

1-15 and 2-12 Conferta Avenue Rouse Hill (Tallawong  
Station South)

# Environmental Impact Statement (SSD 10425)

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## **1-15 AND 2-12 CONFERTA AVENUE ROUSE HILL (TALLAWONG STATION SOUTH)**

Staged construction of a mixed use development  
comprising residential apartments,  
retail/commercial uses, public domain works and  
landscaping including a publicly accessible park,  
new road, and land and stratum subdivision

**May 2020**

Prepared by

**Aaron Sutherland**  
B Town Planning UNSW

aaron@sutherlandplanning.com.au  
Tel: 0410 452 371  
PO BOX 814 BOWRAL NSW 2576

1.0	DECLARATION	6
2.0	EXECUTIVE SUMMARY	7
3.0	INTRODUCTION	9
4.0	SITE DESCRIPTION AND LOCATION	13
4.1	Location Description	13
4.2	Site Description	15
4.3	Surrounding Development	20
5.0	BACKGROUND	23
5.1	Deicorp	23
5.2	Concept Plan SSD 9063	23
5.3	Tallawong Station Design Review Panel	25
5.4	S4.55 Modification to Concept Plan SSD 9063	27
5.4.1	Amendment to the building footprints and envelopes for sites 1A, 1B, 2C and 2D	27
5.4.2	Amendment to the heights of the envelopes	32
5.4.3	Amendment to the basement, deep soil and street design	39
5.4.4	Amendment to Ownership Diagram	43
5.4.5	Amendment to the minimum residential visitor rate	44
6.0	DEVELOPMENT PROPOSAL	45
6.1	General Description	45
6.1.1	Site 1	45
6.1.2	Site 2	46
6.2	Numerical Summary	47
6.3	Staging	48
6.4	Commercial Use and Signage	48
6.5	Affordable Housing	49
6.6	Public Domain Works	50
6.7	Civil Design	50
6.8	Materials and Finishes	51
6.9	Access	51
6.10	Waste Removal	51
6.11	Open Space	52
6.12	Trees	53

6.13	Subdivision	53
6.14	Ecologically Sustainable Development	54
<b>7.0</b>	<b>SECRETARY'S REQUIREMENTS</b>	<b>55</b>
<b>8.0</b>	<b>STATUTORY PLANNING FRAMEWORK</b>	<b>64</b>
8.1	Environmental Planning Instruments	64
8.1.1	State Environmental Planning Policy (State and Regional Development) 2011	64
8.1.2	State Environmental Planning Policy (Sydney Region Growth Centres) 2006	65
8.1.3	Draft amendments to the State Environmental Planning Policy (Sydney Region Growth Centres) 2006	74
8.1.4	State Environmental Planning Policy (Infrastructure) 2007	75
8.1.5	State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004	76
8.1.6	State Environmental Planning Policy (Urban Renewal) 2010	76
8.1.7	State Environmental Planning Policy (Affordable Rental Housing) 2009	76
8.1.8	State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017	78
8.1.9	State Environmental Planning Policy No.55 – Remediation of Land	78
8.1.10	State Environmental Planning Policy No. 64 - Advertising and Signage	79
8.1.11	State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development	79
8.1.12	State Environmental Planning Policy No. 70 - Affordable Housing (Revised Schemes)	84
8.1.13	Draft State Environmental Planning Policy (Environment)	84
8.1.14	Draft State Environmental Planning Policy (Remediation of Land)	84
8.2	Concept Plan SSD 9063	85
8.3	Policies and Guidelines	101
8.3.1	NSW State and Premier's Priorities	101
8.3.2	Greater Sydney Regional Plan 2018 - A Metropolis of Three Cities	102
8.3.3	Central City District Plan	103
8.3.4	Towards our Greater Sydney 2056	103
8.3.5	Future Transport Strategy 2056	103
8.3.6	State Infrastructure Strategy 2018-2038	104
8.3.7	Sydney's Walking Future	104
8.3.8	Sydney's Cycling Future	105
8.3.9	Sydney's Bus Future	105
8.3.10	Development near Rail Corridors and Busy Roads – Interim Guidelines	105
8.3.11	Guide to Traffic Generating Developments, Roads and Maritime Services	106
8.3.12	Heritage Council Guidelines: Heritage Curtilages 1996; Design in Context 2005	106

8.3.13	Guide to investigating, assessing and reporting on Aboriginal Cultural Heritage in NSW	106
8.3.14	Better Placed	107
8.3.15	Draft Contaminated Land Planning Guidelines	110
8.3.16	Healthy Urban Development Checklist, NSW Health	111
8.3.17	NSW Aquifer Interference Policy	112
8.3.18	Planning for Bushfire Protection (2016)	112
8.3.19	Sydney Metro At Grade and Elevated Sections Corridor Protection Guidelines (2018)	113

## 9.0 ENVIRONMENTAL ASSESSMENT 114

9.1	Design Excellence and Built Form	114
9.2	Integration with Sydney Metro Station	116
9.3	Waste Management	117
9.4	Wind and Solar Reflectivity	120
9.5	Shopping Centre Management	120
9.6	Traffic and Parking	121
9.7	Visual and Amenity Impacts	123
9.8	Heritage	125
9.9	Ecological Sustainable Development	125
9.10	Construction Management	127
9.11	Bushfire	127
9.12	Biodiversity	127
9.13	Public Components	128
9.14	Utilities	129
9.15	Crime Prevention Through Environmental Design	129
9.16	Air Quality	130
9.17	Consultation	130
9.18	Environmental Risk Assessment	131
9.19	Cumulative Impact	134

## 10.0 MITIGATION MEASURES 135

## 11.0 JUSTIFICATION 137

## 12.0 CONCLUSION 139

## 1.0 DECLARATION

### DECLARATION

**Submission of Environmental Impact Statement:**

Prepared under Schedule 2 of the Environmental Planning and Assessment Regulation 2000.

**Environmental Impact Statement prepared by:**

Aaron Sutherland

Director, Sutherland & Associates Planning Pty Ltd

Bachelor of Town Planning UNSW

**Address:**

PO Box 814

Bowral NSW 2576

**In respect of:**

Environmental Impact Statement for State Significant Development Application for the construction of a staged mixed use development comprising residential apartments, commercial and retail uses, public domain works and landscaping including a publicly accessible park, new road and land and stratum subdivision at 1-15 and 2-12 Conferta Avenue, Rouse Hill (Tallawong Station Precinct South site) (SSD 10425)

**Declaration:**

It is declared that this Environmental Impact Statement has been prepared:

- in accordance with Schedule 2 of the Environmental Planning and Assessment Regulation 2000; and
- the statement contains all available information that is relevant to the environmental assessment of the proposed development; and
- to the best of my knowledge the information contained in this report is neither false nor misleading.



Aaron Sutherland

Director, Sutherland & Associates Planning Pty Ltd

May 2020

## 2.0 EXECUTIVE SUMMARY

This Environmental Impact Statement (EIS) has been prepared under section 4.12 (8A) of the Environmental Planning and Assessment Act 1979 (EP&A Act 1979) on behalf of Deicorp in support of a State Significant Development (SSD) Development Application (DA) for the purposes of a staged mixed use development comprising residential apartments, commercial and retail uses, public domain works and landscaping including a publicly accessible park, new road and land and stratum subdivision at 1-15 and 2-12 Conferta Avenue, Rouse Hill (Tallawong Station Precinct South site).

The site already benefits from a Concept Plan (SSD 9063) which was approved on 21 February 2019 for a mixed-use precinct, known as Tallawong Station Precinct South, including:

- building envelopes for up to 16 buildings of varying heights, to a maximum of eight storeys
- maximum gross floor area (GFA) of 93,393 m<sup>2</sup>
- residential development of up to 1,100 dwellings equating to approximately 85,000 m<sup>2</sup> GFA
- commercial, retail and community uses of approximately 9,000 m<sup>2</sup> GFA
- allocation of car parking and bicycle parking rates
- minimum 5% Affordable Housing
- landscaping of the site for public and private domain including a public park (approximately 3,411 m<sup>2</sup>)
- road layout.

Under Development Consent SSD 9063, the Minister for Planning and Public Spaces determined pursuant to s4.37 of the *Environmental Planning & Assessment Act 1979* that any subsequent stage of development with capital investment value of less than \$30 million is to be determined by the relevant authority and that stage of the development ceases to be State Significant Development. The proposed stage of the development exceeds \$30m and therefore continues to be State Significant Development.

The subject proposal including architectural plans prepared by Turner Architects, was presented to the Department of Planning, Industry and Environment in a request for the Secretary's Environmental Assessment Requirements (SEARs) for the proposal which were subsequently issued on 13 February 2020.

This EIS has been prepared in accordance with the requirements of Schedule 2 Part 2 of the Environmental Planning and Assessment Regulations 2000 (EP&A Reg 2000) and reviews the relevant environmental planning instruments as they apply to the site, provides an assessment of the potential effects of the proposal with reference to the SEARs issued for the development and the heads of consideration listed under section 4.15 of the EP&A Act 1979.

The proposed development has been the subject of an extensive workshop process with the Tallawong Station Design Review Panel which was established and managed by Landcom. The issues raised during the discussions and meetings have been resolved through an iterative process with the Panel and subsequent revisions and refinement to the proposal. The proposal is consistent with the design direction provided during this workshop process.

During the course of the workshop process the Design Review Panel provided independent expert design advice to assist the design development of the scheme. Refinements to the building envelopes were discussed. A S4.55 is lodged concurrently with the Development Application to reflect changes to the building envelope. The subject proposal will also deliver the public benefits identified in the approved Concept Plan (SSD 9063) including new road and bicycle/pedestrian network, and a new publicly accessible park within the site.

This EIS demonstrates that the proposed scheme will not result in any unreasonable impacts on adjoining properties, the locality or the environment. The proposal is consistent with the SEARs issued for the

development and the aims and objectives of the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 as well as the relevant key development standards and the specific objectives and design principles of the approved Concept Plan (SSD 9063) which applies to the site.

The proposal will provide a positive social and economic impact with regard to the development of the area, and as demonstrated within this report, the proposal does not result in any unreasonable adverse impacts upon adjoining properties and the public domain in terms of overshadowing, privacy, views or visual bulk and scale.

An assessment of the potential impacts concludes that the redevelopment of the site as proposed is consistent with the anticipated form of development under the Concept Plan, as proposed to be concurrently modified, and is compatible with the emerging character of the locality.

It is recommended that this State Significant Development application be approved because it generally represents the type and scale of development that is intended for the site, it is in accordance with the objectives of the strategic and statutory planning framework for the site, and any potentially adverse environmental impacts will be appropriately mitigated.

### 3.0 INTRODUCTION

This Environmental Impact Statement has been prepared by Sutherland & Associates Planning Pty Ltd on behalf of Deicorp Pty Limited to accompany a State Significant Development (SSD) Application for the purposes of a mixed use development comprising residential apartments, commercial uses, public domain works and landscaping including a publicly accessible park at 1-15 and 2-12 Conferta Avenue, Rouse Hill (Tallawong Station Precinct South site).

The proposed works are detailed in the architectural package prepared by Turner Architects. The application is also accompanied by the following:

Appendix	Document	Consultant
1	Architectural Package	Turner Architects
2	SEPP 65 Design Statement	Turner Architects
3	Materials and Colour Schedule	Turner Architects
4	Staging Plan	Turner Architects
5	Photomontages	Ivolve Studios
6	Landscape Plans	Turf Design Studio
7	Landscape Report	Turf Design Studio
8	Sustainability Report	Arup Australia Pty Ltd
9	BASIX Certificate	Efficient Living
10	Section J Report	Efficient Living
11	Geotechnical Investigation Report	EI Australia
12	Detailed Site Investigation	EI Australia
13	Remediation Action Plan	EI Australia
14	Sydney Water supporting letter	Greg Houston Plumbing
15	Civil Package	AECOM
16	Civil and Stormwater Report	AECOM
17	Flood Report	AECOM
18	MUSIC Model	AECOM
19	DRAINS Model	AECOM
20	Flood Model	AECOM
21	Mechanical and Electrical Report	JHA
22	Hydraulic Report	Australian Consulting Engineers
23	Fire Engineering Compliance Statement	Affinity Fire Engineering
24	Traffic Impact Assessment Report	Barker Ryan Stewart Pty Ltd
25	Road Safety Audit	Barker Ryan Stewart Pty Ltd

Appendix	Document	Consultant
26	Green Travel Plan	Barker Ryan Stewart Pty Ltd
27	Crime Prevention Report	Barker Ryan Stewart Pty Ltd
28	Construction Management Plan	Deicorp/Barker Ryan Stewart Pty Ltd
29	Waste Management Report	Elephants Foot
30	Accessibility Report	Access Building Solutions
31	Acoustic Report	Koikas Acoustics
32	BCA Compliance Report	City Plan
33	Arboricultural Report	Rain Tree Consulting
34	Wind Impact Assessment Report	Windtech
35	Solar Reflectivity Report	Windtech
36	Survey	Daw and Walton
37	Subdivision Plan	Daw and Walton
38	Stratum Plan	Daw and Walton
39	Preliminary Plan of Management for Shopping Centre	Deicorp
40	Pre-submission Consultation Statement	Deicorp
41	QS Report	Vittorio Catania Pty Ltd
42	Soil Landscape Strategy Specification	SESL
43	Dilapidation Report	Australian Consulting Engineers
44	Waste and Resource Recovery Plan	Elephants Foot
45	Clause 4.6 Request – Building Height	S & A Planning
46	Clause 4.6 Request – FSR	S & A Planning
47	Summary of TRG and DRP meetings	Deicorp
48	Electrical Infrastructure & Power Supply	DEP Consulting
49	Street Lighting Plan	JHA/DEP
50	Package for Sydney Metro Documents Appendix A - Letter for Grade and Elevated Sections Corridor Protection - Sydney Metro Appendix B – Survey Drawings Appendix C – Architectural plans relating to Sydney Metro Infrastructure Appendix D – Structural report for Sydney Metro Appendix E – Civil design package	

Appendix	Document	Consultant
	Appendix F – Geotechnical report	
	Appendix G – Acoustic report	
	Appendix H – Detailed site investigation	
	Appendix I – Electrolysis report	
	Appendix J – Dilapidation Report	

This Environmental Impact Statement has been prepared in accordance with the State Significant Development provisions of the Environmental Planning and Assessment Act 1979, the requirements of Schedule 2 of the Environmental Planning and Assessment Regulation 2000, and the SEARs issued for the project. The Statement details the proposal's consistency with the relevant strategic planning policies, and compliance against the applicable environmental planning instruments and planning policies including:

- State Environmental Planning Policy (Sydney Region Growth Centres) 2006
- State Environmental Planning Policy (State and Regional Development) 2011
- State Environmental Planning Policy (Infrastructure) 2007
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004
- State Environmental Planning Policy (Urban Renewal) 2010
- State Environmental Planning Policy (Affordable Rental Housing) 2009
- State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017
- State Environmental Planning Policy No. 55 – Remediation of Land
- State Environmental Planning Policy No. 64 – Advertising and Signage
- State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development and the Apartment Design Guide
- State Environmental Planning Policy No. 70 – Affordable Housing (Revised Schemes)
- Draft State Environmental Planning Policy (Environment)
- Draft State Environmental Planning Policy (Remediation of Land)
- Draft amendments to the State Environmental Planning Policy (Sydney Region Growth Centres) 2006
- Concept Plan application (SSD 9063)

Having regard to the applicable legislative framework, it is considered that the proposed development is consistent with the aims and objectives of the relevant environmental planning instruments, strategies and policies, including the Concept Plan (SSD 9063) as proposed to be concurrently modified, whilst being compatible with the emerging character of the locality and minimising any potential impacts on the amenity of the adjoining properties.

The proposed development has been the subject of an extensive workshop process with the Tallawong Station Design Review Panel which was established and managed by Landcom. The issues raised during the discussions and meetings have been resolved through an iterative process with the Panel and subsequent revisions and refinement to the proposal. The proposal is consistent with the design direction provided during this workshop process. During the course of the workshop process the Design Review Panel provided independent expert design advice to assist the design development of the scheme. Refinements to the building envelopes were discussed. A S4.55 is lodged concurrently with the Development Application to reflect changes to the building envelope.

The proposal will result in a very positive outcome for Tallawong and will introduce a vibrant mixed use development within a generously landscaped setting which will provide 9,000 square metres of commercial and retail uses which will significantly improve convenience retailing for the existing community as well as additional local jobs. The proposal will provide important public benefits including a new road network, pedestrian and cycling links through the site, as well as a generous new publicly accessible park. Finally, the proposal will also provide much needed housing in an ideal location which will take advantage of the recently completed Tallawong station, including minimum 5% affordable housing.

The subject proposal represents the culmination of a significant investment in the locality by Sydney Metro and also an extensive and deeply considered planning regime established for the site by Landcom in collaboration with the local community. The proposal fulfills the established aspirations for the site, demonstrates design excellence and is in the public interest.

## 4.0 SITE DESCRIPTION AND LOCATION

### 4.1 Location Description

The subject site is situated within the Blacktown Local Government Area in the suburb of Rouse Hill, approximately 16.5 km northwest of Parramatta. The site is located north of Schofields Road, Rouse Hill, generally between Cudgegong Road to the east and Tallawong Road to the west as illustrated in Figure 1 below. The recently completed Tallawong Station is located immediately to the north, whilst to the south of the site across Schofields Road is The Ponds which is a low to medium density residential community.

