are not to be consolidated, the massing of the buildings results in an increased burden for separation on lot 2 and lot 3. The building separation distances should be measured with the lot boundaries centred.</li> </ul> | <p>These details are illustrated in the updated architectural plans accompanying this RtS.</p>   | <p>Updated Architectural Drawings at <b>Appendix A</b></p>   |
| <ul style="list-style-type: none"> <li>The building separation distances between all the buildings in the East-West direction is also unclear. Distances between buildings A – C – E and B – D – F. The applicant is required to provide drawings that clarify this.</li> </ul>  | <p>These details are illustrated in the updated architectural plans accompanying this RtS.</p>   | <p>Updated Architectural Drawings at <b>Appendix A</b></p>   |

| Comment  | Response   | Supporting Document   |
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| <p><b>Matter: Redesigned lift cores in each of the buildings.</b></p> <ul style="list-style-type: none"> <li>It is apparent that changes to the lift cores result in changes to the configuration of the adjoining apartments. Plans to clearly show all changes to layout of circulation spaces and adjacent units as most have mostly been 'greyed' implying no change to the development approval.</li> </ul> | <p>These details are illustrated in the updated architectural plans accompanying this RtS.</p>   | <p>Updated Architectural Drawings at <b>Appendix A</b></p>  |
| <ul style="list-style-type: none"> <li>The lift core themselves have been highlighted as changes, however it can be understood that this will result in changes to the apartment layouts (e.g. units made smaller) which is difficult to assess in detail with the drawings provided.</li> </ul>   | <p>Additional details showing how and where the layouts of previously approved dwellings are to be altered are provided in the updated architectural plans accompanying this RtS.</p>  | <p>Updated Architectural Drawings at <b>Appendix A</b></p>  |
| <p><b>Matter: Redesign of rooftop communal open space.</b></p> <ul style="list-style-type: none"> <li>The rooftop communal open spaces have significantly decreased in size, with play areas and fitness areas removed.</li> </ul>   | <p>The development will provide a total of 4,086m<sup>2</sup> of common open space, including at the roof level of each building. This significantly exceeds the minimum amount of 3.831m<sup>2</sup> for the site as required by the ADG.</p>   | <p>Updated Architectural Drawings at <b>Appendix A</b></p>  |
| <ul style="list-style-type: none"> <li>Reduction of amenity of communal open space is not supported.</li> </ul>  | <p>The development will not reduce the amenity of the communal open space. Indeed, the amenity of these areas will be increased through the refinements made in response to other matters raised in submissions, namely:</p> <ul style="list-style-type: none"> <li>New permeable ground covers at the ground plane common open space which will help to mitigate the urban heat island effect</li> <li>Shelter over the rooftop barbecue areas</li> </ul> | <p>Updated Architectural Drawings at <b>Appendix A</b></p> <p>Updated Landscape Concept Design at <b>Appendix C</b></p> |
| <p><b>Matter: Changes to external materials and finishes.</b></p> <ul style="list-style-type: none"> <li>Cannot locate the changes to materials proposed. Materials board on page 33 of design report has the same materials as previous approval.</li> </ul>  | <p>Proposed external materials are provided with the architectural drawings. The proposed materials will be high-quality, durable, and sympathetic to the emerging and desired future character of the area.</p>   | <p>Updated Architectural Drawings at <b>Appendix A</b></p>  |

| Comment  | Response   | Supporting Document   |
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| <p><b>Matter: Amendments to approved landscaping scheme.</b></p> <ul style="list-style-type: none"> <li>Reduction of trees along Road #1 on the perimeter of site is not supported. The removal of these trees will significantly impair the quality of the public domain and private open spaces along these frontages.</li> </ul>                      | <p>The quantity of trees along Road #1 within the nature strip remains consistent with the previously approved scheme.</p>   | <p>Updated Architectural Drawings at <b>Appendix A</b></p> <p>Updated Landscape Concept Design at <b>Appendix C</b></p> |
| <ul style="list-style-type: none"> <li>Reduction of rooftop communal open space from 3492 sqm to 1152 sqm is not supported.</li> </ul>   | <p>The development will provide a total of 4,086m<sup>2</sup> of common open space, including at the roof level of each building. This significantly exceeds the minimum amount of 3.831m<sup>2</sup> for the site as required by the ADG.</p>   | <p>Updated Architectural Design Report at <b>Appendix G</b></p>   |
| <ul style="list-style-type: none"> <li>Accessible resident entry to the ground floor communal open space should be accommodated in the landscape and architectural design from building lobbies.</li> </ul>  | <p>The ground floor communal landscape areas are accessible from the building lobbies, with access incorporated into both the landscape and architectural design.</p>  | <p>Updated Architectural Drawings at <b>Appendix A</b></p> <p>Updated Landscape Concept Design at <b>Appendix C</b></p> |
| <p><b>NSW Department of Education</b></p>  |  |   |
| <p><u>Construction Management Plan (CMP)</u></p> <p>Prior to construction, the proposal should be supported CMP which specifically considers impacts to the school as a sensitive receiver including student safety, traffic, noise, vibration and air quality. The CMP should include appropriate mitigation measures where impacts are identified.</p> | <p>A Preliminary Indicative Construction Management Plan (<b>CMP</b>) has been prepared as part of this RtS which outlines potential measures to be implemented during construction works to minimise impacts on the adjoining Tallawong Public School. The document addresses student safety, traffic, noise, vibration, and air quality.</p> | <p>Preliminary Construction Management Plan at <b>Appendix H</b></p>  |