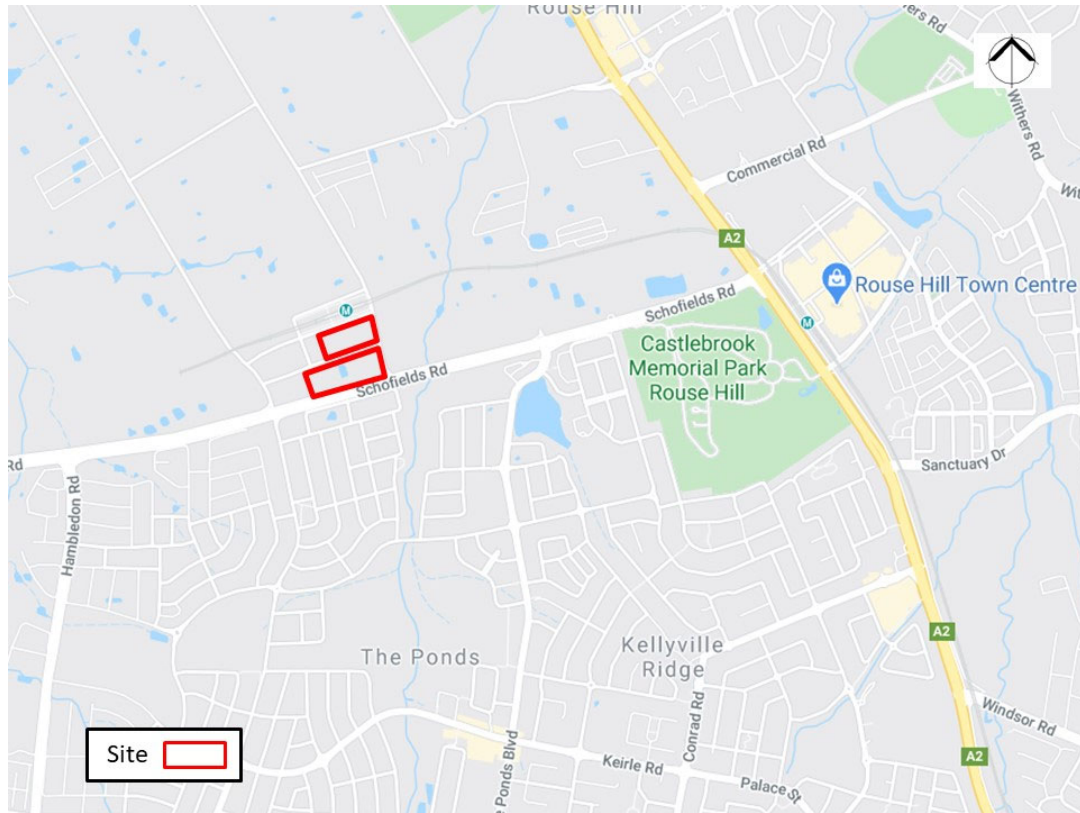


Figure 1:

Location plan: (Source: Google Maps 2020)

The site is located with the 'Area 20 Precinct' pursuant to the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 and specifically is part of the Cudgegong Road Local Centre under Schedule 4 Cudgegong Local Centre Development Controls of the Blacktown City Council Priority Growth Area Precincts Development Control Plan. The local centre includes land to the north of the Tallawong Station, the commuter car park area to the south of the station as well as the subject site.

The vision for the Area 20 Precinct including the Cudgegong Road Local Centre is described in the Development Control Plan as follows:

...The vision for Area 20 Precinct is to create a series of new walkable residential neighbourhoods supported by local retail, employment, community, open space and recreational opportunities. The majority of housing will be in medium density forms, such as semi-detached and townhouses, though the Precinct will provide for a range of densities,

dwelling types and affordability options including larger lots and standard detached houses, with apartments in close proximity to Rouse Hill Town Centre and its associated public transport opportunities.

The proposed North West Rail Link and new rail station near Cudgegong Road will introduce opportunities for a village centre linked to the station with surrounding higher density residential development and mixed use areas adjacent to the village centre and station. This will offer local residents improved access to jobs and services within the Precinct. Detailed provisions for the Cudgegong Station Area will ensure that the station, commuter car park and rail design is properly integrated with the surrounding land uses.



Figure 2:

Figure 4-1 from Schedule 4 Cudgegong Road (Area 20) Precinct showing the local centre within which the site is located

The subject site is specifically identified as being located within two of three sub-precincts for the local centre:

(b) A Mixed Use Precinct (B4 zone) immediately adjacent to the Retail Core to both the north and south side of the Station / Railway Corridor which can accommodate limited further retail and / or commercial uses together with residential flat buildings.

(c) A Medium Density Residential Precinct (R3) located to the south along Schofields Road to provide for increased residential densities within close proximity to the Station.

#### 4.2 Site Description

The site to which the approved Concept Plan (SSD 9063) relates is a broader superlot with a total area of approximately 70,424 square metres as illustrated in Figure 3 below.

However, new roads including Themeda Avenue, Conferta Avenue and Aristida Street have subsequently been constructed and dedicated to Blacktown City Council with new allotments created which now form the residual sites to which the subject application will relate.

These sites are known as Site 1 and Site 2 as detailed in the Table below and illustrated in Figure 4.

Site	Address	Legal Description	Size
1	2-12 Conferta Avenue, Rouse Hill	Lot 294 DP 1213279	16,240 square metres
2	1-15 Conferta Avenue, Rouse Hill	Lot 293 DP 1213279	27,030 square metres

Site 1 is bound by Cudgegong Road to the east, Themeda Avenue to the north, Conferta Avenue to the south and is adjacent to an at-grade commuter car park to the west.

Site 2 is bound by Cudgegong Road to the east, Conferta Avenue to the north, Schofields Road to the south and is also adjacent to an at-grade commuter car park to the west.

Both sites have been used extensively as work zones. Site 1 has been completely cleared of all improvements and vegetation, with the exception of a temporary pocket park on the northern side adjacent to Themeda Avenue. Site 2 is cleared of all buildings and contains a pond in the centre of the site as well as a small number of trees. The sites are currently contained by hoarding around each perimeter.

There are falls across the site from the high point at the north-west corner to the low point of the south-eastern corner. The fall from north to south across Site 1 is approximately 5 metres, which is more than the equivalent of 1 storey. The fall from north to south across Site 2 is approximately 3.5 metres or the equivalent of approximately 1 storey.



Figure 3:

Site plan for  
Concept  
Plan SSD  
9063  
(Source:  
Landcom)



Figure 4:

Site plan for  
subject  
proposal  
(Source:  
SixMaps)



Photograph 1:

Site 1 as viewed from the intersection of Themeda Ave and Cudgegong Road facing south-west



Photograph 2:

Site 1 as viewed from the intersection of Conferta Ave and Cudgegong Road facing north-west



Photograph 3:

Site 1 as viewed from the Conferta Ave facing north-east



Photograph 4:

Site 1 as viewed from the Themeda Ave facing south-east



Photograph 5:

The temporary pocket park located at the north-east corner of Site 1 adjacent to Themeda Avenue



Photograph 6:

Site 2 as viewed from the intersection of Conferta Ave and Cudgegong Road facing south-west



Photograph 7:

Site 2 as viewed from the intersection of Cudgegong Road and Schofields Road facing north-west



Figure 5:

Western boundary of Site 2 as viewed from the adjacent car park



Photograph 8:

Site 2 as viewed from Conferta Avenue facing south-east



Photograph 9:

Existing pond and trees within Site 2

#### 4.3 Surrounding Development

Immediately opposite to the north of Site 1 across Themeda Avenue is the recently completed Tallawong Station. Immediately adjacent to the west of each of Site 1 and Site 2 are large hard stand commuter car parks. Cudgegong Road to the east of the site gradually rises and becomes elevated at the northern end opposite the site as it crosses over the new railway line. To the east of Cudgegong Road is an Endeavour Energy Substation and the Second Ponds Creek reserve.

Schofields Road is located to the south of Site 2, beyond which is The Ponds housing estate which comprises low density detached housing.



Photograph 10:

Tallawong Station  
opposite to the north of  
Site 1

Photograph 11:

Cudgegong Road to the  
east of both sites



Photograph 12:

The Endeavour Energy  
Substation to the east of  
Cudgegong Road



Photograph 13:

Detached low density housing at The Ponds to the south of the site across Schofields Road

Photograph 14:

The commuter car park to the west of Site 2



Photograph 15:

The commuter car park to the west of Site 1

## 5.0 BACKGROUND

### 5.1 Deicorp

Deicorp is a well-known and highly respected builder and developer celebrating its 20th year of success in the industry. Deicorp is changing the way Sydneysiders live by creating, developing and delivering residential and commercial precincts that are high quality, sophisticated, and visually striking.

Deicorp's core values of quality, value and integrity ensure a high level of service delivery. Deicorp also believes in a strong strategic approach: conducting continuous market research to identify market needs, trends and demands, while maintaining a strong commitment to value, assurance of efficiency, and assessment of cost effectiveness.

Over the last 20 years Deicorp has successfully delivered landmark developments across Sydney including 900 apartments at Highline, Westmead comprising of 556 apartments in Stage 1 (nearing completion) and 344 apartments in Stage 2, adjacent to Westmead Train and Light Railway Station.

Deicorp has significant experience in affordable housing, delivering with the Aboriginal Housing Company, 62 affordable homes for Aboriginal and Torres Strait Islander people at Pemulwuy in Redfern. It recently completed its most successful development with the completion of South Village, Kirrawee, a mixed use residential and retail community consisting of 779 apartments and shopping centre with 15,000 sqm of retail. It plans to apply similar principles to the Tallawong Station precinct as it evolves into a North West Village in the rich growth corridor of North West Sydney.

### 5.2 Concept Plan SSD 9063

Sydney Metro is Australia's biggest public transport project. This new standalone railway will deliver 31 metro stations and more than 66 kilometres of new metro rail, revolutionising the way Sydney travels. The Metro North West Line opened in May 2019 between Tallawong and Chatswood.

The Metro North West Line, with 13 stations is a catalyst for urban renewal, providing connections to areas that will be transformed through both NSW Government and private investment. NSW Government-owned land surrounding the metro stations includes land that is no longer required to support operation. These sites have been made available for development that supports NSW Government priorities of housing affordability, local infrastructure delivery and economic development. Landcom is the master developer for government land around new stations. As a master developer, Landcom is leading studies to support planning for project sites, work with local councils, Department of Planning, Infrastructure and Environment and other government agencies, local business and communities to shape plans for projects. Landcom will appoint private sector development partners to deliver projects across the program.

In July 2018 Landcom lodged an application with the Department of Planning, Industry and Environment on behalf of Sydney Metro for a Concept Development Application (SSD 9063) for the Tallawong Station South Precinct for a mixed use development south of Tallawong Station, comprising the following:

- building envelopes for up to 16 buildings of varying heights, to a maximum of eight storeys
- maximum gross floor area (GFA) of 93,393 m<sup>2</sup>
- residential development of up to 1,100 dwellings equating to approximately 85,000 m<sup>2</sup> GFA
- commercial, retail and community uses of approximately 9,000 m<sup>2</sup> GFA
- allocation of car parking and bicycle parking rates
- minimum 5% Affordable Housing
- landscaping of the site for public and private domain including a public park (approximately 3,411 m<sup>2</sup>)

- road layout.

The Concept Plan application was subsequently approved on 21 February 2019.

Under the Development Consent for SSD 9063, the Minister for Planning and Public Spaces determined pursuant to s4.37 of the *Environmental Planning & Assessment Act 1979* that any subsequent stage of development with capital investment value of less than \$30 million is to be determined by the relevant authority and that stage of the development ceases to be State Significant Development, whilst conversely any development with a value in excess of \$30 million therefore remains State Significant Development.

The development consent for SSD 9063 contains conditions outlining the matters to be addressed as part of the future development applications. The relevant conditions of consent are reproduced in a table further in this Statement.

In accordance with section 4.24 of the *Environmental Planning & Assessment Act 1979*, any further development application cannot be inconsistent with the consent for the concept proposal for the site. Note subsection (2) does not prevent the modification of a consent for a concept development application. Consistency with the approved Concept Plan and the conditions of consent is addressed further in this Statement.



Figure 6:

Artist impression of Tallawong Station Precinct South, noting the image is taken from the concept stage in 2018 and has since been refined. Source: Landcom

Following approval of the Concept Plan, Landcom conducted a Call for Expressions of Interest (EOI) to potential development partners to deliver the project. Following the EOI stage, a shortlist of developers were invited to participate in a competitive tender and Deicorp was awarded the contract due to its strong track record in residential and mixed use developments, to create new places for communities to live, work, shop and play. Deicorp are responsible for securing the necessary development consent (guided by the approved Concept Plan) and for the construction and delivery of the project.

### 5.3 Tallawong Station Design Review Panel

Condition No. A20 of the Concept Plan states the following:

Prior to the lodgement of the first subsequent detailed development application, the Applicant shall finalise the Sydney Metro Northwest Design Excellence Strategy in consultation with the GA NSW to the satisfaction of the Planning Secretary.

A Design Excellence Strategy document, dated April 2019, has been subsequently prepared by Landcom and has been approved by the Department of Planning, Industry and Environment Secretary as satisfying the requirement of Condition No. A20. The Design Excellence Strategy:

- Describes the role of the Landcom Design Advisory Panel (DAP) and its interface with Sydney Metro's design excellence process through their Design Review Panel, Government Architect NSW (GANSW), Blacktown City Council (BCC) and other key stakeholders.
- Provides updated detail on the design excellence strategy for the future stages of the Tallawong development and outlines how design excellence will be achieved.
- Provides a summary of the entire design excellence process for the Tallawong Station South Precinct including the concept stage (completed) and future stages

The Design Excellence strategy outlines two phases of design excellence review following endorsement of the strategy, with the first being the competitive tender stage, and the second being the detailed design and development approval stage.

In relation to the first stage, a design review process was undertaken and a Design Evaluation Report prepared during the competitive selection process to nominate the preferred developer Deicorp for the project.

In relation the second stage, Landcom established the Tallawong Station Design Review Panel with the following experts:

Design Review Panel Members	Representing
Jane Irwin (Chair)	Landcom Design Advisory Panel
Roderick Simpson	Landcom Design Advisory Panel
Jane Threlfall	Government Architect NSW
Matt Sales	Blacktown City Council

The DRP provided independent expert advice to inform the development and resolution of the detailed proposal. The role of the DRP is advisory and it does not have a formal approval role for the Development Application. The DRP was responsible for undertaking critical design review to support good design outcomes and ensure the delivery of the principles and objectives of the approved concept proposal.

Landcom and Sydney Metro were joint secretaries who managed the meetings and minutes, and two observers from the Department of Planning, Infrastructure and Environment were present at every meeting.

Four Design Review Panel meetings were undertaken where lead presenter Turner Architects, in collaboration with other consultants for the project, presented the project and addressed a broad range of issues in progressively greater detail. These issues included:

- site arrangement and reconfiguration of some building envelopes
- retail strategy and pedestrian movement
- affordable housing
- building heights
- roads
- diversity in architecture and dwelling types
- internal connections
- external connections
- public domain interface
- landscape and open space
- place making
- sustainability
- servicing
- staging
- tree planting
- village green
- basement design
- car parking
- object buildings
- Conferta Avenue pedestrian crossing
- shared zone adjacent to the village green
- new precinct street
- water sensitive urban design
- residential lobbies interface
- diversity of housing
- streetscape

The meetings were conducted on the following dates:

Meeting	Date
DRP No. 1	25 November 2019
DRP No. 2	20 February 2020
DRP No. 3A	19 March 2020
DRP No. 3B	26 March 2020

The issues raised during the discussions and meetings have been resolved through an iterative process with the Panel and subsequent revisions and refinement to the proposal. The proposal is consistent with the design direction provided during this workshop process. The Design Review Panel have acknowledged in the meeting minutes that the scheme will be a great addition to Sydney.

#### 5.4 S4.55 Modification to Concept Plan SSD 9063

A Section 4.55 Modification to the approved Concept Plan SSD 9063 has been concurrently lodged with the subject application, for a number of refinements to the approved building envelopes in the Urban Design Report prepared by Bennett and Trimble, as well as amendments to some of the diagrams in the approved Design Quality Guidelines prepared by Bennett and Trimble. These amendments are illustrated in an Addendum Urban Design Report prepared by Turner Architects. The primary modifications are:

- Amendment to the building footprints and envelopes for sites 1A, 1B, 2C and 2D;
- Amendment to the heights of the envelopes;
- Amendment to the basement locations, deep soil locations, and soil on slab;
- Amendment to the street design for the street to the west of the park;
- Amendment to the ownership diagram; and
- Amendment to the minimum residential visitor parking rates.

These proposed modifications are discussed in further detail below.

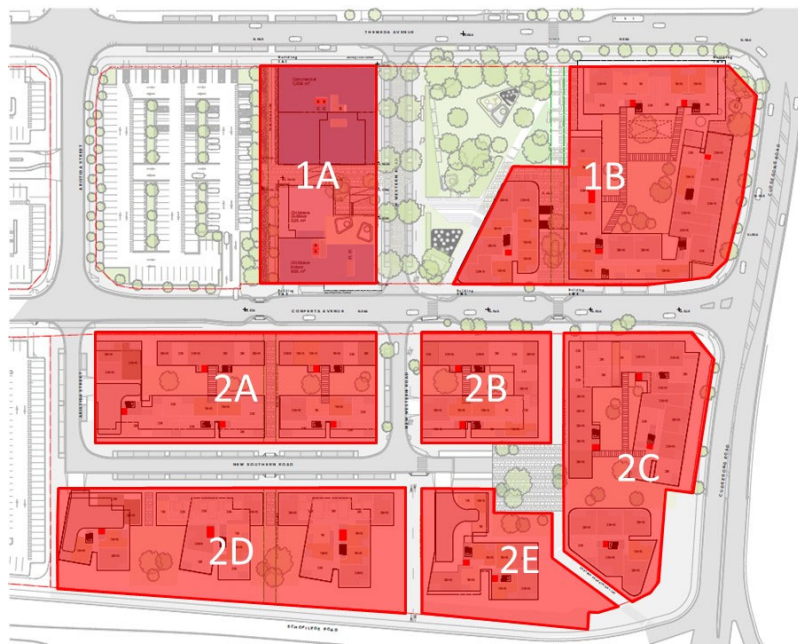
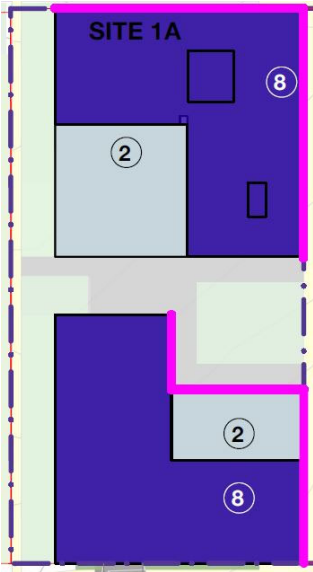
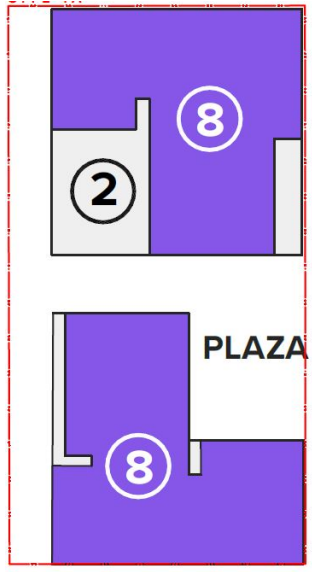

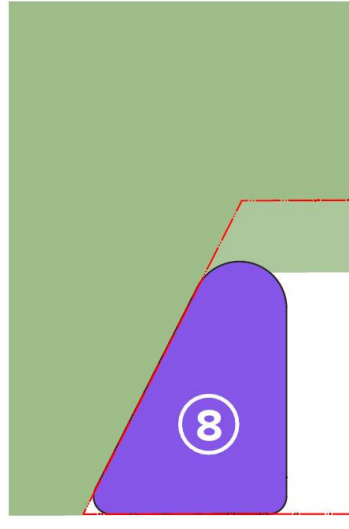

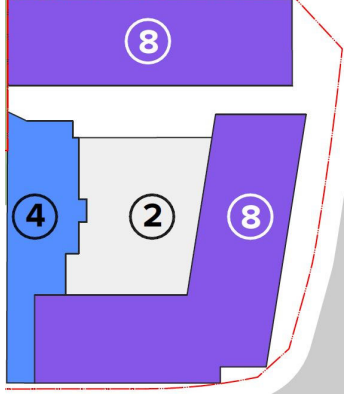


Figure 7:

Site plans with  
site labels

##### 5.4.1 Amendment to the building footprints and envelopes for sites 1A, 1B, 2C and 2D

As a result of a considered analysis of the approved building envelopes, a number of refinements and improvements have been identified. The primary modifications to the building envelope footprints are diagrammatically illustrated as follows:

Site	Approved	Modified
<p>1A</p> <ul style="list-style-type: none"> <li>Shift the built form to maximise solar access to the plaza and building façade</li> <li>Step the built form down to the park and commuter car park to provide opportunities for extended outdoor areas above</li> </ul>		
<p>1B (Park)</p> <ul style="list-style-type: none"> <li>Reduce building footprint to object building to provide a direct visual and physical connection to the pedestrian boulevard from the commuter car park, increasing the size of the park</li> </ul>		
<p>1B Retail</p> <ul style="list-style-type: none"> <li>Shift building forms to respond to new through site link</li> <li>Reconfigure the built form to define the corner of Cudgegong Road and Conferta Ave, creating a gateway to the residential precinct</li> </ul>		

Site	Approved	Modified
<p>2C</p> <ul style="list-style-type: none"> <li>• Redistribute built form to maximise solar access to plaza</li> <li>• Reduce building lengths to increase visual and physical permeability through the site</li> <li>• Redistribute heights to provide a lower scale building interface along the length of the pedestrian boulevard</li> </ul>		
<p>2D</p> <ul style="list-style-type: none"> <li>• Rotate buildings to orientate outlook north in response to solar access site building alignments</li> <li>• Reduce upper building widths to Schofields Road and remove step on southern façade.</li> </ul>		

A massing comparison of the approved building envelopes and proposed amendments to the building envelopes is illustrated in Figures 8 and 9 below:

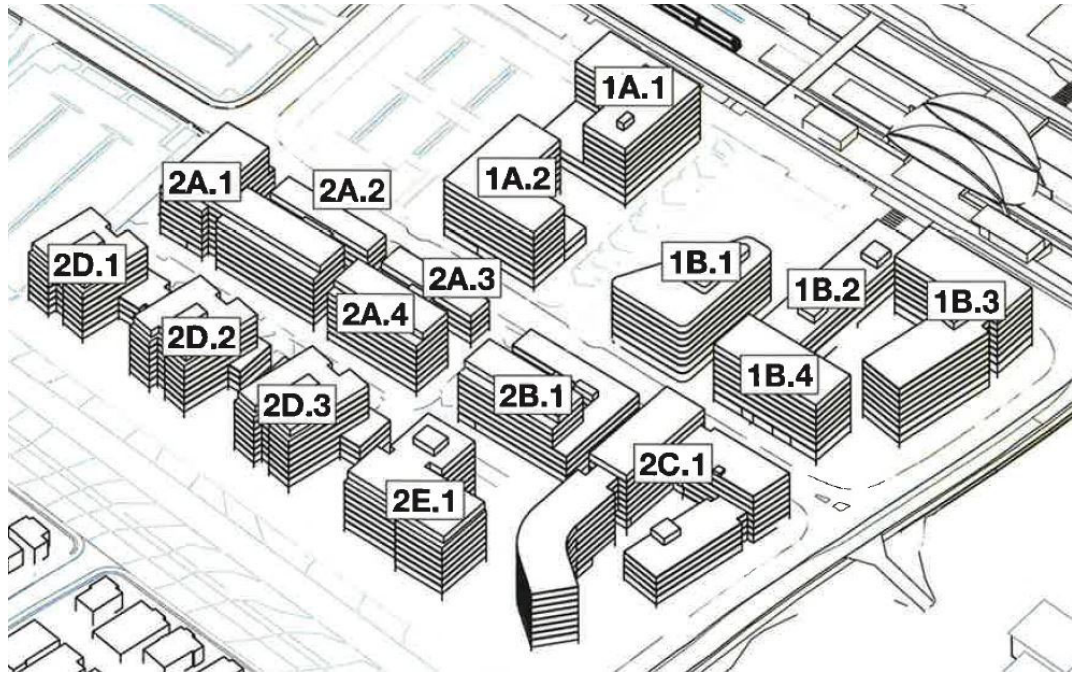


Figure 8:

Approved Concept Plan building envelopes

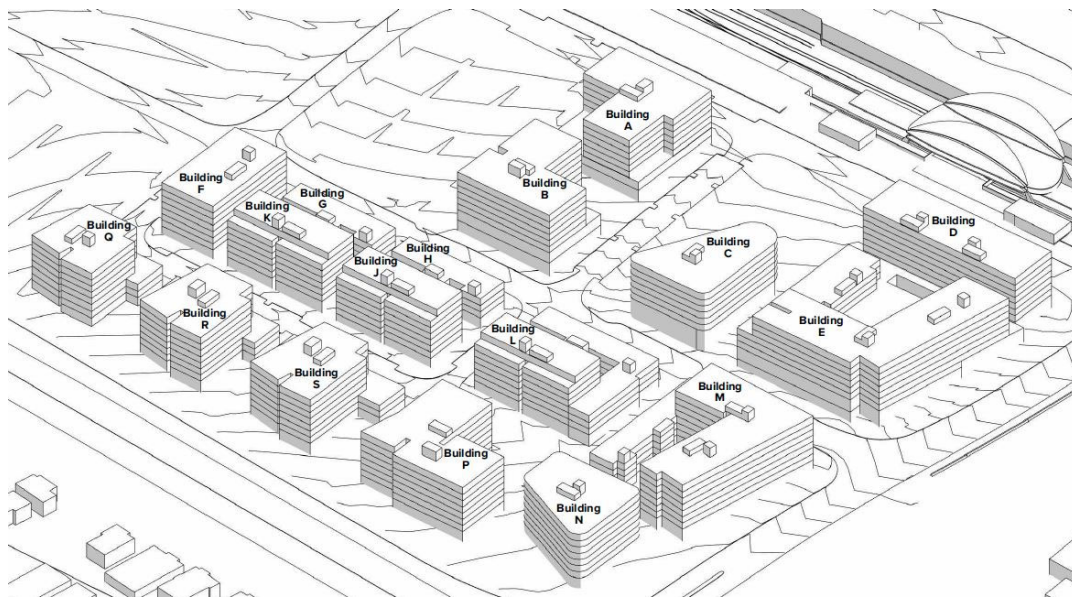


Figure 9:

Proposed amendments to Concept Plan building envelopes

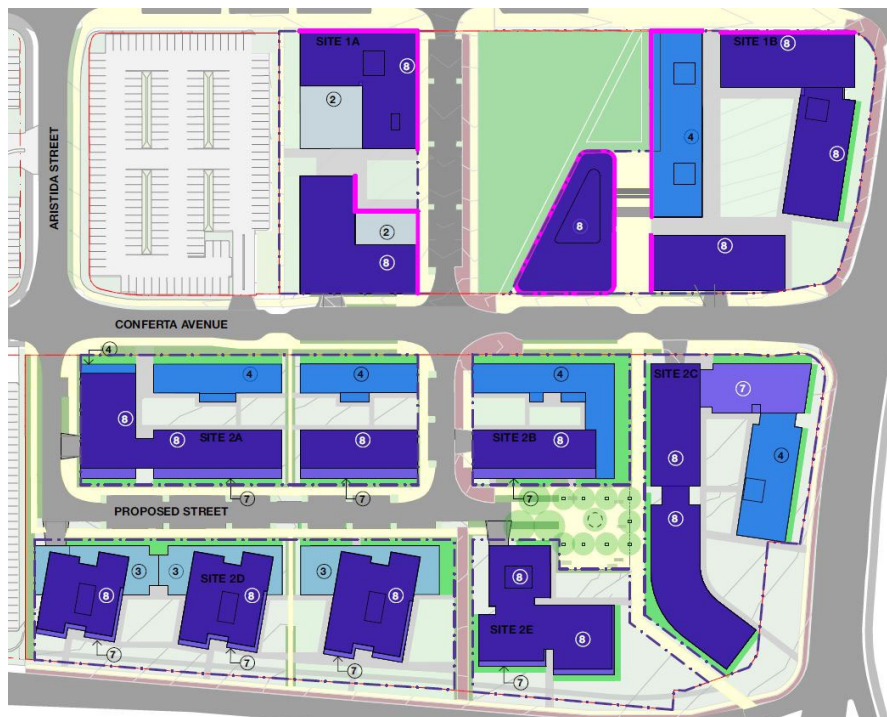


Figure 10:

Concept  
Plan  
approved  
storeys



Figure 11:

Proposed  
storeys for  
amended  
Concept  
Plan

#### 5.4.2 Amendment to the heights of the envelopes

The Concept Plan SSD 9063 provides for a range of building heights from 2 storeys to 8 storeys, as anticipated by the 26 metre height control. However, the Concept Plan approval also established that some variation to the height control is necessary due to the sloping topography of the site, the need for higher floor to ceiling heights for the commercial components of the project, and also the need for lift overruns to provide access to roof tops for high amenity communal open space areas. The Concept Plan SSD 9063 was accompanied by a Clause 4.6 request in relation to the various height variations, which was supported by the Department of Planning, Infrastructure and Environment.

Notwithstanding the above, as part of the preparation of this detailed development application, an analysis of the approved heights of the building envelopes by Turner Architects has identified that the heights of some of the buildings need to increase further for the following three reasons:

- Insufficient height was provided for the ground floor of the retail component with only 4 metre floor to ceiling heights instead of 6 metre;
- Lift overruns were not provided for many buildings; and
- Refinement of ground floor levels of various buildings to properly deal with the significant cross falls across the site and achieving appropriate accessibility grades as well as relationships between ground floor levels and the surrounding public domain.

Accordingly, it is proposed to amend the approved heights with minor to moderate changes across the Concept Plan.

Notwithstanding the increase to the heights for some buildings, most of the parapets in Site 2 are actually lower than the approved parapet heights in the Concept Plan. Furthermore, the proposed height variations do not result in any change to the approved number of storeys.

A visual representation of the approved Concept Plan and modified Concept Plan with the 26 metre height plane overlay is provided in Figures 12 and 13 below, whilst the table below these figures provides a detailed comparison of the proposal and approved heights

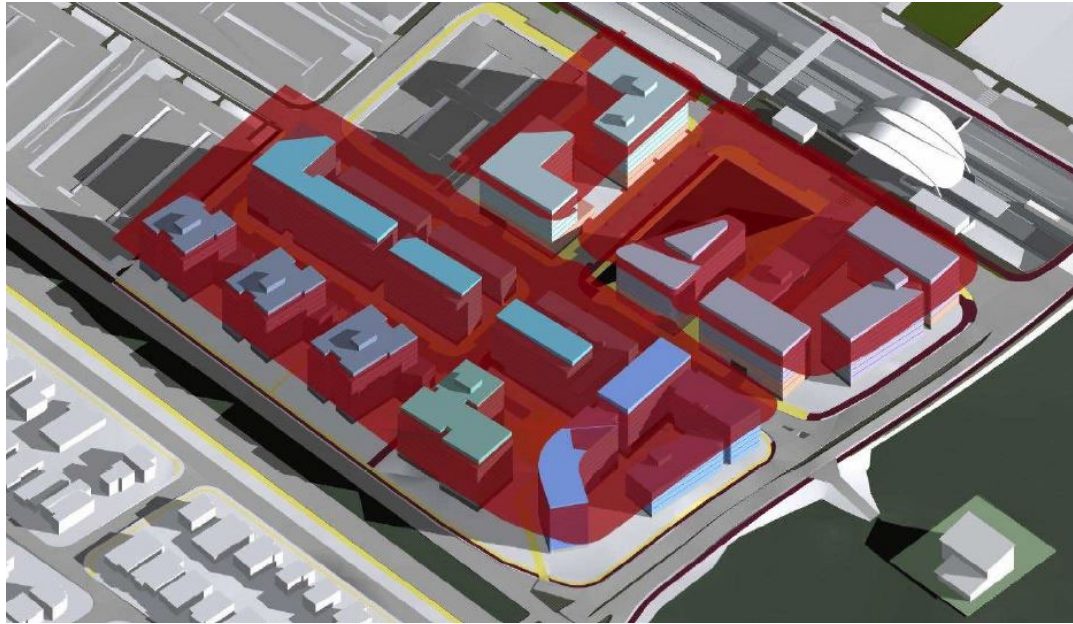


Figure 12:

Approved Concept Plan with 26 metre height plane

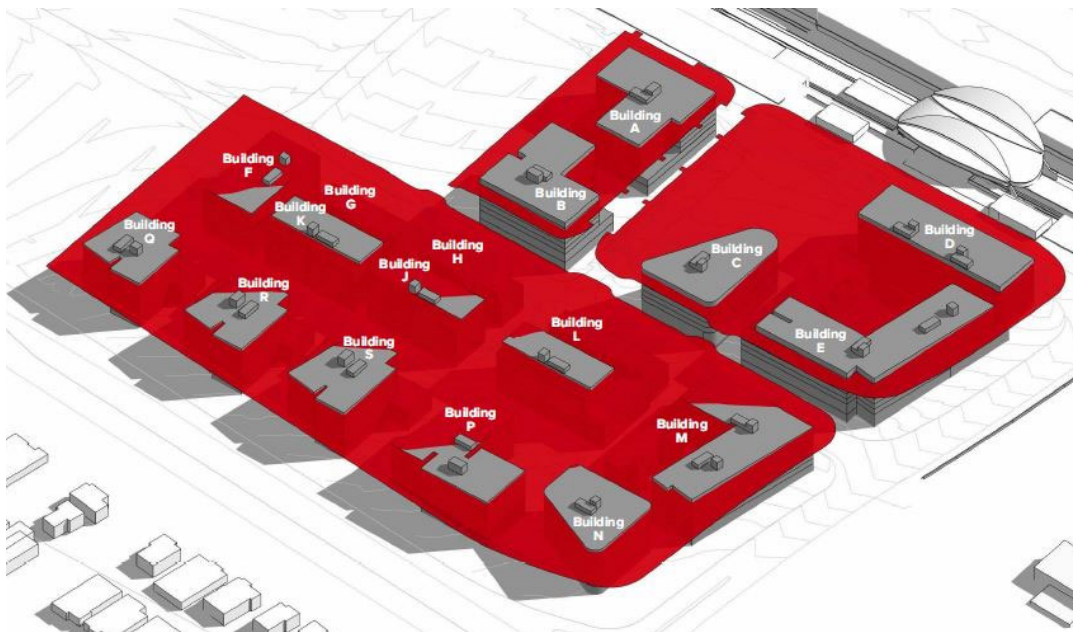


Figure 13:

Proposed amendment to Concept Plan with 26 metre height plane

The proposed increase in heights is illustrated in the table below:

Building Ref (Turner/ Concept)	Proposed Max height	Proposed variation to 26m height control	Concept approval Max height	Concept approval variation to 26m height control	Increase/ Decrease compared to Concept Plan
A/1A.1	<ul style="list-style-type: none"> <li>Parapet - 28.49m</li> <li>Lift overrun - 32.36m</li> </ul>	<ul style="list-style-type: none"> <li>Parapet - 2.49m (9.57%)</li> <li>Lift overrun - 6.36m (24.4%)</li> </ul>	<ul style="list-style-type: none"> <li>Parapet - 28.4m</li> <li>Lift overrun - 31.5m</li> </ul>	<ul style="list-style-type: none"> <li>Parapet - 2.4m (9.23%)</li> <li>Lift overrun - 5.5m (21.1%)</li> </ul>	<ul style="list-style-type: none"> <li>Parapet +0.09m</li> <li>Lift overrun +0.86m</li> </ul>
B/1A.2	<ul style="list-style-type: none"> <li>Parapet - 29.15m</li> <li>Lift overrun - 32.98m</li> </ul>	<ul style="list-style-type: none"> <li>Parapet - 3.15m (12.11%)</li> <li>Lift overrun - 6.98m (26.8%)</li> </ul>	<ul style="list-style-type: none"> <li>Parapet - 28.4m</li> <li>No Lift overrun</li> </ul>	<ul style="list-style-type: none"> <li>Parapet - 2.4 metres (9.2%)</li> <li>No lift overrun</li> </ul>	<ul style="list-style-type: none"> <li>Parapet +0.75m</li> <li>No previous lift overrun +4.58m</li> </ul>
C/1B.1	<ul style="list-style-type: none"> <li>Parapet - 27.46m</li> <li>Lift overrun - 31.05m</li> </ul>	<ul style="list-style-type: none"> <li>Parapet - 1.46m (5.6%)</li> <li>Lift overrun - 5.05m (19.4%)</li> </ul>	<ul style="list-style-type: none"> <li>Parapet - 27.4m</li> <li>Lift overrun - 28.8m</li> </ul>	<ul style="list-style-type: none"> <li>Parapet - 1.4m (5.38%)</li> <li>Lift overrun - 3.8 metres (14.6%)</li> </ul>	<ul style="list-style-type: none"> <li>Parapet +0.06m</li> <li>Lift overrun +2.25m</li> </ul>
D/1B.3	<ul style="list-style-type: none"> <li>Parapet - 30.1m</li> <li>Lift overrun - 33.35m</li> </ul>	<ul style="list-style-type: none"> <li>Parapet - 4.1m (15.7%)</li> <li>Lift overrun - 7.35m (28.2%)</li> </ul>	<ul style="list-style-type: none"> <li>Parapet - 28.5m</li> <li>Lift overrun - 29.9m</li> </ul>	<ul style="list-style-type: none"> <li>Parapet - 2.5m (9.6%)</li> <li>Lift overrun - 3.9m (15%)</li> </ul>	<ul style="list-style-type: none"> <li>Parapet +1.6m</li> <li>Lift overrun +3.45m</li> </ul>
E/1B.2 and 1B.4	<ul style="list-style-type: none"> <li>Parapet - 31.06m</li> <li>Lift overrun - 34.69m</li> </ul>	<ul style="list-style-type: none"> <li>Parapet - 5.06m (19.4%)</li> <li>Lift overrun - 8.69m (33.4%)</li> </ul>	<ul style="list-style-type: none"> <li>Parapet - 28.7m</li> <li>No Lift overrun</li> </ul>	<ul style="list-style-type: none"> <li>Parapet - 2.7 metres (10.4%)</li> <li>No lift overrun</li> </ul>	<ul style="list-style-type: none"> <li>Parapet +2.36m</li> <li>No previous lift overrun +5.99m</li> </ul>
F/2A.1	<ul style="list-style-type: none"> <li>Parapet - 26.62m</li> <li>Lift overrun - 30.50m</li> </ul>	<ul style="list-style-type: none"> <li>Parapet - 0.62m (2.3%)</li> <li>Lift overrun - 4.5m (17.3%)</li> </ul>	<ul style="list-style-type: none"> <li>Parapet - 28.6m</li> <li>No Lift overrun</li> </ul>	<ul style="list-style-type: none"> <li>Parapet - 2.6m (10%)</li> <li>No lift overrun</li> </ul>	<ul style="list-style-type: none"> <li>Parapet -1.98m</li> <li>No previous lift overrun +1.9 metres</li> </ul>
G/2A.2	<ul style="list-style-type: none"> <li>Parapet -</li> </ul>	<ul style="list-style-type: none"> <li>N/A -</li> </ul>	<ul style="list-style-type: none"> <li>Parapet -</li> </ul>	<ul style="list-style-type: none"> <li>N/A -</li> </ul>	<ul style="list-style-type: none"> <li>N/A -</li> </ul>

Building Ref (Turner/ Concept)	Proposed Max height	Proposed variation to 26m height control	Concept approval Max height	Concept approval variation to 26m height control	Increase/ Decrease compared to Concept Plan
	13.90m • Lift overrun – 18.79m	Compliant	15.1m • No Lift overrun	Compliant	Compliant
H/2A.3	• Parapet - 14.3m • Lift overrun – 19.19m	• N/A – Compliant	• Parapet - 14.3m • Lift overrun – 19.19m	• N/A - Compliant	• N/A - Compliant
J/2A.4	• Parapet - 26.6m • Lift overrun – 28.37m	• Parapet – 0.6m (2.3%) • Lift overrun – 2.37m (9.1%)	• Parapet - 27.5m • No Lift overrun	• Parapet - 1.5m (5.8%) • No lift overrun	• Parapet -0.9m • No previous lift overrun +0.87m
K/2A.1	• Parapet - 26.4m • Lift overrun – 28.22m	• Parapet – 0.4m (1.5%) • Lift overrun – 2.22m (8.5%)	• Parapet - 28.6m • No Lift overrun	• Parapet - 2.6m (10%) • No lift overrun	• Parapet -2.2m • No previous lift overrun -0.38m
L/2B.1	• Parapet - 26.6m • Lift overrun – 28.42m	• Parapet – 0.6m (2.3%) • Lift overrun – 2.42m (9.3%)	• Parapet - 28.5m • No Lift overrun	• Parapet - 2.5m (9.6%) • No lift overrun	• Parapet -1.9m • No previous lift overrun -0.08m
M/2C.1	• Parapet - 28.53m • Lift overrun – 31.83m	• Parapet – 2.53m (9.7%) • Lift overrun – 5.83m (22.4%)	• Parapet - 28.9m • No Lift overrun	• Parapet - 2.9m (11.1%) • No Lift overrun	• Parapet -0.37m • No previous lift overrun +2.93m
N/2C.1	• Parapet - 27.57m • Lift overrun – 31.77m	• Parapet – 1.57m (6%) • Lift overrun – 5.77m (22.2%)	• Parapet - 28.9m • No Lift overrun	• Parapet - 2.9m (11.1%) • No Lift overrun	• Parapet -1.33m • No previous lift overrun +2.87m
P/2E.1	• Parapet - 28.50m • Lift overrun – 31.60m	• Parapet – 2.5m (9.6%) • Lift overrun – 5.6m	• Parapet - 28.50m • Lift overrun – 29.6m	• Parapet 2.5m (9.6%) • Lift overrun – 3.6m	• Parapet no change • Lift overrun +2m

Building Ref (Turner/ Concept)	Proposed Max height	Proposed variation to 26m height control	Concept approval Max height	Concept approval variation to 26m height control	Increase/ Decrease compared to Concept Plan
		(21.5%)		(13.8%)	
Q/2D.1	<ul style="list-style-type: none"> <li>Parapet - 26.33m</li> <li>Lift overrun - 30.50m</li> </ul>	<ul style="list-style-type: none"> <li>Parapet - 0.33m (1.27%)</li> <li>Lift overrun - 4.5m (17.3%)</li> </ul>	<ul style="list-style-type: none"> <li>Parapet - 27.2m</li> <li>Lift overrun - 30.30m</li> </ul>	<ul style="list-style-type: none"> <li>Parapet - 1.2m (4.61%)</li> <li>Lift overrun - 4.3 metres (16.5%)</li> </ul>	<ul style="list-style-type: none"> <li>Parapet -0.87m</li> <li>Lift overrun +0.2m</li> </ul>
R/2D.2	<ul style="list-style-type: none"> <li>Parapet - 27.54m</li> <li>Lift overrun - 31.25m</li> </ul>	<ul style="list-style-type: none"> <li>Parapet - 1.54m (5.9%)</li> <li>Lift overrun - 5.25m (20.1%)</li> </ul>	<ul style="list-style-type: none"> <li>Parapet - 28.1m</li> <li>Lift overrun - 31.2m</li> </ul>	<ul style="list-style-type: none"> <li>Parapet - 2.1m (8%)</li> <li>Lift overrun - 5.2m (20%)</li> </ul>	<ul style="list-style-type: none"> <li>Parapet -0.56m</li> <li>Lift overrun +0.05m</li> </ul>
S/2D.3	<ul style="list-style-type: none"> <li>Parapet - 27.51m</li> <li>Lift overrun - 31.20m</li> </ul>	<ul style="list-style-type: none"> <li>Parapet - 1.51m (5.8%)</li> <li>Lift overrun - 5.2m (20%)</li> </ul>	<ul style="list-style-type: none"> <li>Parapet - 28m</li> <li>Lift overrun - 31.1m</li> </ul>	<ul style="list-style-type: none"> <li>Parapet - 2m (7.69%)</li> <li>Lift overrun - 5.1m (19.6%)</li> </ul>	<ul style="list-style-type: none"> <li>Parapet -0.49m</li> <li>Lift overrun +0.1m</li> </ul>

#### Floor to ceiling heights for retail component and lift overruns

The approved Concept Plan provided 4 metres ceiling height, but only provided 4.4 metres floor to floor height. In order to accommodate adequate services zones and transfer depths, a floor to floor height of 6 metres is required to achieve a 4 metre ceiling height.

In relation to lift overruns, it is noted that many buildings in the Concept Plan were not nominated with any lift overruns at all. This has two consequences, the first being that it is not possible to access the roof top for common open space, and the second being that no lift overrun at all above the roof level means that the lift overrun needs to be accommodated within the same horizontal zone at the top floor which means that the lift terminates at the second top floor and all apartments on the top two floors can only be two storey apartments. In addition, where lift overruns were nominated they only had a 3.1 metre height whereas 4.2 metres is required as this is the average requirement of most lift manufacturers.

A visual comparison of the approved Concept Plan and the proposed amendments in relation to floor to ceiling heights and lift overruns is provided in Figures 14 and 15 below.

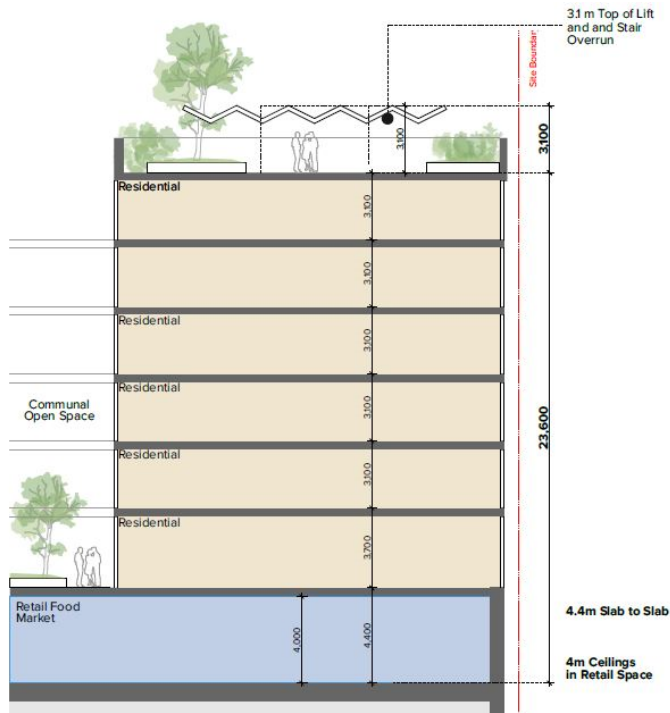


Figure 14:

Floor to ceiling heights and lift overrun in approved Concept Plan

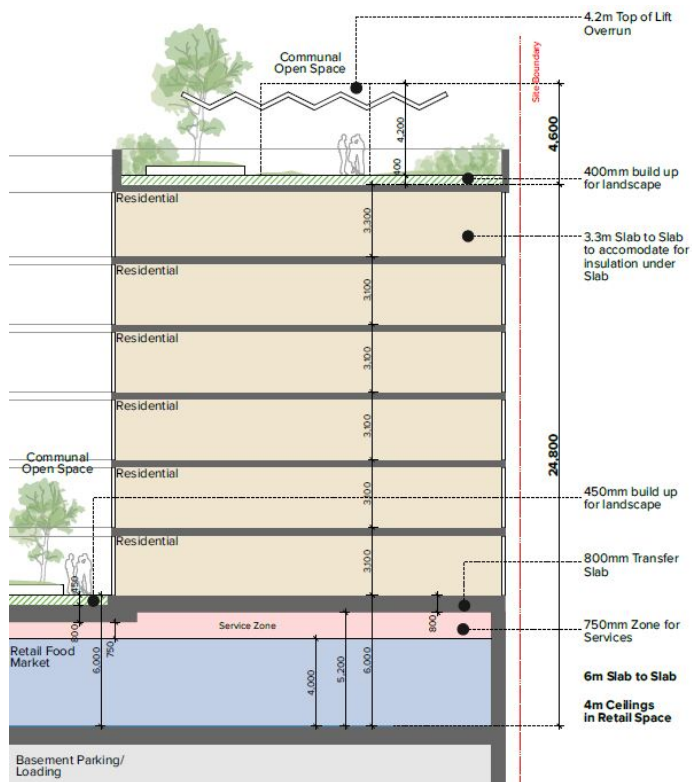


Figure 15:

Proposed amendments to floor to ceiling height and lift overruns

### Shadow Comparison

Whilst there are a range of increased height when compared to the Concept Plan which have resulted in changes to the shadow cast by the development when compared to the approved Concept Plan, as the parapets of all of the southern buildings have reduced there is actually a reduced shadow impact to the nearest sensitive properties at The Ponds across Schofields Road. This is illustrated in Figures 15, 16 and 17 below.

In relation to shadow impact to open space, whilst there is some increased shadow to the publicly accessible park, due to the location of the publicly accessible park at the northern end of the site it still enjoys extensive solar access and the majority of the park receives solar access from 10.30am to 3pm on 21 June.

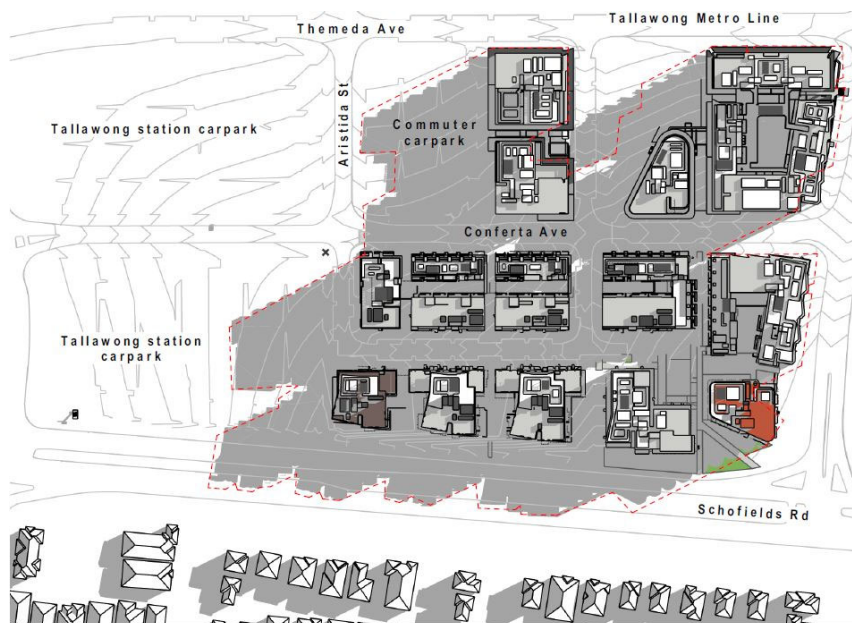


Figure 16:

9am shadow  
on 21 June  
(red line  
indicates  
approved  
Concept Plan  
shadow)



Figure 17:

12pm shadow  
on 21 June  
(red line  
indicates  
approved  
Concept Plan  
shadow)

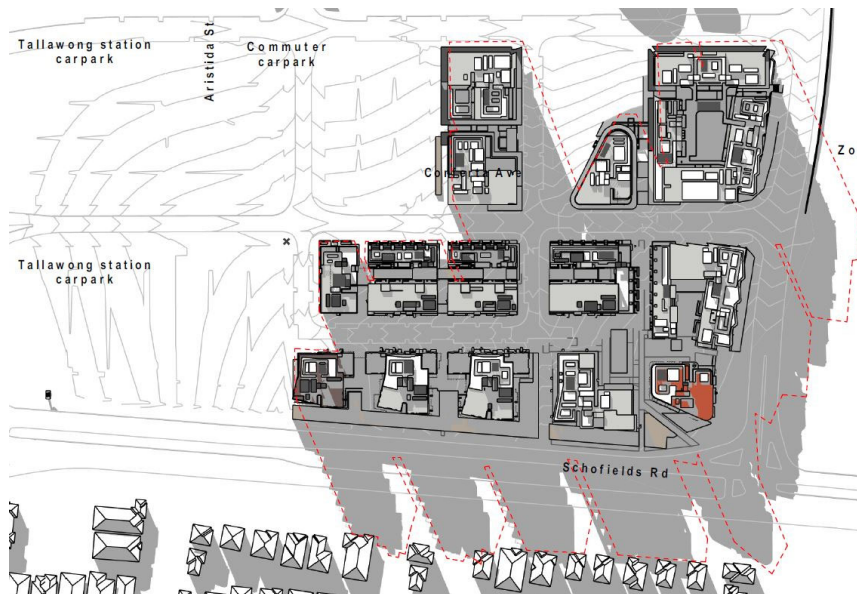


Figure 18:

3pm shadow  
on 21 June  
(red line  
indicates  
approved  
Concept Plan  
shadow)

### 5.4.3 Amendment to the basement, deep soil and street design

The approved Concept Plan anticipated that the public park within the development and the adjacent street to the west of the park would both be dedicated to Blacktown City Council and therefore would not contain any private development components below these components. This is reflected in the 'Basement Parking and Deep Soil Planting' and 'Ownership' diagrams in the approved Design Quality Guidelines prepared by Bennett and Trimble.

However, it is proposed that the park will be retained in private ownership and that public access of the park will be secured on title, as this provides more flexibility for the design of the park and a more intensive maintenance regime beyond that which would occur if the park was in public ownership. It

also provides the opportunity to extend the basement below the park which achieves the following improvements:

- Consolidated entry and exit points to the basement for retail visitors and residents, providing clearer legibility and way-finding across the town centre;
- Increased active frontage to the street through reduced/dedicated carpark entry widths;
- Improved connectivity between the parking and the retail and commercial tenancies across Site 1;
- A less complicated retail visitor parking strategy consolidated across bigger plates on fewer levels;
- Clearer distinction/separation between retail and residential vehicular movements and parking areas;
- A reduction in the depth of excavation required across the site; and
- No reduction in amenity, quality or function of the park and public domain.

Deicorp approached Blacktown City Council to consider private ownership of the park to deliver a higher quality public realm that is maintained at the cost of the stratum. On this basis, Blacktown City Council have agreed in principle for Deicorp to retain ownership of the park and the western adjacent street which is proposed to be designed as a private street.

In order to ensure that the park is still capable of supporting mature and generous trees and vegetation, a large soil 'vault' is proposed above the basement level with a minimum depth of 1.5 metres.

The changes to the basement and park design require an update to the following diagrams in the approved Design Quality Guidelines prepared by Bennett and Trimble, as illustrated in the Addendum Urban Design Report:

- 'Street Network and Hierarchy'
- 'Deep Soil Network'
- 'Basement Parking and Deep Soil Planting'

These changes have been presented to the Design Review Panel which has indicated that it appreciated the positive benefits that will be achieved for the development as a result of these refinements to the approved Concept Plan, provided that it could be demonstrated that the landscape quality of the park would not suffer as a consequence of the basement location under the park. The Landscape Report and Soil Landscape Specifications which accompany this application provide a detailed explanation in relation to this issue which demonstrate that the landscape quality of the park will not be compromised.

In addition to the above, the deep soil locations have also been refined to support rationalised basement layouts. The approved Concept Plan provision of deep soil was 2,358 square metres excluding the publicly accessible park, whilst the amended design is 4,258 square metres excluding the publicly accessible park.