| Comment  | Response  | Supporting Document   |
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|  | <p>The Preliminary Indicative CMP also refers to recommendations made in the updated Preliminary Construction Traffic Management Plan (<b>CTMP</b>) as well as in the NVIA provided separately with this SSD.</p>   |   |
| <p><u>Construction Traffic</u></p> <ul style="list-style-type: none"> <li>▪ If approved, it is recommended the proposal be conditioned to prohibit construction vehicles accessing and egressing the site during school drop-off and pick-up times (30 minutes before and after school start and finish times), particularly given that pick-up and drop-off is located along the adjoining road (under construction).</li> <li>▪ Work zones should not be proposed in locations that will compromise pedestrian, cyclist and vehicular access to the school and associated drop-off and pick-up spaces.</li> <li>▪ Pedestrian and cyclist safety should be closely considered and managed including where necessary, traffic controllers for construction vehicle entry and exit movements.</li> <li>▪ If any impacts to school bus services are anticipated, these should be addressed and mitigated through the CMP.</li> </ul> | <p>The Preliminary CTMP in the TIA has been updated to address the matters raised. The updated CTMP incorporates the following additional measures:</p> <ul style="list-style-type: none"> <li>▪ Prohibition of construction vehicle access and egress during school drop-off and pick-up times (30 minutes before and after school start and finish times);</li> <li>▪ Works zone locations configured to maintain pedestrian, cyclist and vehicular access to the school;</li> <li>▪ Deployment of traffic controllers at construction vehicle entry and exit points where pedestrian and cyclist safety may be affected; and</li> <li>▪ Mitigation measures for any identified impacts on school bus services.</li> </ul> <p>A detailed CTMP will be submitted as a condition of consent prior to the commencement of works.</p> | <p>Updated Transport Impact Assessment at <b>Appendix E</b></p>           |
| <p><u>Noise and Vibration</u></p> <ul style="list-style-type: none"> <li>▪ Noise and vibration assessments are to assess construction noise impacts and consider the school as a sensitive receiver.</li> <li>▪ If noise and vibration exceedances at the school are identified, mitigation measures should be developed consistent with NSW EPA construction noise guidelines. The mitigation measures should seek to maintain internal noise levels for classrooms required by the department's Educational Facilities Standards and Guidelines (EFSG).</li> </ul>   | <p>An assessment of construction noise impacts has been provided in Section 8 of the revised NVIA. Impacts to the new Tallawong Public School have been considered, and noise management levels have been adopted based on the guidelines outlined by the NSW EPA's <i>Interim Construction Noise Guideline (ICNG)</i> – specifically 45 dB(A) within internal classrooms.</p> <p>We note the EFSG is a document prepared by NSW Education and provides guidance with respect to the detailed design and construction of school projects across NSW. The document does not apply for the assessment of construction noise and vibration impacts from external parties.</p>  | <p>Updated Noise and Vibration Impact Assessment at <b>Appendix D</b></p> |

| Comment   | Response   | Supporting Document  |
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| <ul style="list-style-type: none"> <li>If necessary, a mitigation measure should also be included to provide periods of respite during the school day to limit impacts to student learning.</li> </ul>  | <p>Recommendations have been provided within the discussion at Section 8.5 of the revised NVIA and include a range of feasible and practical mitigation strategies which could be implemented during construction, including community liaison, notification, acoustic screening, scheduling of works, and respite periods where necessary.</p>  |  |
| <p><u>Air Quality</u></p> <p>Consideration should be given to air quality impacts arising from construction dust including appropriate mitigation measures as necessary.</p>  | <p>Air quality impacts are addressed in the Preliminary Indicative CMP provided with this RtS.</p>   | <p>Preliminary Construction Management Plan at <b>Appendix H</b></p> |
| <p><b>NSW RFS</b></p>   |  |  |
| <p>No objection to the proposal subject to the development complying with the recommendations in the document Bushfire Assessment Report – Proposed: Multi-storey Residential Buildings</p>   | <p>N/A</p>   | <p>N/A</p>   |
| <p><b>Individual Submitters</b></p>   |  |  |
| <p>Tallawong</p> <p>I am a neighbouring property owner and occupier residing near the proposed development at 84 Tallawong Road, Rouse Hill. I would like to state that I support the objective of providing affordable housing and acknowledge the importance of increasing housing supply in well-located areas such as Tallawong. However, my support is conditional, and I wish to raise several important matters that must be addressed to ensure the development is sustainable and does not place undue pressure on the surrounding community.</p> <p>1. Traffic and Road Capacity Concerns</p> <p>Tallawong Road and surrounding local roads are already experiencing increased traffic volumes, particularly during peak commuting hours. The proposed increase in dwellings will</p> | <p>1. A TIA has been prepared by TEF Consulting for this project in accordance with the TfNSW <i>Guide to Transport Impact Assessment (2024)</i>. The TIA assessed the performance of key surrounding intersections using SIDRA Intersection 9.1 modelling, based on traffic counts conducted in July 2025. The additional dwellings will generate approximately 79 vehicle trips in the AM peak hour and 66 in the PM peak hour. The results demonstrate that the existing levels of service at all assessed intersections will remain unchanged, with negligible increases to average delays and queuing. The TIA confirms additional traffic generation will have no detrimental impact on the existing road network or road safety.</p> <p>The TIA did not identify any need for road or intersection upgrades as a result of the proposed development. No upgrade</p> | <p>Updated Transport Impact Assessment at <b>Appendix E</b></p>      |

| Comment   | Response   | Supporting Document |
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| <p>inevitably result in additional vehicle movements. At present, road capacity, intersections, and public transport connectivity appear insufficient to support the scale of the proposed development without adequate upgrades. I respectfully request that:</p> <ul style="list-style-type: none"> <li>▪ A comprehensive and updated traffic impact assessment be undertaken</li> <li>▪ Clear commitments be made to road and intersection upgrades prior to or concurrent with increased occupancy</li> <li>▪ Construction traffic management measures minimise disruption to existing residents</li> </ul> <p><b>2. Insufficient Local Infrastructure and Essential Services</b><br/>Local infrastructure is not keeping pace with residential development in the Tallawong–Rouse Hill area. Access to community facilities, open space and pedestrian infrastructure remains limited.<br/>In addition, there is currently no major supermarket or full-line grocery store within convenient distance to support the existing and proposed residential population. This results in increased reliance on private vehicle trips for essential daily needs, further contributing to congestion and reducing liveability. Access to essential services such as supermarkets should be considered a core component of supporting infrastructure for higher-density development.</p> <p><b>3. Delivery of the Proposed Sports Park at 95 Tallawong Road</b><br/>I strongly urge the Department and relevant authorities to prioritise and accelerate the delivery of the proposed sports park at 95 Tallawong Road.<br/>With increasing residential density, access to recreational and open space is critical for community wellbeing. Timely delivery of this facility would significantly help mitigate the impacts of</p> | <p>works are therefore required prior to or concurrent with increased occupancy.</p> <p>The preliminary CTMP included in the TIA has been updated, taking into account submissions received from individuals and public authorities. The updated CTMP includes specific measures to minimise disruption to existing residents during construction.</p> <ol style="list-style-type: none"> <li><b>2.</b> Infrastructure and services are available to service the proposed development. In addition, local infrastructure is planned for the area to benefit the local community and incoming residents.</li> <li><b>3.</b> Not applicable to this proposal.</li> </ol> <p>Overall, the proposed development can be appropriately supported by transport infrastructure, utility services and local infrastructure.</p> |                     |