Figure 19:

Approved  
Concept Plan  
basement and  
deep soil plan  
(2,358sqm deep  
soil)

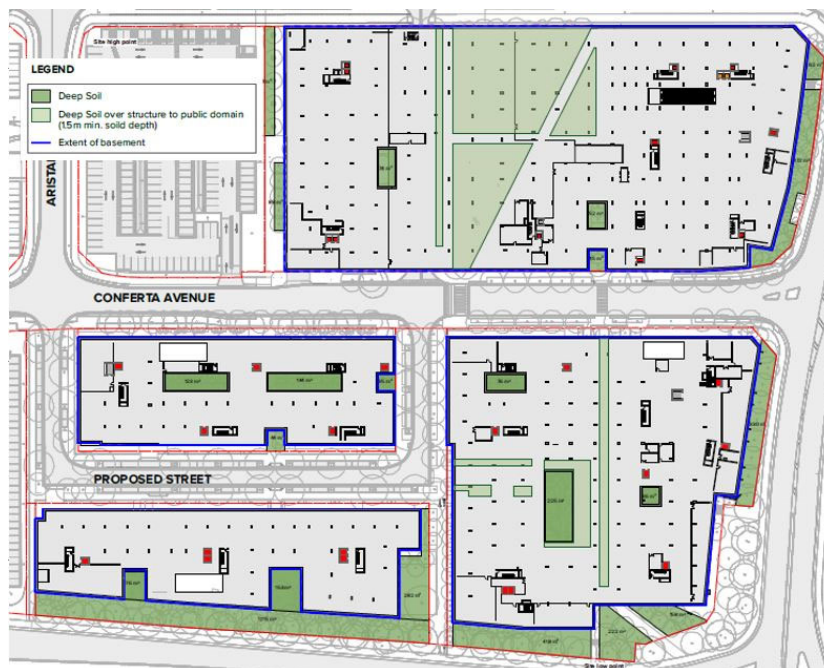


Figure 20:

Proposed  
amendments to  
basement and  
deep soil plan  
(4,258sqm deep  
soil)

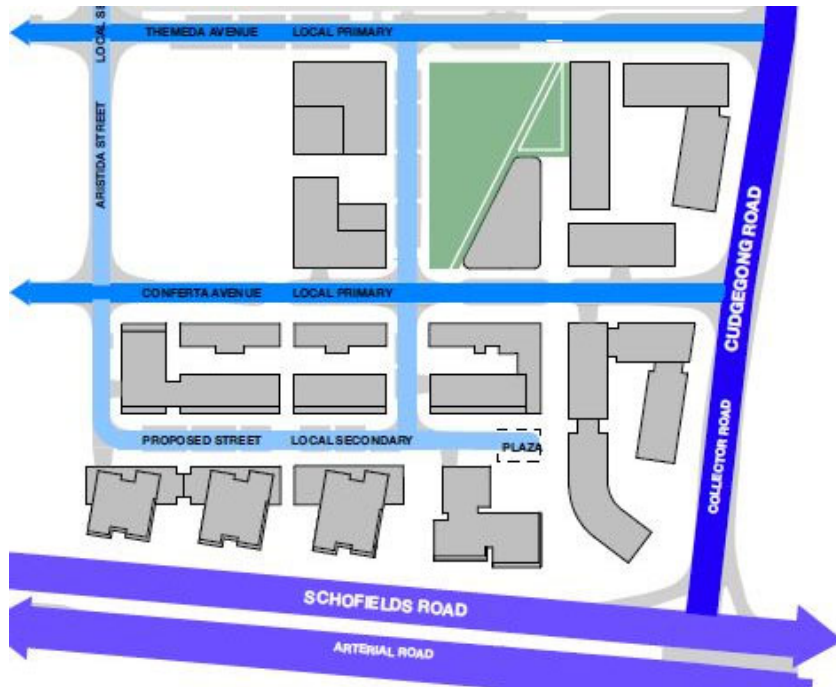


Figure 21:

Approved  
Concept Plan  
street network  
and hierarchy

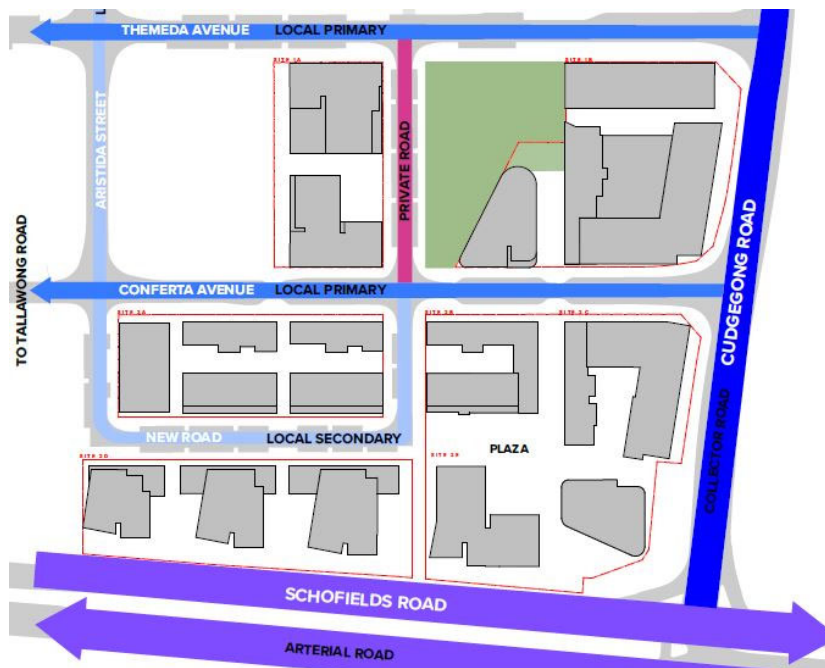


Figure 22:

Proposed  
amendments to  
street network  
and hierarchy

#### 5.4.4 Amendment to Ownership Diagram

Having regard to the agreed changes to the design and also the ownership structure for the park and adjacent road, it is proposed to amend the approved 'ownership' diagram as illustrated in the Addendum Urban Design Report prepared by Turner architects.

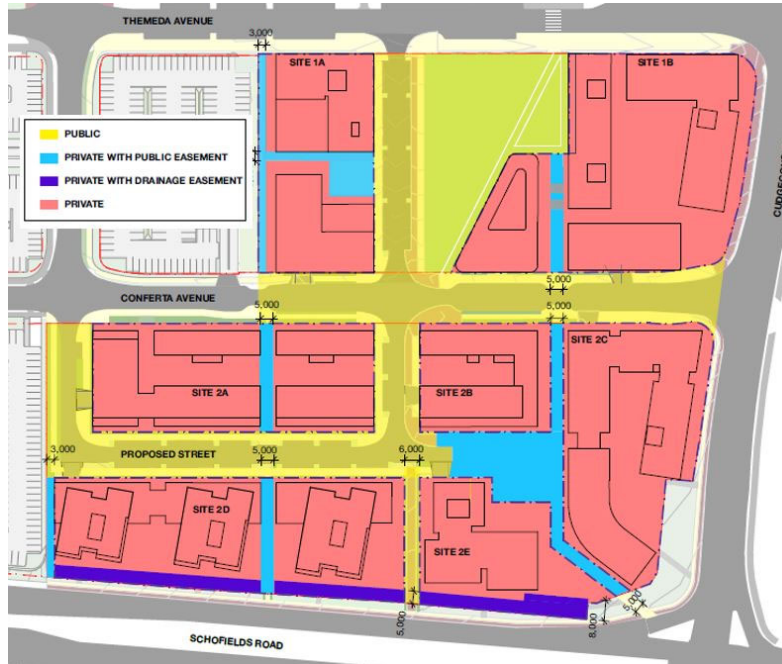


Figure 23:

Approved Concept  
Plan ownership plan

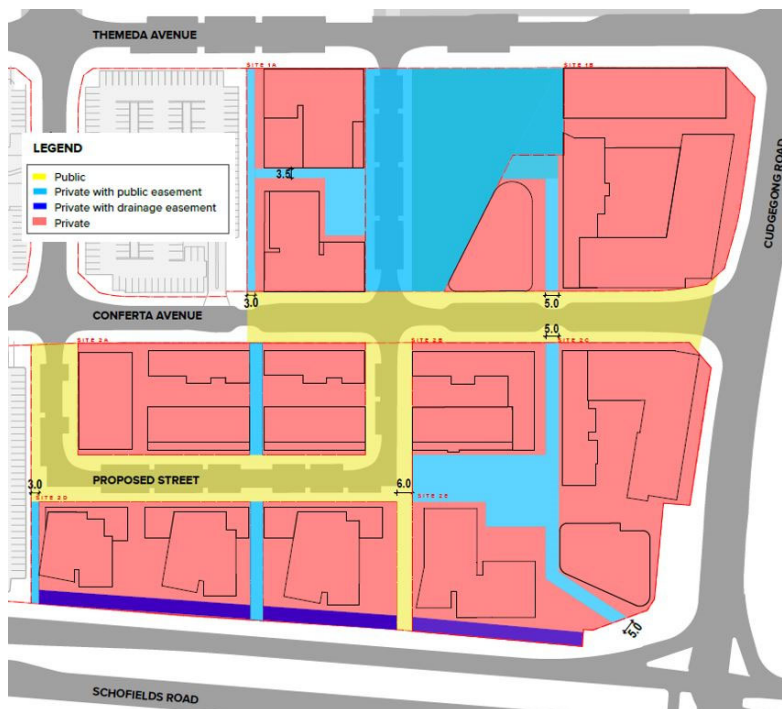


Figure 24:

Proposed amendments  
to ownership plan

#### **5.4.5 Amendment to the minimum residential visitor rate**

Condition A19 of the approved Concept Plan SSD 9063 nominates minimum car parking rates, including a minimum residential visitor rate of 1 space per 10 apartments. The proposed amendment seeks to reduce this minimum to 1 space per 35 apartment as a direct response to Condition B12 of the Concept Plan SSD 9063 which requires that the application is to include a parking strategy to maximise efficiency of car parking spaces including the consideration of sharing use of car spaces between land uses. It is considered that residential visitors can, and are likely to, use the retail parking capacity for visits to the site which supports a reduction in exclusive residential visitor parking.

# 6.0 DEVELOPMENT PROPOSAL

## 6.1 General Description

The subject application seeks consent for the construction of a staged mixed use development of the site consistent with the approved site layout, massing and building envelopes approved under Concept Plan SSD 9063, as follows:

- 17 buildings\* of between 2 and 8 eight storeys
- 93,393 square metres of gross floor area
- 987 dwellings comprised of 252 x 1 bedroom (26%), 682 x 2 bedroom (69%) and 53 x 3 bedroom (5%)
- 9,000 square metres of commercial and retail uses
- basement car parking for 1,368 cars comprising 1,040 residential spaces, 28 residential visitor spaces, and 300 non-residential spaces
- Minimum 5% Affordable Housing
- New public street and pedestrian connection in site 2
- New private street in site 1.
- Publicly accessible park (3,507 square metres) and western adjacent private street
- Landscaping of the site for public and private domain

(\*Note: The apparent difference in the number of buildings proposed in this application of 17 when compared to the identified 16 buildings under the Concept Plan is a result of a slightly different labelling method, as illustrated in Figures 8 and 9. There are no additional buildings proposed).

The proposal is consistent with the site layout and arrangement of uses as well as the building envelopes under Concept Plan SSD 9063, as proposed to be concurrently modified with this application.

### 6.1.1 Site 1

Site 1 is proposed to contain the mixed use component of the project. The proposed development of site 1 is comprised of the following:

- Common basement levels across the entire site containing residential and non-residential parking spaces.
- A central publicly accessible park and a private street along the western side of the park which connects Conferta Avenue to Themeda Avenue,
- The following buildings are proposed within Site 1 on either side of the central park:

Building	Storeys	Elements
Site 1A		
A	2/8	<ul style="list-style-type: none"> <li>• Ground floor retail</li> <li>• First floor commercial</li> <li>• 56 apartments</li> </ul>
B	2/8	<ul style="list-style-type: none"> <li>• Ground and upper retail</li> <li>• First floor commercial (child care)</li> <li>• 57 apartments</li> </ul>

Building	Storeys	Elements
Site 1B		
C	8	<ul style="list-style-type: none"> <li>Ground and upper retail</li> <li>45 apartments</li> </ul>
D	8	<ul style="list-style-type: none"> <li>Ground floor retail</li> <li>66 apartments</li> </ul>
E	8	<ul style="list-style-type: none"> <li>Ground and upper retail</li> <li>109 apartments</li> </ul>

### 6.1.2 Site 2

Site 2 is divided into three sub-precincts as a result of a proposed new public street and pedestrian connection. Each sub-precinct has its own common basement and garbage collection facility. The sub-precincts are described as follows:

Building	Storeys	Elements
Site 2A - western end facing north towards Conferta Ave		
F	8	49 apartments
G	4	12 apartments
H	4	12 apartments
J	8	46 apartments
K	8	46 apartments
Site 2B, 2C and 2E - eastern end facing Conferta Ave, Cudgegong Rd and Schofields Rd		
L	4/8	67 apartments
M	4/8	109 apartments
N	8	55 apartments
P	8	86 apartments
Site 2D - western end facing south towards Schofields Rd		
Q	3/8	45 apartments
R	3/8	60 apartments
S	3/8	67 apartments

## 6.2 Numerical Summary

Element	Proposed	
Site Area	<b>Site 1</b> 16, 240sqm	<b>Site 2</b> 27,030sqm
Gross Floor Area	<b>Site1</b> 37,526sqm	<b>Site 2</b> 55,867sqm
	Total – 93,393sqm	
FSR	<b>Site 1</b> 2.31:1	<b>Site 2</b> 2.067:1
Height	As per Concept Plan SSD9063 (as amended)	
Levels	2 to 8 storeys	
Park	3,507 square metres	
Apartments	987	
Car parking	1,368 cars comprising <ul style="list-style-type: none"> <li>• 1,040 residential spaces</li> <li>• 28 residential visitor spaces</li> <li>• 300 non-residential spaces</li> </ul> (Note: 10% of the residential parking spaces will have a electric charging point)	
Bicycle Parking	987 residential spaces 99 visitor spaces	
Common Open Space (Note: for the purpose of calculating common open space area, the site areas adopted are of each 'development' parcel and exclude the streets and the park)	<b>Site 1A</b> <ul style="list-style-type: none"> <li>• Site area: 3,904sqm</li> <li>• Common open space: 752sqm (19.2%)</li> </ul> <b>Site 1B</b> <ul style="list-style-type: none"> <li>• Site area: 7,364sqm</li> <li>• Common open space: 2,410sqm (36.8%)</li> </ul> <b>Site 2A</b> <ul style="list-style-type: none"> <li>• Site area: 4,764sqm</li> <li>• Common open space: 1,243sqm (26%)</li> </ul> <b>Site 2B, 2C, 2E</b> <ul style="list-style-type: none"> <li>• Site area: 11,570sqm</li> <li>• Common open space: 2,962sqm (25.6%)</li> </ul> <b>Site 2D</b> <ul style="list-style-type: none"> <li>• Site area: 6,237sqm</li> <li>• Common open space: 1,892sqm (30.3%)</li> </ul>	

Element	Proposed
	<b>Total</b> <ul style="list-style-type: none"> <li>Site area: 33,869sqm</li> <li>Common open space: 9,259sqm (27.3%)</li> </ul>
Deep Soil Area (Note: for the purpose of calculating deep soil the site area adopted is exclusive of the streets and the park)	<ul style="list-style-type: none"> <li>Site area: 33,869sqm</li> <li>Deep soil: 4,258 sqm (12.5%)</li> </ul>
Solar Access for apartments (Refer to Turner Architects schedule for detailed breakdown)	<b>Total</b> <ul style="list-style-type: none"> <li>70.1% - 2 hours between 9am-3pm</li> <li>13.1% - no-sun</li> </ul>
Cross Ventilation for apartments (Refer to Turner Architects schedule for detailed breakdown)	<b>Total</b> <ul style="list-style-type: none"> <li>60.1%</li> </ul>

### 6.3 Staging

The construction of the proposal will be staged as follows and as illustrated in the staging plan:

Stage	Site
1	Site 1A + 1B
2A	Site 2A
2B	Site 2B, C, E
2C	Site 2D

### 6.4 Commercial Use and Signage

The proposal is a mixed use development which provides 9,000 square metres of commercial floorspace. Careful consideration has been given to the design and location of the various commercial and retail components of the project to ensure the achievement of a vibrant and active retail destination for the locality. The arrangement of the retail tenancies ensure that activation of the street edges and the park has been maximised and the development will likely comprise convenience goods, food, beverage, cafes and eating out, retail services, medical, child care, gym, and other non-retail shopfronts which serve the local demand of residents, workers and commuters.

Consent is not sought within this application for the specific use and fitout of each tenancy, and this will be the subject of future fitout and use applications. Notwithstanding this, a preliminary Plan of Management for the Shopping Centre accompanies this application which includes details in relation to the management measures to be adopted for the ongoing management of the shopping centre.

It is noted that the Blacktown City Council Growth Centre Precincts Development Control Plan aims to restrict individual retail tenancies to a maximum of 300 square metres to ensure that retail uses in the B4 Mixed Use

zone do not compete with the B2 Local Centre to the north of the station. The Concept Plan SSD 9063 provided an exception to this for a metro style supermarket.

There are a variety of retail tenancies shown with differing configurations and sizes. There is one tenancy which is intended to become a metro style supermarket and the size of this tenancy has been designed for this purpose. Whilst there are some other retail areas which currently exceed 300 square metres, these areas have not been subdivided at this point in time to provide flexibility for the final size and configuration of the tenancies subject to market demand and leasing of the project following development consent. For this reason, development consent is not sought for any specific use or fitout in this proposal and it is anticipated that a condition of consent will be imposed which requires a separate Development Application to be lodged for the fitout and use of these tenancies in the future.

There is also no signage proposed as part of the subject application as the detailed arrangement of signage will be subject to market demand and leasing arrangements, and accordingly signage will be addressed in a subsequent development application.

#### 6.5 Affordable Housing

The approved Concept Plan 9063 requires that a minimum of 5% of the final number of dwellings will be provided as affordable housing targeted to very low, low and moderate income earners in line with *State Environmental Planning Policy (Affordable Rental Housing) 2009*, with this housing stock to be managed by a Community Housing Provider for a minimum of 10 years from the date of occupation.

Deicorp have an established relationship with Bridge Housing who are a registered community housing provider. Bridge Housing will be the community housing provider who will manage the affordable housing in the proposed development and have indicated their preference for the following distribution of the minimum 5% affordable housing units in the development as follows:

Apartments	Site 1	Site 2	Total
1 bed	5	10	15
2 bed	10	20	30
3 bed	2	3	5
Total	17	33	50

It is anticipated that conditions will be imposed by the consent authority to the effect that:

- for 10 years from the date of the issue of the occupation certificate:
  - the dwellings proposed to be used for the purposes of affordable housing will be used for the purposes of affordable housing, and
  - all accommodation that is used for affordable housing will be managed by a registered community housing provider, and
- a restriction will be registered, before the date of the issue of the occupation certificate, against the title of the property on which development is to be carried out, in accordance with section 88E of the Conveyancing Act 1919, that will ensure that the requirements of paragraph (a) are met.

## 6.6 Public Domain Works

The proposal will deliver a high quality public domain outcome for the area as an integral element of the development. There is a rich diversity of connections and spaces for residents, workers, commuters and the broader community throughout the two sites which will greatly improve the amenity and facilities within Rouse Hill. These public domain works comprise the following:

- New public street within Site 2 which serves to break up the superlot and achieve permeability, connectivity and address for the proposed buildings. The new street is also connected to Schofields Road to the south with a new pedestrian connection. These components of the development will be constructed and dedicated to Blacktown City Council.
- A new publicly accessible park and western adjacent private street. The Concept Plan SSD 9063 contemplated that these two elements would likely be constructed and dedicated to Blacktown City Council. However, during the course of consultation with Council throughout the preparation of the subject application an in-principle agreement has been reached that the park and western adjacent private street will remain in private ownership but with full and free public access secured on title. This approach achieves a number of public and design benefits, as it removes the obligations of maintenance of the park and adjacent street from Council. Furthermore, it facilitates greater design flexibility for the park and the street. In particular, the elements within the park can comprise bespoke furniture and other elements beyond Council's public domain standard. In addition, the design of the street to the west of the park can become a private street with pedestrian priority which is a significant design benefit as it allows a seamless public domain outcome from site 1A across to site 1B which assists in visually expanding the perceived size of the park as well as maximising retail synergy and activation within Site 1.
- Pedestrian and cycle connections. The Concept Plan SSD 9063 identifies a range of pedestrian and cycle connections through the site generally from north to south. These connections have been incorporated into the proposal and provide a very high level of permeability throughout the site. These connections will be secured on title for full and free public thoroughfare. The landscape package prepared by Turf Design which accompanies this application details a variety of finishes and landscape treatments for these connections including the incorporation of a variety of spaces for pedestrians and cyclists to pause and these connections will provide a rich tapestry of experiences throughout the ground floor plane of the development. The buildings adjacent to these connections have been designed to engage with the various links and to provide a high level of passive surveillance and safety for these links. Lighting is also incorporated through the connections to ensure safety and security throughout both the day and night.
- Upgrades to Conferta Avenue including car parking and pedestrian crossings.