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| <p>population growth. I respectfully request that approval of this development be linked to clear timeframes or conditions to ensure the sports park is delivered as early as possible.</p> <p>In summary, while I support the intent of the proposed development and the provision of affordable housing, I believe approval should be conditional upon meaningful upgrades to transport infrastructure, improved access to essential services such as a major supermarket, and the accelerated delivery of supporting community facilities, particularly the proposed sports park at 95 Tallawong Road.</p>  |   |  |
| <p>Chatswood</p> <p>I support the project.</p>   | <p>Noted. No response required.</p>   | <p>N/A</p>   |
| <p>Blacktown</p> <p>I object to this project. The proposed high-density development will have a significant and detrimental impact on the character and liveability of the entire suburb.</p> <p>Introducing a large number of affordable apartments is likely to increase population pressure and attract a higher proportion of lower-income residents, which may adversely affect local infrastructure, traffic, and community safety.</p> <p>In addition, the height and scale of the building will severely compromise the privacy, sunlight access, and general amenity of neighbouring households. The overshadowing and overlooking issues are unacceptable and would negatively affect the daily living conditions of nearby residents.</p> | <p>The proposed development will not detrimentally impact upon the character and liveability of the area.</p> <p>The introduction of the affordable housing units will not negatively impact upon local infrastructure, traffic and community safety for the following reasons:</p> <ul style="list-style-type: none"> <li>• The proposed modification will remain predominantly the same to the approved infrastructure servicing and arrangement. This implies there is no significant change in utility and infrastructure demand as a result of the additional dwellings, and there is sufficient capacity to support the development.</li> <li>• The TIA confirms additional traffic generation will have no detrimental impact on the existing road network operation or road safety. The development provides 500 basement car parking spaces, exceeding the minimum requirement under Section 19(2) of the Housing SEPP. All resident and visitor parking is accommodated within the basement; the development will not generate demand for on-street parking.</li> </ul> | <p>Updated Transport Impact Assessment at <b>Appendix E</b></p> <p>Updated Architectural Drawings at <b>Appendix A</b></p> |

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|   | <ul style="list-style-type: none"> <li>▪ Amenity and safety concerns associated with the introduction of low-income residents are not consistent with research undertaken by the Australian Housing and Urban Research Institute (AHURI), 'From mixed tenure developments to mixed tenure neighbourhoods'. This research demonstrates how delivering quality housing in safe, connected locations has been found to significantly improve community attachment and cohesion, regardless of tenure mix.</li> </ul> <p>Moreover, the development continues to comply with ADG standards and other relevant controls to ensure amenity is protected. The height and scale of the development will not compromise privacy and sunlight access to residents and surroundings properties.</p>  |   |
| <p>Rouse Hill</p> <p>I am writing to object to the proposed development of approximately 434 units + affordable housing units located directly north of my premises. My concerns relate solely to the planning impacts of this specific proposal and its suitability within the developing precinct.</p> <p>1. Significant Overshadowing Due to North-Side Position (Major Planning Concern)</p> <p>Because the site is positioned north of my property, any increase in building height will directly affect the solar access of my home and outdoor areas.</p> <p>In NSW, planning controls generally require that:</p> <ul style="list-style-type: none"> <li>▪ Living rooms and private open space receive a minimum of 3 hours of sunlight between 9am-3pm</li> <li>▪ New developments must not unreasonably overshadow neighbouring properties, especially when located to the north</li> </ul> <p>A multi-building development of this scale has the clear potential to:</p> | <ol style="list-style-type: none"> <li>1. The modification will continue to ensure the development is compliant with ADG design criteria, ensuring high standards of amenity for future occupants and surrounding residents.</li> <li>2. As per the applicable planning controls, the site is zoned R3 Medium Density Residential. The site aligns with the R3 Medium Density zone objectives and relevant built form controls. It delivers medium density housing to cater to the housing needs of the community in the form of 6x five-storey residential buildings. It therefore does not result in overdevelopment or a land use intensity that would be inconsistent with the existing zoning and emerging character of the area. The medium density zoning is identified for the properties within the immediate surrounds of the site, and therefore this proposed density is commensurate with the statutory controls. As such, the scale of development reflects the expectations set out by the planning framework.</li> <li>3. The existing approved development and the proposed uplift under this SSD considers the density and required infrastructure.</li> </ol> | <p>Updated ADG Compliance Table at <b>Appendix B</b></p> <p>Updated Transport Impact Assessment at <b>Appendix E</b></p> <p>Updated Architectural Drawings at <b>Appendix A</b></p> |

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| <ul style="list-style-type: none"> <li>▪ Block winter sunlight (when the sun sits lower in the northern sky)</li> <li>▪ Reduce natural lighting to my home</li> <li>▪ Affect thermal comfort and increase energy usage</li> <li>▪ Diminish the usability of my open space</li> </ul> <p>A detailed sunlight and overshadowing study must be provided. Based on the proposed scale, it is highly likely that overshadowing impacts will be unacceptable under NSW planning standards.</p> <p><b>2. Departure From the Original Planning Expectations for the Precinct</b><br/> When early residents purchased in this area, available planning materials and indicative layouts showed nearby land intended for low-rise residential dwellings.<br/> A sudden change to a high-density development comprising 460 units is a substantial deviation from the density originally communicated. A development of this scale should require:</p> <ul style="list-style-type: none"> <li>▪ A formal review of the precinct’s planning controls</li> <li>▪ Public consultation</li> <li>▪ Evidence that this increased density aligns with long-term planning strategies</li> </ul> <p>Residents made purchasing decisions based on the earlier plans, and the proposed density is inconsistent with those expectations.</p> <p><b>3. Infrastructure Not Designed for This Density</b><br/> Key infrastructure—including stormwater, sewerage, access roads, public transport, and local community facilities—was planned around the original low-density intent for the precinct. Introducing hundreds of additional dwellings at once risks overloading infrastructure that has not been upgraded to handle</p> | <p>It confirms the additional dwellings can be adequately supported by utilities and infrastructure.</p> <p><b>4.</b> The TIA, prepared in accordance with the TfNSW <i>Guide to Transport Impact Assessment</i>, confirms that additional traffic generation will have no detrimental impact on the existing road network operation or road safety. The development provides 500 basement car parking spaces, exceeding the minimum requirement under Section 19(2) of the Housing SEPP. All resident and visitor parking is accommodated within the basement; the development will not generate demand for on-street parking.</p> <p><b>5.</b> The proposal clearly demonstrates an adequate provision of communal open space and landscaping. Refer to the following points:</p> <ul style="list-style-type: none"> <li>– The development includes a large quantum of communal space and landscaping which exceeds the requirements set out within the Apartment Design Guide (<b>ADG</b>) and which will provide a high degree of amenity for future residents. As detailed in the Landscape Concept Design (Appendix U of the application), the development will provide for 4,556m<sup>2</sup> of common open space at the ground plane which, at 29% of the total site area, significantly exceeds the 25% minimum as required by the ADG. The development will also continue to meet ADG minimum solar access requirements to common open space as set out in the ADG.</li> <li>– To further mitigate overshadowing impacts the proposed development maintains the building setbacks from the street frontages, as well as building separation to achieve breaks in the built form and permit solar access through the site.</li> </ul> |                     |

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| <p>such a population increase.<br/>The proposal does not demonstrate:</p> <ul style="list-style-type: none"> <li>▪ How additional demand on utilities will be managed</li> <li>▪ Whether systems can accommodate the scale of development</li> <li>▪ Any planned upgrades to support increased density</li> </ul> <p>This raises concerns about long-term functionality of essential services.</p> <p><b>4. Traffic and Access Issues Under Future Full Development</b><br/>Although the area is still developing, traffic modelling must reflect future full build-out conditions, not current light usage. A development housing an estimated 700–900 residents will significantly increase vehicle movements on local roads originally designed for moderate-density neighbourhoods. Without proper modelling and mitigation measures, long-term congestion and access issues are likely.</p> <p><b>5. Open Space, Landscaping, and Amenity Concerns</b><br/>The proposal does not clearly demonstrate adequate provision of:</p> <ul style="list-style-type: none"> <li>▪ Communal open space</li> <li>▪ Landscaping</li> <li>▪ Pedestrian and bicycle connections</li> <li>▪ Suitable setbacks</li> </ul> <p>This is essential in large-scale developments to maintain liveability and reduce pressure on public spaces.</p> <p>Given the extensive overshadowing risk due to the development’s position directly north of my property, the departure from original planning intent, and the lack of demonstrated infrastructure capacity, I respectfully request that the council refuse the development in its current form or require substantial modifications.</p> | <ul style="list-style-type: none"> <li>– The design enhances permeability and connectivity through multiple pedestrian entries, linking to public transport, the local street network, and nearby open space corridors.</li> </ul> |                     |

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| <p>Melrose Park</p> <p>I am writing regarding the proposed modification to SSD-80287510 for 84 Tallawong Road. I will be living at 74 Tallawong Road, directly next to the development, and the changes being requested would have a clear and immediate impact on my property and daily life.</p> <p>I support development in this area, including affordable housing, but the increase in dwelling numbers raises several concerns that have not been properly addressed.</p> <ol style="list-style-type: none"> <li><b>1. Site Intensity and Overdevelopment</b><br/>The project is already dense for its location. Adding more units places extra pressure on a neighbourhood made up mostly of low-rise homes and quiet residential streets.</li> <li><b>2. Traffic and Parking Issues</b><br/>No updated traffic or parking studies have been provided. Tallawong Road is already busy, and additional residents will worsen congestion, increase on-street parking, and create safety risks for families walking or driving in the area.</li> <li><b>3. Local Infrastructure Limitations</b><br/>There is no information about how extra demand will be managed in terms of stormwater, waste collection, and other essential services. Without these assessments, the impact on the community cannot be properly understood.</li> <li><b>4. Privacy and Residential Amenity</b><br/>More dwellings mean more occupants facing neighbouring homes. This reduces privacy for surrounding properties, including mine, which sits directly beside the site.</li> <li><b>5. Extended Construction Disturbance</b><br/>Any increase in work scope will prolong noise, dust, and disruption for nearby residents, particularly those living immediately next to the boundary.</li> </ol> | <ol style="list-style-type: none"> <li>The site aligns with the R3 Medium Density zone objectives and relevant built form controls. It delivers medium density housing to cater to the housing needs of the community in the form of 6x five-storey residential buildings. It therefore does not result in overdevelopment or a land use intensity that would be inconsistent with the existing zoning and emerging character of the area. The medium density zoning is identified for the properties within the immediate surrounds of the site, and therefore this proposed density is commensurate with the statutory controls. As such, the scale of development reflects the expectations set out by the planning framework.</li> <li>The TIA, prepared in accordance with the TfNSW <i>Guide to Transport Impact Assessment</i>, confirms that additional traffic generation will have no detrimental impact on the existing road network operation or road safety. The development provides 500 basement car parking spaces, exceeding the minimum requirement under Section 19(2) of the Housing SEPP. All resident and visitor parking is accommodated within the basement; the development will not generate demand for on-street parking.</li> <li>Technical assessments have been prepared to assess the proposed modification. The changes to the approved consent have been assessed and concluded to be appropriately considered in the servicing and infrastructure arrangements. They conclude the additional dwellings can be sufficiently supported by infrastructure.</li> <li>The site layout continues to ensure building separation and boundary setbacks are achieved to preserve openness, achieve visual permeability and enhance privacy. The buildings maintain 4 storeys of 12-metre separation and the 5th storey 18m separation in accordance with the ADG. This allows for privacy between buildings, as well as views to surrounding properties.</li> </ol> | <p>Updated Transport Impact Assessment at <b>Appendix E</b></p> <p>Updated Architectural Drawings at <b>Appendix A</b></p> <p>Preliminary Construction Management Plan <b>Appendix H</b></p> |