## 6.7 Civil Design

Civil Drawings have been prepared by AECOM for the proposed development and accompany the subject application. The Civil Drawings include details in relation to the design for roads, earthworks and levels, intersections and basement, pavements, lighting, stormwater and utilities. These have been prepared with consideration for the requirements set out in technical studies and standards already existing which include but are not limited to:

- Blacktown City Council – Civil Works Specification (BCC, 2005)
- Blacktown City Council Growth Centre Precincts – Development Control Plan (DCP) (BCC, 2016).

## 6.8 Materials and Finishes

The proposed development provides a broad range of materials and finishes, but with familial elements to achieve architectural variety throughout the project, but also to ensure that a cohesive visual outcome is also achieved. The proposed materials and finishes are detailed in the architectural package provided by Turner Architects.

## 6.9 Access

### *Vehicle Access*

The road network surrounding the site has been recently established with the completion of Themeda Avenue to the north of the site and Conferta Avenue which separates Site 1 and Site 2. These streets provide connection to the surrounding wider road network including Windsor Road, and the arterial road network including the Westlink M7 in the south and suburbs such as Rouse Hill, Windsor and Richmond to the north.

The Concept Plan SSD 9063 identifies seven vehicle access points into the basements within the project. However, the proposed development has improved upon this and provides a consolidated outcome with two proposed from Conferta Avenue to Site 1, but only three proposed to Site 2 with one from Conferta Avenue which services Site 2B, 2C and 2E, and two from the new street to serve Sites 2A and 2D. Vehicular access to the residential and commercial components is separated.

### *Residential Access*

Each building is provided with a legible residential lobby that is accessed either directly from the adjacent street or the pedestrian network throughout the site. Direct pedestrian access is also provided to the majority of ground floor apartments from the adjacent street or pedestrian network.

## 6.10 Waste Removal

The proposed development provides for on-site waste collection as follows:

Site	Waste Collection Location
1A and 1B	Basement loading dock at south-eastern corner of the site
2A	At-grade loading dock at south-western corner of site
2B, 2C and 2E	At-grade loading dock at north-eastern corner of site
2D	At-grade loading dock at western end of site

During design development, a range of options for the location of the loading docks for waste collection was explored, both within the ground floor of each site and also within the basement. It was identified that basement collection would result in several unsatisfactory design outcomes with respect of increasing heights of buildings and excessive ramping and therefore blank edges. At-grade loading docks were considered to result in the least impact and the specific locations of the loading docks result in minimal impact to the design of the buildings in relation to blank facades and also disruption to optimised internal planning. This exploration is illustrated in the urban design report prepared by Turner Architects which accompanies this application.

A detailed discussion in relation to the design of the loading docks, bins storage and location, and methods for collection is included in the Waste Management Plan prepared by Elephants Foot which accompanies this

application. In summary, the loading docks have been designed to accommodate Council's waste vehicles which can enter and exit the loading dock in a forwards direction.

## 6.11 Open Space

### *Publicly Accessible Open Space*

The proposed development will deliver a publicly accessible park within Site 1 as anticipated by the Concept Plan SSD 9063. During design development the park has been increased in size from the anticipated 3,411 square metres to 3,507 square metres.

The approved Concept Plan anticipated that the park would be dedicated to Blacktown City Council and therefore would not contain any private development components below these components. This is reflected in the 'Basement Parking and Deep Soil Planting' and 'Ownership' diagrams in the approved Design Quality Guidelines prepared by Bennett and Trimble. Deicorp approached Blacktown City Council to consider private ownership of the park to deliver a higher quality public realm that is maintained at the cost of the stratum. As a result delivering a better outcome whilst also enshrining public accessibility. Blacktown City Council have agreed in principle for Deicorp to retain ownership of the park and the adjoining road.

The park is designed with a large soil 'vault' with a depth ranging from 1.5 metres to 3.26 metres which provides sufficient soil depth and volume to provide for mature and generous trees and vegetation. The park is the focal point and key place making feature within the development and is considered to be a critical component to the success of the commercial component of the development. It is a highly programmed space with a 'Village Green' at the northern end, a 'Playspace' at the southern end, and a variety of outdoor furniture and hardscape and softscape elements. The design of the park allows for passive and active recreation, and has also been designed as a flexible programmable space for a range of community activities and events. The park will provide a valuable asset for the community and is detailed in the landscape package prepared by Turf Design which accompanies this application.

### *Common Open Space*

The proposed development provides a variety of common open space areas for the residents in addition to the park in Site 1, comprised of both ground level spaces and also roof top common open space as follows as illustrated in the architectural plans:

Site	Site Area	Common open space
1A	3,904 square metres	752 square metres (19.2%)
1B	7,364 square metres	2,410 square metres (36.8%)
2A	4,764 square metres	1,243 square metres (26%)
2B, 2C, 2E	11,570 square metres	2,962 square metres (25.6%) (Note: part of this space is also publicly accessible, however, the definition of 'communal open space' in the Apartment Design Guide states that communal open space may be accessible to residents only, or to the public.)
2D	6,237square metres	1,892 square metres (30.3%)
<b>Total</b>	<b>33,869 square metres</b>	<b>9,259 square metres (27.3%)</b>

The proposed common open space exceeds the 25% minimum requirement of the Apartment Design Guide.

The communal open space areas will be used for a range of activities and will include barbeques, playground, soft landscaping and outdoor seating.

The development provides balconies for all apartments with a range of sizes which are generally greater than the size requirements of the Apartment Design Guide.

#### 6.12 Trees

Most of the Site has already been cleared as a result of the site preparation works being undertaken by Sydney Metro. A small amount of native vegetation remains in Site 2, however, works approved under Concept Plan SSD 9063 anticipates the removal of these trees on the basis that the site is wholly within Bio-Certified lands, and removal of vegetation from the site would not result in a significant impact on any threatened species or ecological community under the Biodiversity Conservation Act 2017 or Environment Protection and Biodiversity Conservation Act 1999.

Notwithstanding this, the redevelopment of the site will include a coordinated landscaping regime with generous new plantings which will achieve a high quality landscaped treatment for the site as illustrated in the landscape plans prepared by Turf Design which accompany this application.

#### 6.13 Subdivision

The proposal includes a subdivision regime which subdivides Site 1 into 4 stratum allotments, and subdivides Site 2 firstly into 3 torrens title allotments, and then further divides those lots into either torrens title lots or stratum lots for the various components.

The proposed method for the subdivision of Site 1 is illustrated in the table below:

Site 1 (Lot 293)	
Stratum Lot 1 (residential building 1A)	
Stratum Lot 2 (residential building 1B)	
Stratum Lot 3 (commercial/retail component)	
Stratum Lot 4 (park and road)	

The proposed method for the subdivision of Site 2 is illustrated in the table below:

Site 2 (Lot 293)	
Torrens Lot 2931	Stratum Lot 1 (building 2B)
	Stratum Lot 2 (building 2C)
	Stratum Lot 3 (building 2E)
Torrens Lot 2932	Torrens Lot 1 (building 2D)
	Torrens Lot (road)
Torrens Lot 2933	Torrens Lot 1 (building 2A)

**Site 2 (Lot 293)**

Torrens Lot (road)

The proposed subdivision of the site is illustrated in the draft plans of subdivision prepared by Daw & Walton surveyors. The final plans of subdivision will include all details of the Right of Ways for the pedestrian connections throughout the site and also to ensure that full and free access is provided to the park.

#### 6.14 Ecologically Sustainable Development

The proposed development has been designed to reflect best practice sustainable building principles to improve environmental performance, in relation to energy and water efficient design and technology and use of renewable energy. A Sustainability Report prepared by ARUP accompanies the subject application which details how ESD principles have been incorporated in the design and construction of the project and are intended to be incorporated in the ongoing operation of the development.

The proposed development has aimed to integrate a variety of sustainability initiatives outlined in regional policies, local planning policies, SEARs and commitments of Landcom, Sydney Metro and Deicorp. This draws from the sustainability actions identified within the concept approval and develops up implementation details appropriate to this stage of design. In addition, the project has been designed to comply, and seek, a 5-star Green Star Communities certification.

## 7.0 SECRETARY'S REQUIREMENTS

The Secretary's Assessment Requirements (SEARs) for the proposal were issued on 13 February 2020. A copy of the SEARs is appended to this application. The key issues to be addressed in the Environmental Impact Statement (EIS) are set out the following table along with an indication of where they have been addressed in this report.

Key Issue	Where addressed in EIS
<p><b>General Requirements</b></p> <p>The Environmental Impact Statement (EIS) must be prepared in accordance with, and meet the minimum requirements of clauses 6 and 7 of Schedule 2 of the Environmental Planning and Assessment Regulation 2000 (the Regulation).</p> <p>Notwithstanding the key issues specified below, the EIS must include an environmental risk assessment to identify the potential environmental impacts associated with the development.</p> <p>Where relevant, the assessment of key issues below, and any other significant issues identified in the risk assessment, must include:</p> <ul style="list-style-type: none"> <li>adequate baseline data</li> <li>consideration of the potential cumulative impacts due to other developments in the vicinity (completed, underway or proposed);</li> <li>measures to avoid, minimise and if necessary, offset predicted impacts, including detailed contingency plans for managing any significant risks to the environment; and</li> </ul> <p>The EIS must also be accompanied by a report from a qualified quantity surveyor providing:</p> <ul style="list-style-type: none"> <li>a detailed calculation of the Capital Investment Value (CIV) (as defined in clause 3 of the Regulation) of the proposal, including details of all assumptions and components from which the CIV calculation is derived. The report shall be prepared on company letterhead and indicate applicable GST component of the CIV;</li> <li>an estimate of jobs that will be created during the construction and operational phases of the proposed development; and</li> <li>certification that the information provided is accurate at the date of preparation.</li> </ul>	<ul style="list-style-type: none"> <li>Environmental Assessment: Section 9</li> <li>Risk/Mitigation: Section 10</li> <li>CIV</li> </ul>
<p><b>Environmental Planning Instruments (EPIs), Policies and Guidelines</b></p> <p>The EIS shall address the statutory provisions applying to the development contained in the relevant EPIs, including:</p> <ul style="list-style-type: none"> <li>State Environmental Planning Policy (State and Regional Development) 2011 and exhibited draft Sydney Metro Northwest SRD SEPP amendment</li> <li>State Environmental Planning Policy (Sydney Region Growth Centres) 2006 and any exhibited Draft Amendments relevant to the North-West Growth Centres</li> <li>State Environmental Planning Policy (Infrastructure) 2007</li> <li>State Environmental Planning Policy (Building Sustainability Index:</li> </ul>	Section 8

Key Issue	Where addressed in EIS
<p>BASIX 2004</p> <ul style="list-style-type: none"> <li>State Environmental Planning Policy (Urban Renewal) 2010</li> <li>State Environmental Planning Policy (Affordable Rental Housing) 2009</li> <li>State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017</li> <li>State Environmental Planning Policy No. 55 – Remediation of Land</li> <li>State Environmental Planning Policy No. 64 – Advertising and Signage</li> <li>State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development and the Apartment Design Guide</li> <li>State Environmental Planning Policy No. 70 – Affordable Housing (Revised Schemes)</li> <li>Draft State Environmental Planning Policy (Environment)</li> <li>Draft State Environmental Planning Policy (Remediation of Land)</li> <li>Any exhibited Planning Proposal or draft State Environmental Planning Policy related to the land.</li> </ul> <p>Address the relevant provisions, goals and objectives in the following:</p> <ul style="list-style-type: none"> <li>NSW State and Premier's Priorities</li> <li>A Metropolis of Three Cities</li> <li>Central City District Plan</li> <li>Towards our Greater Sydney 2056</li> <li>Future Transport Strategy 2056</li> <li>State Infrastructure Strategy 2018</li> <li>Sydney's Walking Future</li> <li>Sydney's Cycling Future</li> <li>Sydney's Bus Future</li> <li>Development near Rail Corridors and Busy Roads – Interim Guideline</li> <li>Guide to Traffic Generating Developments, Roads and Maritime Services</li> <li>Heritage Council Guideline on Heritage Curtilages 1996</li> <li>Heritage Council Guideline, Design in Context – guidelines for infill development in the Historic Environment, 2005</li> <li>Guide to investigating, assessing and reporting on Aboriginal Cultural Heritage in NSW (DECCW 2011)</li> <li>Better Placed – an integrated design policy for the built environment in NSW 2017 and relevant policy documents published by the Government Architect NSW</li> <li>Draft Contaminated Land Planning Guidelines</li> <li>Relevant Council policies, codes and guidelines (where required pursuant to relevant Local Environmental Plan)</li> </ul>	

Key Issue	Where addressed in EIS
<ul style="list-style-type: none"> <li>• Healthy Urban Development Checklist, NSW Health</li> <li>• NSW Aquifer Interference Policy (2012), Guidelines for Controlled Activities on Waterfront Land (2018) and any relevant Water Sharing Plans</li> <li>• Planning for Bush Fire Protection (2016)</li> <li>• Sydney Metro Underground Corridor Protection Guidelines or Sydney Metro at Grade and Elevated Sections Corridor Protection Guidelines as applicable (available from <a href="http://www.sydneymetro.info">www.sydneymetro.info</a>)</li> </ul>	
<b>Consistency with Stage 1 Concept Approval</b> The EIS must: <ul style="list-style-type: none"> <li>• demonstrate the proposal is consistent with the Concept Approval (SSD 9063)</li> <li>• provide details of consistency with any modification(s) to the concept approval if sought concurrently</li> </ul>	Section 8.2
<b>Land Use and Gross Floor Area</b> The EIS must: <ul style="list-style-type: none"> <li>• include a table identifying the proposed land uses including a floor-by-floor breakdown of gross floor area (GFA) and total GFA</li> <li>• include details of the proposed uses and/or operational details for the development, including but not limited to fit-out and operational details and preliminary operational management plan.</li> </ul>	Architectural package Section 6.2 Section 6.4
<b>Integration with Sydney Metro station infrastructure</b> The EIS must: <ul style="list-style-type: none"> <li>• identify the extent of the proposal that is State Significant Development (SSD) and how this relates to the approved Critical State Significant Infrastructure (CSSI) applications and any modifications to the CSSI</li> <li>• identify any specific requirements of the CSSI approval that has influenced the design</li> <li>• show how the proposal will integrate with the Sydney Metro station infrastructure such as design, access, way finding and activation</li> </ul>	Section 9.2
<b>Design Excellence and Built Form</b> The EIS must: <ul style="list-style-type: none"> <li>• demonstrate compliance with the approved Tallawong Station Precinct South Design Quality Guidelines and Design Excellence Strategy and submit the required documentation including details of how feedback from the Tallawong Station South Design Review Panel (TSS DRP) is addressed in the design</li> <li>• demonstrate how the design, built form and landscaping of blocks fronting Schofields Road (including setbacks to the top-most floor) would appropriately address the urban qualities of Schofields Road</li> </ul>	Section 9.1

Key Issue	Where addressed in EIS
<p>and the adjacent low-density residential suburb of The Ponds</p> <ul style="list-style-type: none"> <li>• demonstrate the proposal would maximise solar access to apartments, communal open space and the public realm</li> <li>• demonstrate the proposal achieves a high level of residential amenity for future residents in accordance with the requirements of State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development and the accompanying Apartment Design Guide.</li> <li>• demonstrate compliance with the approved public domain and landscape strategy and address the following matters: <ul style="list-style-type: none"> <li>• a diversity of native trees, shrubs and groundcover species from the relevant local native vegetation community (or communities) that once occurred on the site shall be used to landscape the site including street planting. Species selection criteria to consider climate adaptability</li> <li>• details and specifications for public domain works, street planting and infrastructure as required by Blacktown City Council</li> <li>• allow for appropriate landscape setbacks to ensure tree planting can be achieved in the private domain consistent with NSW government urban canopy targets.</li> </ul> </li> <li>• provide details of the following elements: <ul style="list-style-type: none"> <li>• architectural roof features such as projecting fins or poles</li> <li>• design and use of rooftop terrace areas</li> <li>• design and location of lift overrun and fire stair</li> <li>• subdivision</li> <li>• interim activation works</li> <li>• staging of development.</li> </ul> </li> </ul>	
<p><b>Traffic, Parking and Access (Operation)</b></p> <p>The EIS must include a traffic, parking and access assessment providing:</p> <ul style="list-style-type: none"> <li>• details of a car parking strategy which includes provision of car and bicycle parking for residential and non-residential uses, and consideration of sharing use of the car spaces between land uses</li> <li>• details on the likely estimated future mode share for the various users (residents, visitors, etc) accessing the proposed development measures to encourage users of the development to make sustainable travel choices, including a green travel plan, walking, cycling, public transport and car sharing, adequate provision of bicycle parking and end of trip facilities and the minimisation of private car trips</li> <li>• measures to include street tree planting</li> <li>• impacts of the proposed development on the operation of existing and future transport networks, in particular bus corridors, including</li> </ul>	<p>Section 9.6 and Appendices:</p> <ul style="list-style-type: none"> <li>• Traffic and Parking Assessment</li> <li>• Green Travel Plan</li> <li>• Landscape Package</li> </ul>

Key Issue	Where addressed in EIS
<p>the public transport capacity and its ability to accommodate the forecast number of trips to and from the development</p> <ul style="list-style-type: none"> <li>modelling and analysis of pedestrian and cyclist access to the proposed development in consultation with TfNSW, together with an assessment of pedestrian and cyclist safety and consideration of the relationship with design and operation of the station</li> <li>detailed assessment of the existing and future performance of key intersections providing access to the site, supported by appropriate modelling and analysis to the satisfaction of TfNSW</li> <li>measures to mitigate impacts of the proposed development on the capacity and operation of existing and future traffic, public transport, pedestrian and bicycle networks, including any required upgrades</li> <li>details of existing and proposed vehicle access arrangements, including parking, pedestrian safety management, loading dock and servicing management with consideration of precinct wide shared loading docks and/or remote or off-site loading zone hub facilities, ensuring all servicing and loading occurs on-site and does not rely on kerbside controls</li> <li>an assessment of pedestrian and cyclist safety with consideration of the relationship with design, access and operation of the station.</li> </ul>	
<p><b>Visual and Amenity Impacts</b></p> <p>The EIS must:</p> <ul style="list-style-type: none"> <li>provide a solar access and overshadowing analysis outlining impacts on adjoining developments and the public domain. The analysis must include, at a minimum, shadow diagrams at hourly intervals in mid-winter and additional diagrams to detail impacts on any affected public open space and private open space</li> <li>provide a reflectivity analysis identifying potential adverse glare conditions affecting motorists, pedestrians and occupants of neighbouring buildings</li> <li>include a wind assessment, identifying the impact of the proposal on surrounding wind conditions and any required measures to ameliorate wind impacts. Communal open spaces must remain fit for purpose with any adverse wind impacts ameliorated</li> <li>identify any other potential impacts of the proposal on the amenity of surrounding land uses and the public domain</li> <li>provide an operational acoustic report addressing any required noise mitigation measures.</li> </ul>	<p>Section 9.7 and Appendices:</p> <ul style="list-style-type: none"> <li>Architectural package</li> <li>Solar Reflectivity Report</li> <li>Wind Report</li> <li>Acoustic Report</li> </ul>
<p><b>Heritage</b></p> <p>The EIS must:</p> <ul style="list-style-type: none"> <li>provide an Aboriginal heritage impact statement (AHIS) that identifies and addresses the extent of Aboriginal heritage impacts of the proposal on the site and the surrounding area, including objects,</li> </ul>	<p>Section 9.8</p>

Key Issue	Where addressed in EIS
places or features (including biological diversity) of cultural value within the landscape. If Aboriginal Cultural Heritage is found at the site, a full Aboriginal Cultural Heritage Assessment Report together with document of required consultation must be provided.	
<p><b>Ecologically Sustainable Development (ESD)</b></p> <p>The EIS must:</p> <ul style="list-style-type: none"> <li>• detail how ESD principles (as defined in clause 7(4) of Schedule 2 of the EP&amp;A Regulation 2000) will be incorporated in the design, construction and ongoing operation of the development</li> <li>• include a framework for how the proposed development will reflect national best practice sustainable building principles to improve environmental performance, including energy and water efficient design and technology, use of renewable energy and best practice in waste management strategy including any opportunity for food scraps/composting strategies</li> <li>• detail how sustainable stormwater management including water sensitive urban design measures will be implemented and incorporated into the design of the development</li> <li>• identify impacts on surface and ground water sources, watercourses, riparian land, and groundwater dependent ecosystems, measures proposed to reduce and mitigate these impacts, and proposed surface and groundwater monitoring activities and methodologies</li> <li>• demonstrate sufficient waste and recycling management facilities and storage holding areas for servicing. A Sustainability Strategy for the development should be prepared.</li> </ul>	<p>Section 9.9 and Appendix:</p> <ul style="list-style-type: none"> <li>• Sustainability Report</li> </ul>
<p><b>Construction Pedestrian and Management Plan (including construction traffic)</b></p> <p>The EIS shall include a Construction Pedestrian and Management Plan, developed in consultation with TfNSW, providing:</p> <ul style="list-style-type: none"> <li>• identification of construction traffic-related impacts and development of mitigation measures</li> <li>• haulage movement numbers and transport routes between the site and the major road network</li> <li>• an assessment of road safety at key intersections and locations subject to pedestrian / vehicle / bicycle conflicts</li> <li>• detailed travel management strategy for construction staff to minimise their commuter trips</li> <li>• construction car parking strategy</li> <li>• pedestrian and cyclist links / routes being maintained</li> <li>• independent road safety audits on construction-related traffic measures</li> <li>• measures to account for any cumulative activities / work zones</li> </ul>	<p>Section 9.10 and Appendices:</p> <ul style="list-style-type: none"> <li>• Construction Management Plan</li> <li>• Road Safety Audit</li> </ul>

Key Issue	Where addressed in EIS
<p>operating simultaneously</p> <ul style="list-style-type: none"> <li>independent road safety audits undertaken for all stages of further design development. Any issues identified by the audits will need to be closed out to the satisfaction of the relevant road authorities</li> </ul>	
<p><b>Contamination and Remediation</b></p> <p>The EIS must:</p> <ul style="list-style-type: none"> <li>address the provisions of SEPP 55</li> <li>demonstrate the suitability of the site for the proposed use having regard to contamination and remediation</li> </ul>	<p>Section 8.1.9 and Appendices:</p> <ul style="list-style-type: none"> <li>Detailed Site Investigation</li> <li>Remediation Action Plan</li> </ul>
<p><b>Bushfire</b></p> <p>The EIS must address the relevant provisions of Planning for Bushfire Protection (PBP) (2006).</p>	Section 9.11
<p><b>Biodiversity</b></p> <p>The EIS shall provide an assessment of the proposal's biodiversity impacts in accordance with the Biodiversity Conservation Act 2016, including the preparation of a Biodiversity Development Assessment Report (BDAR) where required under the Act.</p>	Section 9.12
<p><b>Public Benefits, Contributions and/or Voluntary Planning Agreement</b></p> <p>The EIS shall address the provision of public benefit, services and contributions in consultation with key stakeholders, such as the Department, Council and TfNSW, and provide details of any voluntary planning agreement (VPA) or other legally binding instrument agreed between a relevant public authority and the Applicant.</p>	Section 9.13
<p><b>Utilities</b></p> <p>The EIS must:</p> <ul style="list-style-type: none"> <li>proposed and any augmentation requirements for utilities in consultation with relevant agencies</li> <li>identify any potential impacts of the proposed construction and operation on the existing utility infrastructure and service provider assets, and demonstrate how these will be protected, or impacts mitigated.</li> </ul>	Section 9.14
<p><b>Staging</b></p> <p>The EIS shall set out the construction staging of the proposed development, timing of public domain works and the staging of other relevant works.</p>	Section 6.3
<p><b>Pre-submission consultation statement</b></p> <p>The EIS shall include a report describing pre-submission consultation undertaken, including a record of the stakeholders consulted, the issues raised during the consultation and how the proposal responds to those issues.</p>	<p>Section 9.17 and Appendix:</p> <ul style="list-style-type: none"> <li>Pre-submission consultation statement</li> </ul>

Key Issue	Where addressed in EIS
<b>Plans and Documents</b> <p>The EIS must include all relevant plans, architectural drawings, diagrams and relevant documentation required under Schedules 1 and 2 of the Environmental Planning and Assessment Regulation 2000. Provide these as part of the EIS rather than as separate documents.</p> <p>In addition, the EIS must include the following:</p>	
clause 4.6 variation written request (if required)	Yes. Appendix 45 and 46
site title diagrams and survey plan, showing existing levels, location and heights of existing and adjacent structures/ buildings and boundaries	Yes. Appendix 36.
site analysis plan	Yes. Appendix 1.
subdivision plan	Yes. Appendix 37.
schedule of proposed gross floor area per land use and per lot	Yes. Appendix 1.
building envelopes showing the relationship with the precinct, (including envelope efficiency)	N/A. No building envelopes proposed.
indicative architectural drawings (to a useable scale at A3) including north point, RLs, scale bar and key dimensions	N/A. Plans are not indicative. Architectural drawings at Appendix 1.
architectural and urban design statement	Yes. Appendix 2.
physical model (if required by Council) and virtual model (illustrative images to be included in EIS)	Yes.
design guidelines and design excellence strategy	N/A. This relates to a Concept Plan application.
visual and view impact analysis and photomontages from key vantage points	Yes. Appendix 1 and 2.
staging plan and preliminary construction management statement	Yes. Appendix 1 and 28.
heritage impact assessment	N/A
transport traffic and parking assessment	Yes. Appendix 24.
solar access analysis report and diagrams	Yes. Appendix 1.
wind impact assessment (if required)	Yes. Appendix 34.
air quality report (if required)	N/A (addressed in Construction Management Plan)
waste strategy	Yes. Appendix 29.
flood impact assessment (including consideration of climate change impacts) and a storm water management strategy including any geotechnical assessment	Yes. Appendix 16.

Key Issue	Where addressed in EIS
soil and contamination report	Yes. Appendix 12.
ESD statement (incorporating a sustainability framework)	Yes. Appendix 8.
access / DDA impact statement	Yes. Appendix 30.
services and utilities impact assessment	Yes. Appendix 14 and 48.
signage details (if proposed)	N/A
noise and vibration report	Yes. Appendix 31.
CPTED assessment	Yes. Appendix 27.
pre-submission consultation report	Yes. Appendix 40.
bush fire assessment report	N/A
Sydney Metro Underground Corridor Protection Guidelines or Sydney Metro at Grade and Elevated Sections Corridor Protection Guidelines report	Yes. Appendix 41.
social infrastructure assessment (or similar) reviewing the impact on existing public open space and the proposed public open space value to the community.	N/A. Park already established by approved Concept Plan SSD 9063.

## 8.0 STATUTORY PLANNING FRAMEWORK

### 8.1 Environmental Planning Instruments

#### 8.1.1 State Environmental Planning Policy (State and Regional Development) 2011

The State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP) identifies development which is declared to be State Significant.

Under Schedule 1 of State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP) development within a rail corridor or associated with railway infrastructure that has a capital investment value of more than \$30 million for commercial premises or residential accommodation is identified as State Significant Development (SSD).

The term rail corridor is not defined in the SRD SEPP and therefore reference should be made to the definition in Clause 78 of the State Environmental Planning Policy (Infrastructure) 2007 (Infrastructure SEPP) which defines rail corridor as follows:

rail corridor means land:

(a) that is owned, leased, managed or controlled by a public authority for the purpose of a railway or rail infrastructure facilities, or

(b) that is zoned under an environmental planning instrument predominantly or solely for development for the purpose of a railway or rail infrastructure facilities, or

(c) in respect of which the Minister has granted approval under Part 3A or Part 5.1 or (before its repeal) Division 4 of Part 5 of the Act, or consent under Part 4 of the Act, for the carrying out of development (or for a concept plan for a project comprising or including development) for the purpose of a railway or rail infrastructure facilities.

For the purpose of the Concept Plan (SSD 9063) application, the Site was considered to meet the definition of rail corridor as:

- The Site was acquired by Transport for NSW for the purpose of the construction and operation of the Metro North West Line.
- The construction activities on the Site were approved under SSI 5414 in accordance with Part 5.2 of the EP&A Act.

Under Development Consent for the Concept Plan (SSD 9063), the Minister for Planning and Public Spaces subsequently determined pursuant to s4.37 of the *Environmental Planning & Assessment Act 1979* that any subsequent stage of development with capital investment value of less than \$30 million is to be determined by the relevant authority and that stage of the development ceases to be State Significant Development. Conversely, any stage of the development with a capital investment value of greater than \$30 million continues to be State Significant Development. The subject application has a capital investment value in excess of \$30 million and is therefore State Significant Development.

Development Control Plans do not apply to State Significant Development under Clause 11 of the SEPP.

### 8.1.2 State Environmental Planning Policy (Sydney Region Growth Centres) 2006

#### Zoning and Permissibility

Site 1 is located wholly within the B4 Mixed Use zone, whilst Site 2 is located predominantly within the R3 Medium Density Residential zone and partly within the SP2 Local Drainage zone pursuant to the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 as shown in Figure 25.

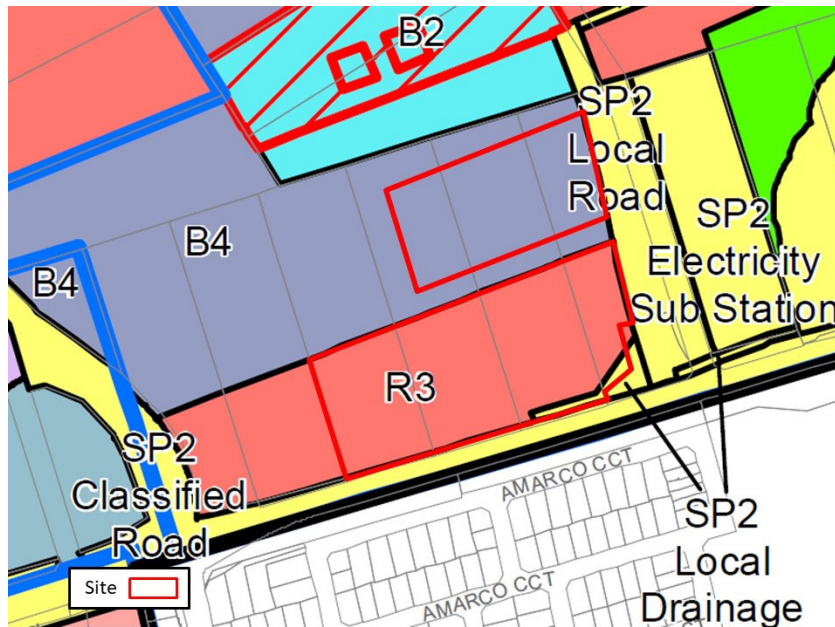


Figure 25:

Extract from  
SEPP zoning  
map

#### Site 1

The proposed development in Site 1 meets the definition of 'shop-top housing' as it comprises residential apartments above ground floor retail premises or business premises, which is permissible in the B4 Mixed Use zone.

Clause 2.3(2) of the SEPP provides that the consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within the zone.

The objectives of the B4 Mixed Use zone are:

- To provide a mixture of compatible land uses.
- To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.
- To facilitate active retail, commercial, entertainment and community uses at ground level of mixed use developments.
- To provide for residential development that contributes to the vitality of the local centre.
- To ensure that residential development adjacent to the local centre does not detract from the primary function of the centre being to provide for retail, business, entertainment and community uses.

The proposed development facilitates a mixture of retail and business uses in a highly accessible location immediately adjacent to the Tallawong Station which will which will maximise public transport patronage and encourage walking and cycling for the local community. This is especially relevant for the existing nearby community of The Ponds because its residents have previously needed to travel by car to access convenience retailing, and the proposed development will provide such services within walking distance. Residential apartments are integrated with the retail and business premises offering and will ensure a critical mass of occupants is achieved to ensure a vibrant outcome for the site. For the reasons given the proposed development of Site 1 is considered to be consistent with the objectives of the B4 Mixed Use zone.

## Site 2

The proposed development in Site 2 meets the definition of 'residential flat buildings' which is permissible in the R3 Medium Density Residential zone.

Clause 2.3(2) of the SEPP provides that the consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within the zone.

The objectives of the R3 Medium Density Residential zone are:

- To provide for the housing needs of the community within a medium density residential environment.
- To provide a variety of housing types within a medium density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To support the well-being of the community by enabling educational, recreational, community, religious and other activities where compatible with the amenity of a medium density residential environment

The proposed development provides for residential accommodation in the form of residential flat buildings which provide for the housing needs of the community within a medium density residential environment. For the reasons given the proposal is considered to be consistent with the objectives of the R3 Medium Density Residential zone.

It is noted that a small area of the proposed residential development in Site 2 encroaches approximately 9.5 metres onto land zoned SP2 Local Drainage. Whilst residential development is not ordinarily permitted in the SP2 zone, the proposal relies on Clause 5.3 Development near zone boundaries for approval of this part of the development, as already established by the approved Concept Proposal SSD9063. In particular, clause 5.3 provides that consent may be granted to development of land for any purpose that may be carried out in the adjoining zone (up to a maximum distance of 30 metres), but only if the consent authority is satisfied that:

- the development is not inconsistent with the objectives for development in both zones
- the carrying out of the development is desirable due to compatible land use planning, infrastructure capacity and other planning principles relating to the efficient and timely development of land.

The Concept Plan application established that not all the land zoned SP2 will be required to accommodate the stormwater flows from the site as a new bioretention basin is located to the east of Cudgegong Road rather than the west of Cudgegong Road to manage runoff from Council roads.

The objectives of the SP2 zone are:

- To provide for infrastructure and related uses.
- To prevent development that is not compatible with or that may detract from the provision of infrastructure.

The approved Concept Plan SSD 9063 established that the residential development in this location is consistent with these objectives as the land is not required for infrastructure and related uses and the residential development will not detract from the provision of infrastructure in this location.

#### Minimum lot sizes for residential development in Zone R3 Medium Density Residential

In accordance with clause 4.1AB the minimum lot size for a residential flat development on Site 2 is 2,000 square metres. The total site area of Site 2 is 27,030 square metres is well in excess of this requirement.

#### Residential Density

In accordance with clause 4.1B a minimum residential density of 45 dwellings per hectare applies to Site 2. The proposed development provides 654 dwellings across a site area of 27,030 square metres and therefore provides approximately 242 dwellings per hectare which exceeds the minimum density requirement.

#### Height

In accordance with clause 4.3 'Height of Buildings' the height of a building on any land is not to exceed the maximum height shown for the land on the 'Height of Buildings Map'. The maximum height shown for both Site 1 and Site 2 is 26 metres as shown in Figure 26.

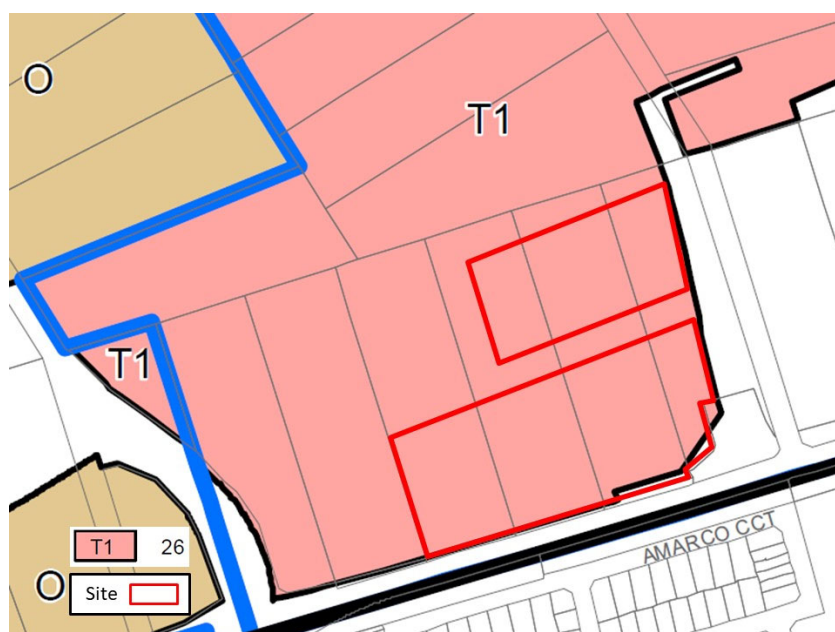


Figure 26:

Extract from  
SEPP height of  
buildings map

The Concept Plan SSD 9063 provides for a range of building height from 2 storeys to 8 storeys, as anticipated by the 26 metre height control. However, the Concept Plan approval also established that some variation to the height control is necessary due to the sloping topography of the site, the need for higher floor to ceiling heights for the commercial components of the project, and also the need for lift overruns to provide access to roof tops for high amenity communal open space areas. The Concept Plan SSD 9063 was accompanied by a Clause 4.6 request in relation to the various height variations, which was supported by the Department of Planning, Industry and Environment.

As discussed in Section 5.4.2 of this Statement, a concurrent S4.55 Modification has been lodged with the subject application to revise the heights of the approved building envelopes, as an analysis by Turner Architects has identified that the approved heights are insufficient to provide the necessary floor to ceiling heights for the retail components of the development, to provide for lift overruns, and to achieve an appropriate response to the fall of the site and the need to deal with accessible grades throughout the site as well as appropriate relationship between the ground floor apartments and surrounding public domain. The changes in height are illustrated in Figure 13 of this Statement.

In addition, whilst some heights have increased in comparison to the Concept Plan, there is also some reduction to the parapets heights for many buildings, as detailed in the table in Section 5.4.2.