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| <p>For these reasons, I ask that the Department decline the proposed modification and maintain the development as previously approved.</p>   | <p>The additional dwellings will not exacerbate privacy concerns to neighbouring properties given these setbacks.</p> <p>5. A Preliminary Construction Management Plan has been prepared to address this concern and manage construction impacts.</p>   |  |
| <p>Lewisham</p> <p>I am a homeowner and resident in the immediate surrounding area (13 Wilbertree Street, Rouse Hill). I appreciate the opportunity to provide feedback regarding the proposed development at 84 Tallawong Road.</p> <p>While I acknowledge the need for diverse housing options within the Tallawong/Rouse Hill growth corridor, I would like to raise several concerns regarding the current proposal. My intention is not to oppose redevelopment outright, but to request refinement to ensure a balanced urban outcome that integrates appropriately with the existing low-density neighbourhood.</p> <p>1. Traffic Impact and Local Street Safety.</p> <p>Tallawong Road already experiences significant traffic from nearby residential estates.</p> <p>The proposed scale of 434 units, with additional visitor and service vehicles, will substantially increase traffic volume.</p> <ul style="list-style-type: none"> <li>▪ Undertake a more detailed traffic assessment including peak-hour modelling.</li> <li>▪ Consider redesigning site access to minimise overflow traffic into adjacent residential streets (including Wilbertree Street). Increase on-site parking provision to avoid spill-over parking on surrounding streets.</li> </ul> | <p>1. The TIA, prepared in accordance with the TfNSW <i>Guide to Transport Impact Assessment</i>, confirms that additional traffic generation will have no detrimental impact on the existing road network operation or road safety. The development provides 500 basement car parking spaces, exceeding the minimum requirement under Section 19(2) of the Housing SEPP. All resident and visitor parking is accommodated within the basement; the development will not generate demand for on-street parking.</p> <p>The preliminary CTMP included in the TIA has been updated, taking into account submissions received from individuals and public authorities. The updated CTMP includes specific measures to minimise disruption to existing residents during construction.</p> <p>2. The proposal utilises the building height incentives which are provided by the in-fill affordable housing provisions of the Housing SEPP. This results in a minor variation to the height control. A Clause 4.6 Variation Request was prepared to assess potential impacts that may arise by the proposed height control breach. It demonstrates the additional building height is 3.6m, corresponding to one additional storey applied consistently across all buildings. Having regard for the natural fall of the site to the west (approximately 12m, towards Tallawong Road), it is noted that building heights at the western end of the site generally remain consistent with (or under) the maximum permissible building height of 15.6m, while height breaches are generally found further to the east. This remains consistent with the existing approved developments. In addition, the proposed developments height exceedance does not affect the ability of</p> | <p>Updated Transport Impact Assessment at <b>Appendix E</b></p> <p>Updated Architectural Drawings at <b>Appendix A</b></p> |

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| <p><b>2. Building Height &amp; Transition to Existing Low-Density Housing.</b><br/>The proposed 5.5 or 6-storey built form sits directly adjacent to newly established low-density homes.</p> <ul style="list-style-type: none"> <li>▪ Introduce height transition on the edges closest to the low-density area (e.g., stepping down to 2–3 storeys).</li> <li>▪ Increase boundary setbacks and implement stronger landscape buffers to protect privacy, daylight access and residential character.</li> <li>▪ Review overshadowing impacts specifically on Wilbertree Street dwellings.</li> </ul> <p><b>3. Affordable Housing Management &amp; CPTED Integration.</b><br/>While I support the inclusion of infill affordable rental housing as part of a diverse community, clarity is required regarding the management structure.</p> <ul style="list-style-type: none"> <li>▪ Clearly identify the registered Community Housing Provider responsible for the affordable dwellings.</li> <li>▪ Provide details on tenancy selection, ongoing management, and maintenance standards.</li> <li>▪ Incorporate detailed CPTED (Crime Prevention Through Environmental Design) measures to ensure safety for both future residents and the surrounding community.</li> </ul> <p><b>4. Construction Management</b><br/>Given the scale of the project, construction activity will significantly affect nearby residents.</p> <ul style="list-style-type: none"> <li>▪ Provide a Construction Management Plan outlining traffic control, construction hours, dust/noise mitigation, and worker parking arrangements.</li> <li>▪ Avoid construction vehicle access through narrow residential streets.</li> </ul> | <p>the development to achieve key ADG amenity criteria including privacy (with the minimum building separation distances achieved), solar access, minimum unit sizes and dimensions, and cross-ventilation, and does not result in unreasonable additional overshadowing impacts to future development directly to the south of the site as compared with a compliant (15.6m) height plane, with additional impacts only exhibited between 1–3pm in mid-winter.</p> <p><b>3. Evolve Housing, a registered Community Housing Provider within NSW, has formally expressed its interest in managing the affordable housing component of this development. A Letter of Support from Evolve Housing has been provided at Appendix AA of the EIS. No CPTED safety measures are identified by the Social Impact Assessment given no negative impacts are expected to arise from the affordable housing units. Amenity and safety concerns associated with the introduction of low-income residents are not consistent with research undertaken by the Australian Housing and Urban Research Institute (AHURI), ‘From mixed tenure developments to mixed tenure neighbourhoods’. This research demonstrates how delivering quality housing in safe, connected locations has been found to significantly improve community attachment and cohesion, regardless of tenure mix.</b></p> <p><b>4. The proposed modification results in a minor uplift to the approved development. The additions have been captured in technical assessments to ensure potential additional impacts are appropriately mitigated by feasible and necessary measures. A preliminary Construction Management Plan (CTMP) is provided within the Transport Impact Assessment. A detailed CTMP can be prepared at the post-consent stage with specific strategies to be incorporated into the project.</b></p> |                     |

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| <p>Conclusion</p> <p>I respectfully request that the Department consider the above points and require modifications to ensure the development integrates appropriately with the existing community and minimises negative impact on the surrounding low-density neighbourhood.</p>  |  |  |
| <p>Rhodes</p> <p>As a future resident of lot 30, 74 Tallawong Road, Rouse Hill, I am writing this letter to raise objection to this proposal.</p> <p>The increase from existing proposal of 127 residential units to 434 apartment will inevitably increase pressure to existing traffic level in the vicinity, which is already seen sign of congestion in peak hours</p> <p>The close proximity of 84 Tallawong Road to proposed Tallawong Public School will worsen the traffic condition during peak and school hours. This will pose hazards of vehicle interaction to children passing by before and after school.</p> <p>Tallawong Train Station has already seen huge demand and limited supply of car park space at current stage. An increase of 434 apartment will inevitably make current situation worse.</p> <p>Above are my opinion from the broader community point of view. As one of many residents in 74 Tallawong Road, we would also love to enjoy the sunshine and scenery promised to us when we purchased the house &amp; land package. Through out the years we have been patiently waiting for the delivery of the project and endured harsh financial situations. Approval of such high density apartment project will inevitably rip off the benefit of this long overdue house &amp; land project.</p> | <p>The proposal provides an additional 78 apartments to the approved scheme under the existing consents. The existing consents deliver a total apartment yield of 333, not 127 as detailed in this submission. This does not result in a significant pressure to existing traffic impacts. The development adds 78 apartments to the approved scheme of 333 dwellings. The TIA confirms this increment will not result in a significant change to traffic conditions. The results demonstrate that the existing levels of service at all assessed intersections will remain unchanged. The parking concerns relating to Tallawong Mtro Station are attributable to commuter park-and-ride demand and are not associated with this development.</p> <p>Moreover, the development continues to comply with ADG standards and other relevant controls to ensure amenity is protected. The height and scale of the development will not compromise privacy and sunlight access to residents and surroundings properties. The proposed development maintains the building setbacks from the street frontages, as well as building separation to achieve breaks in the built form and permit solar access through the site and minimise overshadowing. The additional investigations confirm the proposed modification does not result in unreasonable additional overshadowing impacts as compared with a compliant (15.6m) height plane.</p> | <p>Updated Transport Impact Assessment at <b>Appendix E</b></p> <p>Updated Architectural Drawings at <b>Appendix A</b></p> |
| <p>Ultimo</p> <p>While I acknowledge the need for additional housing and community facilities, I am concerned that the existing local infrastructure is not</p>   | <p>The proposal has been assessed from a traffic perspective by TEF Consulting and a TIA accompanies the application. The TIA assessed the performance of surrounding roads and intersections including</p>  | <p>Updated Transport Impact</p>  |

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| <p>currently adequate to support the scale and pace of development being proposed. In particular:</p> <p>Road capacity and safety: The current road conditions and capacity on Tallawong Road are already constrained (including limited lanes and limited ability to safely accommodate additional traffic).</p> <p>Car parking and transport impacts: Parking capacity associated with Tallawong Station and surrounding streets appears insufficient, increasing the likelihood of parking overspill into nearby residential areas.</p> <p>Health and essential services: There is a lack of nearby hospital/health services relative to the projected increase in population and daily activity generated by the proposal.</p> <p>If approved in its current form, I am concerned the proposal will lead to increased congestion, parking stress, and additional pressure on already limited services, resulting in a material reduction in local amenity and residents' quality of life.</p> <p>Accordingly, I request that the Department not approve the proposal in its current form, and that any approval be contingent on a clear and funded infrastructure/ staging plan that demonstrates road, parking/transport, and essential services capacity will be delivered in step with development.</p> | <p>Tallawong Road. The results demonstrate that the existing levels of service for all movements will remain unchanged, with minor increases to average delays and queuing that will not affect levels of service. The TIA confirms additional traffic generation will have no detrimental impact on the existing road network operation or road safety. The parking concerns relating to Tallawong Station do not relate to this proposal. The development provides 500 basement car parking spaces sufficient to serve all residents and visitors without reliance on street parking.</p> <p>The addition of 78 apartments will not significantly impact upon the site servicing and demands on local infrastructure.</p> | <p>Assessment at <b>Appendix E</b></p>                          |
| <p>Rouse Hill</p> <p>I would prefer not to have dense housing in my area. A consideration, if the project goes ahead, is that this should not be constructed before there is more public transport put in place to and from the metro station. It should also not coincide with the multitude of road works</p>   | <p>Refer to the TIA prepared by TEF Consulting submitted with this application. The results of the TIA demonstrate that the existing levels of service for all movements will remain unchanged, with minor increases to average delays and queuing that will not affect levels of service. The TIA confirms additional traffic generation will have no</p>  | <p>Updated Transport Impact Assessment at <b>Appendix E</b></p> |

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| <p>going on in the area namely the piping works to be carried out by Sydney Water on Tallawong Rd in August of next year. There is already so much congestion on the road and the new construction and the increase in population will only exacerbate that.</p>  | <p>detrimental impact on the existing road network operation or road safety.</p>  |  |
| <p>Rouse Hill</p> <p>I am writing to formally object to the proposed residential apartment development at 84 Tallawong Road. While I understand the need to support housing supply, I have serious concerns about the significant negative impacts this proposal would have on traffic, infrastructure, and local parking conditions.</p> <ol style="list-style-type: none"> <li><b>1. Increased Density and Traffic Congestion</b><br/>The proposed increase in dwelling density will further worsen the severe traffic congestion already experienced in the area. Old Windsor Road is already heavily congested during peak hours, with long delays and persistent bottlenecks. Adding a development of this scale will substantially increase vehicle movements and intensify these existing issues, contributing to reduced road safety and longer commute times for local residents.</li> <li><b>2. Insufficient Infrastructure Capacity</b><br/>The current infrastructure in Tallawong and the surrounding areas is already struggling to meet existing demand. Public transport, utilities, local roads, and community services are under pressure, and the rapid population growth associated with this proposal would exacerbate these strains. Without significant infrastructure upgrades, the development risks overwhelming essential services.</li> <li><b>3. Parking Shortages and Local Impact</b><br/>Parking availability is already a major concern around Tallawong, particularly given that Tallawong Station is a terminal</li> </ol> | <ol style="list-style-type: none"> <li><b>1.</b> The addition of 78 apartments within the development will not significantly impact upon the local infrastructure and traffic network. The proposal has been assessed from a traffic perspective by TEF Consulting, and prepared a Transport Impact Assessment (<b>TIA</b>). The TIA assessed the performance of surrounding roads and intersections including Tallawong Road. The results demonstrate the existing Levels of Service (<b>LoS</b>) for all movements will remain the same, with minor increases to average delays and queuing which would not affect LoS. The TIA confirms additional traffic generation will have no detrimental impacts on the existing road network operation nor on road safety.</li> <li><b>2.</b> The addition of 78 apartments will not significantly impact upon the site servicing and demands on local infrastructure. Technical assessments have been prepared to assess the proposed modification. The changes to the approved consent have been assessed and concluded to be appropriately considered in the servicing and infrastructure arrangements. They conclude the additional dwellings can be sufficiently supported by infrastructure.</li> <li><b>3.</b> The TIA, prepared in accordance with the TfNSW <i>Guide to Transport Impact Assessment</i>, confirms that additional traffic generation will have no detrimental impact on the existing road network operation or road safety. The development provides 500 basement car parking spaces, exceeding the minimum requirement under Section 19(2) of the Housing SEPP. All resident</li> </ol> | <p>Updated Transport Impact Assessment at <b>Appendix E</b></p> <p>Updated Architectural Drawings at <b>Appendix A</b></p> |

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| <p>station where many commuters rely on park-and-ride facilities. Existing parking areas are frequently at capacity, leading to spill-over parking on surrounding streets. Rather than adding more dwellings, providing additional parking spaces would more appropriately meet the needs of the local community and ease the existing pressure on both residents and commuters. Prioritising parking infrastructure in this location would deliver far greater public benefit than adding further residential density.</p> <p>For these reasons, I respectfully request that the council reconsider the proposal for 84 Tallawong Road, or require the development to be redesigned to address traffic, infrastructure, and parking impacts, with a particular focus on supporting additional commuter parking.</p>  | <p>and visitor parking is accommodated within the basement; the development will not generate demand for on-street parking.</p>  |  |
| <p>Epping</p> <p>We strongly and formally object to the application, as owners and occupiers of land immediately adjacent to this proposed development.</p> <p>We are landowners and future residents of the adjacent development at 74 Tallawong Road. These properties are currently under construction and are expected to be completed for residence in 2026. In summary, we object to the proposed changes to the development at 84 Tallawong Road, for the following reasons:</p> <ol style="list-style-type: none"> <li>1. The proposed increase in height of the new buildings raises a number of security and privacy concerns, both for nearby residences and for the nearby school.</li> </ol> <p>Perhaps the most immediate concern regarding the proposal is the severe impact that the new buildings would have on the privacy and security of neighbouring residents. In particular, the higher floors would have sightlines into the properties of all of the residents along Pomany Street. Our own property, on the northern end of Pomany Street, would be one of the clearest</p> | <ol style="list-style-type: none"> <li>1. The proposed buildings have been located and designed to maintain the privacy of future residents. And neighbouring properties. Large separation distances (compliant with the requirements of the Apartment Design Guide) are proposed between the residential apartments as well as setbacks to the boundaries. This is further managed by the road corridors bounding the site which provide greater setbacks and separation from nearby properties.</li> <li>2. The existing character of the area is predominantly made up of low- and mid-rise residential development. However, given the existing planning framework of the site and the surrounding planned development, the area is undergoing growth and development. As the site is zoned R3 Medium Density Residential, the proposal is consistent with the controls and objectives of the site zoning. The proposal will realise the potential of the zoning objectives to deliver more housing and more dwelling typologies. The size and scale of the cumulative development has considered the surrounding local character to create a sympathetic built form. The tower design, façade articulation and</li> </ol> | <p>Updated Transport Impact Assessment at <b>Appendix E</b></p> <p>Updated Architectural Drawings at <b>Appendix A</b></p> |

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| <p>examples of this, since we would have high-rise apartments towering over our property on both the north and west sides. Residents of higher floors of the new buildings would have direct lines of sight into our ground-floor living spaces and all three of our first-floor bedrooms. Furthermore, the extreme height difference would make it impossible for us, even with a side fence, to block sightlines into our yard. We believe that it is unacceptable to undermine the privacy of so many residents by building high-rise apartments to this extent so close to detached suburban homes.</p> <p>2. The development was already in stark contrast to the character of the neighborhood, and the proposal to increase the height of the new buildings further only serves to increase this contrast. The suburbs currently being constructed along Tallawong Road – including our development at 74 Tallawong Road – consist almost entirely of detached houses of only one or two storeys. The addition of a cluster of four-storey apartment buildings already represents a stark contrast from the character of the area set by the existing and immediate neighbours. Furthermore, increasing this threshold from four storeys to six will result in a substantially different development from what was originally planned. The onus must fall on the Department and on the Council to re-assess any modifications of this magnitude, and there appears to be no record that such assessments have been performed or updated. Buildings of this stature would overwhelm and dominate the neighbouring properties on all sides, in direct contradiction to the stated objectives of the establishment of new residential suburbs along Tallawong Road. Currently, high-rise developments are largely confined to the immediate vicinity of Tallawong Metro Station, where an apartment building aligns better with the character of existing commercial interests. Even the neighbourhood streets near Rouse Hill Metro Station have</p> | <p>setbacks were addressed in the existing approved consents, to ensure it complements the existing local character.</p> <p>3. The updated architectural drawings accompanying this Rts illustrate the potential overshadowing impacts to the future low-density residential development adjoining the site at the south. The shadow diagrams have been based on publicly accessible information regarding these future developments, and it is understood that to date only the subdivision and road layout has been approved for this adjoining land. Accordingly, indicative built forms have been shown to illustrate the likely (but not confirmed) shadow impacts. The updated shadow diagrams illustrate the potential for minor additional impacts above those which would be generated to the future southern dwellings in a compliant scheme, concentrated between 1pm and 3pm in mid-winter and, therefore, according up to 4 hours of direct sunlight into these indicative dwellings.</p> <p>To ensure overshadowing impacts are managed as best as possible, the proposed development maintains the building setbacks from the street frontages, as well as building separation to achieve breaks in the built form and permit solar access through the southern properties. Overall, the additional investigations confirm the proposed modification does not result in unreasonable additional overshadowing impacts to future development directly to the south of the site as compared with a compliant (15.6m) height plane, with minor additional impacts only exhibited between 1-3pm in mid-winter.</p> <p>4. An assessment of parking demand was completed within the TIA. It demonstrates 526 car spaces are provided in total. This provision of car parking within the basement complies and exceeds the ADG requirement by 10 spaces. There is no</p> |                     |

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| <p>very few apartment buildings, and even then, they are strategically located in business precincts or on the fringes of other residential areas. Conversely, the proposal for 84 Tallawong Road is strongly at odds with the character of both the adjacent residences on all sides and the broader community.</p> <p>3. The development would already have an adverse environmental impact on neighbouring residents, especially access to natural sunlight.</p> <p>One of the major effects of the new development is the reduction in sunlight: these apartment buildings will cast lengthy shadows over the neighbouring properties, particularly to the south-east. Our own lot is in very close proximity to the 84 Tallawong Road site, directly across Pomany Street, the main access road in the 74 Tallawong Road development. Any multi-storey apartment buildings directly to the north and west of our property will cast long shadows over our yard, and even over the windows to our living areas on the north side of the house, especially in the winter months. The proposed increase from four-storey to six-storey apartment buildings will greatly diminish our access to direct sunlight on our property. The Architectural Plans in Appendix F of the proposal include shadow diagrams of the proposed new buildings. Even without the additional storeys, the shadows from Buildings B, D, and F would cover Pomany Street completely by 2pm on a winter's day, reaching the facing properties an hour later - already a significant impact on the residents of those properties. With the increase in the height of the buildings, the shadows would reach across the street at around 11am and start to encroach on the properties by 2pm. This will represent a serious and material loss of access to the environment for ourselves and for many other residents along Pomany Street. In addition, the construction of the new buildings</p> | <p>undersupply of car parking by the cumulative development and therefore will not generate pressure on street parking.</p> <p>5. The proposal utilises the building height incentives which are provided by the in-fill affordable housing provisions of the Housing SEPP. It is completely compliant with the incentive requirements as detailed within the EIS and Clause 4.6 Variation Request. The proposed addition of more housing and the inclusion of affordable housing units are significant benefits to the public by providing housing choice and affordability to the community.</p> |                     |

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| <p>would already cause a great deal of disruption to neighbouring residents. Again, due to the proximity of our lot to the 84 Tallawong Road site, we will be highly susceptible to construction noise, dust and debris escaping the construction site, and safety hazards during the construction and clean-up period. We already expect that the construction of a collection of apartment buildings would be a lengthy process, and the increase in both the number and the size of these buildings would prolong this disruption even further.</p> <p>4. The proposal increases the density of residence without any assessment of the negative impact on community resources, such as the need for transport, parking, and public space.</p> <p>Although the proposal includes an additional 78 dwellings spread across the six buildings, it makes no allowances for the impact that such an increase would have on community resources. One major example of this is the addition of 78 new dwellings but only 15 car parking spaces. It suggests that the developers expect the additional strain on parking availability to be borne by the neighbouring community, either along the main Tallawong Road or on the neighbouring Pomany Street, decreasing and blocking access by existing residents to their own homes. It also appears that there has been little effort made to update any assessments on the use of other community resources, such as traffic flow, public transport usage, stormwater management, and waste management. A proposal of this magnitude must be subject to an updated assessment on the impact on the management of community resources, and given the already high density of this housing development, having an up-to-date and objective assessment of this impact becomes all the more important. It should additionally be noted that 84 Tallawong Road is not the only high-density development under consideration in the Rouse Hill area, and</p> |          |                     |

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| <p>such developments must not be considered individually when their impacts on the community are collective and cumulative.</p> <p>5. The proposed alterations and additions serve no public benefit.</p> <p>While the inclusions of both mixed-use sites and affordable dwellings are both welcome, there is nothing in the proposed development to justify the increased residential density or the increased building height. The proposal includes no facilities for public space or any community facilities, no allowance for green space, and no thoroughfare for pedestrians. NSW planning guidelines set a clear limit for the heights of new buildings and stipulate that exceeding these height limits should only be considered where there is a clear benefit to the broader community or to the public good. We believe that the desire for increased residential density is simply an excuse to benefit the developer, at the expense of the community as a whole.</p> <p>We would like to clarify that we are not opposed to residential development on this site, nor do we oppose the inclusion of affordable housing in such a development, both as part of the broader housing needs of the community. Our objection is primarily to the scale of the development and the adverse effects of the proposed changes on neighbouring residents, as we believe there is no aspect of the development that justifies the proposed alterations and additions.</p> |          |                     |

# 5

## Updated Project Justification

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# 5 Updated Project Justification

The proposed development will deliver a high-quality residential development that incorporates a significant affordable housing component. The proposal optimises the development potential of the site by utilising the floor space ratio and building height incentive controls available under Chapter 2, Part 2, Division 1 of the Housing SEPP. The proposed density and built form of the development is appropriate for the site, which is located within an identified residential growth area and zoned R3 Medium Density Residential under the CRC SEPP.

Minor refinements have been made to address comments received during the public exhibition period and are designed to enhance the amenity and enjoyment of the development by its future users.

The proposed development remains consistent with the strategic and statutory planning context associated with the site and the development type, with any variations fully justified as detailed in the EIS and the Clause 4.6 Variation Request report.

Having considered all relevant matters, there will be no additional environmental impacts as a result of the proposed development, inclusive of the refinements made in response to comments received. Specifically, the refinements include additional measures to ensure any previously known and assessed impacts will be appropriately managed and mitigated where relevant.

The site is highly suitable for the proposed development, and the proposal serves the public interest by addressing the critical need for diverse housing options, including affordable housing, within a key and well-serviced growth area.

On this basis, the proposed development is appropriate for the site and approval is recommended, subject to appropriate conditions of consent.

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