The proposed development results in the following variations to the 26 metre height control:

Building Reference (Turner/ Concept)	Max parapet height	Max lift overrun height	Variation to 26m height control
A/1A.1	28.49 metres	32.36 metres	<ul style="list-style-type: none"> <li>Parapet – 2.49 metres (9.57%)</li> <li>Lift overrun – 6.36 metres (24.4%)</li> </ul>
B/1A.2	29.15 metres	32.98 metres	<ul style="list-style-type: none"> <li>Parapet – 3.15 metres (12.11%)</li> <li>Lift overrun – 6.98 metres (26.8%)</li> </ul>
C/1B.1	27.46 metres	31.05 metres	<ul style="list-style-type: none"> <li>Parapet – 1.46 metres (5.6%)</li> <li>Lift overrun – 5.05 metres (19.4%)</li> </ul>
D/1B.3	30.10 metres	33.35 metres	<ul style="list-style-type: none"> <li>Parapet – 4.1 metres (15.7%)</li> <li>Lift overrun – 7.35 metres (28.2%)</li> </ul>
E/1B.2 and 1B.4	31.06 metres	34.69 metres	<ul style="list-style-type: none"> <li>Parapet – 5.06 metres (19.4%)</li> <li>Lift overrun – 8.69 metres (33.4%)</li> </ul>
F/2A.1	26.62 metres	30.50 metres	<ul style="list-style-type: none"> <li>Parapet – 0.62 metres (2.3%)</li> <li>Lift overrun – 4.5 metres (17.3%)</li> </ul>
G/2A.2	13.90 metres	18.79 metres	<ul style="list-style-type: none"> <li>N/A - Compliant</li> </ul>
H/2A.3	14.30 metres	19.19 metres	<ul style="list-style-type: none"> <li>N/A - Compliant</li> </ul>
J/2A.4	26.6 metres	28.37 metres	<ul style="list-style-type: none"> <li>Parapet – 0.6 metres (2.3%)</li> <li>Lift overrun – 2.37 metres (9.1%)</li> </ul>

Building Reference (Turner/ Concept)	Max parapet height	Max lift overrun height	Variation to 26m height control
K/2A.1	26.4 metres	28.22 metres	<ul style="list-style-type: none"> <li>Parapet – 0.4 metres (1.5%)</li> <li>Lift overrun – 2.22 metres (8.5%)</li> </ul>
L/2B.1	26.6 metres	28.42 metres	<ul style="list-style-type: none"> <li>Parapet – 0.6 metres (2.3%)</li> <li>Lift overrun – 2.42 metres (9.3%)</li> </ul>
M/2C.1	28.53 metres	31.83 metres	<ul style="list-style-type: none"> <li>Parapet – 2.53 metres (9.7%)</li> <li>Lift overrun – 5.83 metres (22.4%)</li> </ul>
N/2C.1	27.57 metres	31.77 metres	<ul style="list-style-type: none"> <li>Parapet – 1.57 metres (6%)</li> <li>Lift overrun – 5.77 metres (22.2%)</li> </ul>
P/2E.1	28.50 metres	31.60 metres	<ul style="list-style-type: none"> <li>Parapet – 2.5 metres (9.6%)</li> <li>Lift overrun – 5.6 metres (21.5%)</li> </ul>
Q/2D.1	26.33 metres	30.50 metres	<ul style="list-style-type: none"> <li>Parapet – 0.33 metres (1.27%)</li> <li>Lift overrun – 4.5 metres (17.3%)</li> </ul>
R/2D.2	27.54 metres	31.25 metres	<ul style="list-style-type: none"> <li>Parapet – 1.54 metres (5.9%)</li> <li>Lift overrun – 5.25 metres (20.1%)</li> </ul>
S/2D.3	27.51 metres	31.20 metres	<ul style="list-style-type: none"> <li>Parapet – 1.51 metres (5.8%)</li> <li>Lift overrun – 5.2 metres (20%)</li> </ul>

Strict compliance with the building height control is considered to be unreasonable and unnecessary under the circumstances for the following reasons:

- The approved Concept Plan SSD9063 has already established the principle that some height variation is acceptable for the subject site and the proposed detailed design reflects this, albeit with some minor to moderate increases to provide sufficient floor to ceiling heights for the commercial component, to provide lift overruns which provide access to rooftop amenities, and to properly deal with the significant cross falls across the site and achieving appropriate accessibility grades as well as relationships between ground floor levels and the surrounding public domain. Any reduction in height would compromise these outcomes, but with no benefit to the public interest.
- Notwithstanding the variations to the height control, it is also noted that the parapets of many of the buildings have been reduced when compared to those approved under the Concept Plan and in addition the proposed development still presents a variety of storeys from 2 storeys up to a maximum of 8 storeys in accordance with the envisaged scale of development for the site by the planning controls.
- The areas of variation associated with the building parapets are predominantly quite minor, with the components with the greatest extent of variation being the lift overruns which are specifically located centrally within the buildings such that they will not be readily visible from the public domain.

- The proposed areas of variation do not result in any adverse impact to adjacent properties, as discussed above.
- Strict compliance with the height control would result in a significant reduction in density when compared to the 9,000 square metres of retail and commercial floorspace and 1,100 apartments approved for the site under the Concept Plan.
- The non-compliance with the height control ultimately facilitates an improved urban form for the development as it allows for a variety of building heights, including up to 8 storeys as anticipated by the control. A strict application of the height control would likely discourage this variation in scale and lead to redeploying floor space to lower buildings which would unnecessarily dilute the diversity of scale which has been achieved for the development.

Clause 4.6(2) of the SEPP provides that development consent may be granted for development even though the development would contravene a development standard imposed by the SEPP, or any other environmental planning instrument.

However, clause 4.6(3) states that development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:

- that compliance with the development standard is unreasonable or unnecessary in the circumstance of the case, and
- there are sufficient environmental planning grounds to justify contravening the development standard.

A request for an exception to the building height development standard, prepared on behalf of the applicant, accompanies the subject application and demonstrates that strict application of the development standard, in the absence of any tangible impact, would be unreasonable and without basis.

#### Floor Space Ratio

In accordance with Clause 4.4 of the SEPP the maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the Floor Space Ratio Map. The maximum floor space ratio for the site is 1.75:1 as shown in Figure 27.

The Concept Plan SSD 9063 was approved with a Gross Floor Area of 93,393 square metre and based on the site area of 70,419 square metres resulted in a Floor Space Ratio of 1.33:1 which is well below the maximum control of 1.75:1.

However, since approval of the Concept Plan SSD 9063, civil works have been undertaken and Themeda Avenue and Conferta Avenue have been dedicated to Blacktown City Council which has resulted in a reduction to the site areas as defined by Clause 4.5 of the SEPP for Site 1 and Site 2 when compared to the Concept Plan site. As a result, whilst the proposal has a total gross floor area of 93,393 square metres which is identical to the approved maximum under the Concept Plan SSD 9063, by definition the FSR for each respective site exceeds 1.75:1 as a result of a reduction to the site area, as illustrated in the table below.

Site	Area	GFA	FSR	Variation
1	16,240 square metres	37,526 square metres	2.31:1	0.56:1 or 32%
2	27,030 square metres	55,867 square metres	2.067:1	0.317:1 or 18%

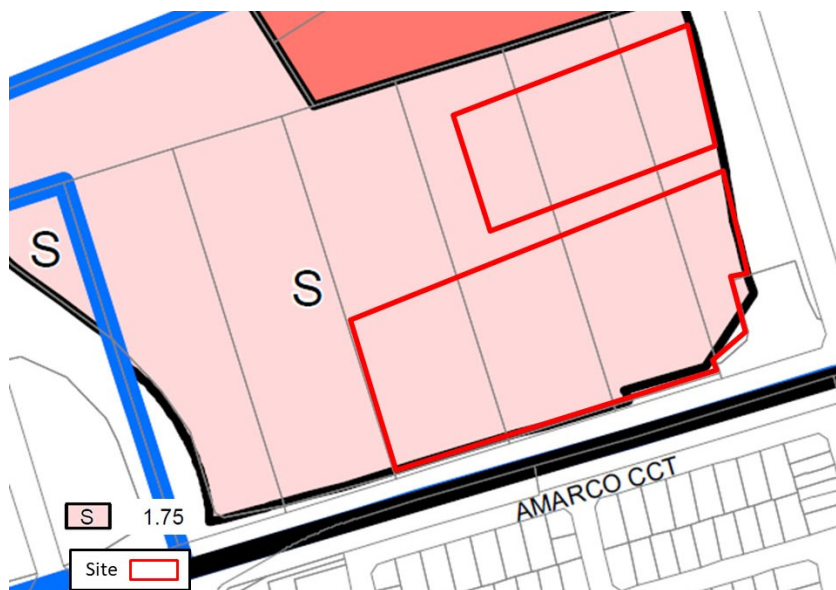


Figure 27:

Extract from  
SEPP FSR map

Strict compliance with the floor space ratio control is considered to be unreasonable and unnecessary under the circumstances for the following reasons:

- The approval of the Concept Plan SSD 9063 recognised that the density proposed across the overall site was consistent with the density permitted pursuant to State Environmental Planning Policy (Sydney Region Growth Centres) 2006. The density proposed on the two subject sites is entirely consistent with the density approved under the Concept Plan SSD 9063.
- The proposed distribution of built form and massing of the buildings across the site is the result of a considered analysis of the context of the site and the desire to deliver a positive urban design outcome that will deliver a diversity of housing and commercial product across the Concept Plan area and a collection of various residential building typologies and scale.
- The proposal will deliver a high quality development in close proximity to public transport that will increase the vibrancy of the precinct.
- The proposal is consistent with the desired future character outlined within Blacktown City Council Growth Centres Precinct Development Control Plan 2010 for the subject site and the Area 20 Precinct (Tallawong Station) generally.
- The density proposed does not prevent achievement of the 9 principles of SEPP 65.
- There are no unacceptable adverse impacts in terms of shadow, view, visual and acoustic privacy impacts resulting from the proposed variation to the floor space ratio development standard which would warrant strict compliance.
- The proposed density will not result in an unacceptable impact on local traffic conditions.
- The proposed variation allows for the most efficient and economic use of the land.

- Strict compliance with the development standard would result in an inflexible application of the control, and strict compliance would not achieve any additional benefits to the owners or occupants of the surrounding properties or the general public, noting that the variation is purely as a result of a reduced site area definition not as a result of excessive or unanticipated density.
- Having regard to the planning principle established in the matter of *Project Venture Developments v Pittwater Council* [2005] NSWLEC 191 most observers would not find the proposed development offensive, jarring or unsympathetic to its location and the proposed development will be compatible with its context

Clause 4.6(2) of the SEPP provides that development consent may be granted for development even though the development would contravene a development standard imposed by the SEPP, or any other environmental planning instrument.

However, clause 4.6(3) states that development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:

- that compliance with the development standard is unreasonable or unnecessary in the circumstance of the case, and
- there are sufficient environmental planning grounds to justify contravening the development standard.

A request for an exception to the floor space ratio development standard, prepared on behalf of the applicant, accompanies the subject application which demonstrates that strict application of the development standard, in the absence of any tangible impact, would be unreasonable.

#### Relevant Acquisition Authority

Land identified for acquisition by Blacktown City Council is shown on the Land Reservation Acquisition Map accompanying the Appendix 6 controls. The Map identifies an area of Local Open Space in the B4 zone, however, this area does not align with the location of the approved park. Furthermore, as discussed previously, Blacktown City Council have agreed in principle to allow the park to remain in private ownership provided that it is properly secured on title for free and full public access in perpetuity.

The nomination of Open Space in the acquisition map is of no consequence for the determination of the proposed Development Application because it provides the right for Blacktown City Council to compulsorily acquire this land at some point in the future.

Notwithstanding, Blacktown City Council have advised that it will prepare a Planning Proposal in due course to remove the Local Open Space affectation on the site.

#### Preservation of trees or vegetation

The objective of Clause 5.9 is to preserve the amenity of the area through the preservation of trees and other vegetation. However, the SEPP contains controls for the clearing of Existing Native Vegetation and Native Vegetation Retention Areas as shown on the Native Vegetation Protection Map. The subject site does not contain vegetation mapped in either of these categories and therefore has no further restriction of clearing of vegetation.

The entire site is also located on 'biodiversity certified land' according to the Order to confer biodiversity certification on the State Environmental Planning Policy Sydney Region Growth Centres 2006.

Under s126(l) of the Threatened Species Conservation Act 1995 development on biodiversity certified land is taken to be development that is not likely to significantly affect any threatened species, population or ecological community or its habitat. A consent authority is not required to take into consideration the likely impact of the development on biodiversity values (despite any provision of the *Environmental Planning & Assessment Act, 1979* or any regulation or instrument made under that Act). Therefore, no further assessment of impacts to threatened species, populations or ecological communities is required under NSW legislation.

Notwithstanding, the redevelopment of the site will include a coordinated landscaping regime with generous new plantings which will achieve a high quality landscaped treatment for the site as illustrated in the landscape plans prepared by Turf Design which accompany this application.

#### Public Utility Infrastructure

Clause 6.1 states that the consent authority must not grant development consent to development unless it is satisfied that essential public utility infrastructure is available or that adequate arrangements have been made to ensure the infrastructure is provided when required.

A Utilities Report accompanied the Concept Proposal application which outlined the public utility infrastructure, particularly water, electricity, sewage, gas and telecommunications services that are available for the development.

In addition, in preparation for the construction of the project further investigations have been undertaken as follows:

- DEP Consulting have been engaged as the Level 3 Accredited Service Provider to undertake the design of the electrical infrastructure & power supply for the overall Tallawong Station Precinct. DEP Consulting has assessed the proposal for the site and has determined that several new Padmount Substations will be required to service the entire development. The Substations will be positioned wholly within the development and will be designed to be installed to meet the staging requirements of the development. The Substations, the associated High & Low Voltage network extensions and public roadway streetlighting will be designed to comply with Endeavour Energy construction requirements.
- Greg Houston Plumbing Pty Ltd has submitted a feasibility study to Sydney Water and have identified that based on preliminary investigation that the development can be adequately serviced for water and sewer.
- In relation to gas supply, there are two existing 50NY 210 kPa gas main along Themeda Ave and Conferta Ave.
- In relation to communication infrastructure, a private fibre network provider will likely be appointed in the future.

#### Active Street Frontages

The objective of clause 6.5 is to promote uses that attract pedestrian traffic along certain ground floor street frontages in Zone B2 Local Centre and Zone B4 Mixed Use. Areas requiring active street frontages are shown on the Active Street Frontages Map accompanying the Appendix 6 controls.

Site 1 is identified as requiring active street frontages which means that all premises on the ground floor of the buildings facing the street are to be used for the purposes of business premises or retail premises, with the exception of entrances and lobbies, access for fire services, and vehicular access.

It is noted that the active street frontage map does not align with the structural layout of the Concept Plan as the map was based upon the indicative layout for the town centre as depicted in the Schedule 4 Cudgegong Local Centre Development Controls of the Blacktown City Council Priority Growth Area Precincts Development Control Plan. The Concept Plan varied this layout, however, provided for even greater active street frontage.

The proposed development achieves a highly activated ground floor plane with not only active street frontage being achieved to Themeda Avenue, Conferta Avenue and the new private street, but also adjacent to the new park.



Figure 28:

Extract from Extract  
from SEPP active  
street frontage map

### 8.1.3 Draft amendments to the State Environmental Planning Policy (Sydney Region Growth Centres) 2006

Amendments to State Environmental Planning Policy (Sydney Region Growth Centres) 2006 were placed on public exhibition in June 2017. The draft amendments are therefore a relevant matter for consideration, however, they are neither certain nor imminent and therefore cannot be given determinative weight.

The draft amendments include a range of changes, however, the most relevant to the subject proposal is the introduction of a maximum density for the R3 zone of 100 dwellings per hectare on the basis that the infrastructure planned to support population will not be sufficient. However, there was no infrastructure study provided by the Department of Planning, Industry and Environment to justify this position and it is noted that the proposed development provides publicly accessible open space, is

extremely well served by surrounding infrastructure, and will also involve the payment of a Section 7.11 contribution and State Infrastructure Contribution to facilitate further infrastructure provision in the area.

Whilst the subject proposal has a density in excess of 100 dwellings per hectare, the proposed residential density is in fact less than that provided for the site under the approved Concept Plan (SSD 9063) which establishes a yield of up to 1,100 apartments and the draft amendment to the SEPP cannot derogate from the approved density for the subject site.

Finally, at the time of writing of this Statement, there is no certainty concerning whether the draft amendments to the SEPP will be adopted at all, noting it is nearly 3 years since exhibition, or in a different form and accordingly it would be premature to apply the draft control to the subject proposal.

#### **8.1.4 State Environmental Planning Policy (Infrastructure) 2007**

Clause 85 of the SEPP states that before determining a development application for development immediately adjacent to a rail corridor, the consent authority must give written notice of the application to TfNSW (formerly Roads and Maritime Services) and take into consideration any submission that TfNSW (formerly Roads and Maritime Services) provides in response to that notice.

Clause 87 of the SEPP relates to the impact of rail noise or vibration on non-rail development including residential development. Clause 87 requires the consent authority take into consideration:

(2) Before determining a development application for development to which this clause applies, the consent authority must take into consideration any guidelines that are issued by the Director-General for the purposes of this clause and published in the Gazette.

(3) If the development is for the purposes of a building for residential use, the consent authority must not grant consent to the development unless it is satisfied that appropriate measures will be taken to ensure that the following LAeq levels are not exceeded:

(a) in any bedroom in the building—35 dB(A) at any time between 10.00 pm and 7.00 am,

(b) anywhere else in the building (other than a garage, kitchen, bathroom or hallway)—40 dB(A) at any time.

An Acoustic Assessment prepared by Koikas Acoustics accompanies this application and confirms that the development is capable of meeting the recommended noise criteria. The proposed development is generally consistent with 'Development near rail corridors and busy roads: interim guideline' in that appropriate acoustic amenity will be achieved for the development. The proposed development will satisfy the requirements of Clause 87 of State Environmental Planning Policy (Infrastructure) 2007.

Clause 104 of the SEPP states that before determining a development application for traffic generating development, the consent authority must give written notice of the application to TfNSW (formerly Roads and Maritime Services) and take into consideration any submission that TfNSW (formerly Roads and Maritime Services) provides in response to that notice.

As the proposal involves greater than 300 apartments, parking for greater than 200 motor vehicles, the application will need to be referred to TfNSW (formerly Roads and Maritime Services) during the assessment period.

Clause 104 also requires the consent authority take into consideration:

- (i) any submission that the RTA provides in response to that notice within 21 days after the notice was given (unless, before the 21 days have passed, the RTA advises that it will not be making a submission), and
- (ii) the accessibility of the site concerned, including:
  - (A) the efficiency of movement of people and freight to and from the site and the extent of multi-purpose trips, and
  - (B) the potential to minimise the need for travel by car and to maximise movement of freight in containers or bulk freight by rail, and
- (iii) any potential traffic safety, road congestion or parking implications of the development.

The Traffic and Parking Assessment prepared by Barker Ryan Stewart which accompanies the application provides an analysis of the existing traffic conditions as they relate to the subject site. The assessment finds that the proposed development has good access to public transport and the traffic generated from the redevelopment of the site will not exceed the projected impacts of the residential component as outlined in the approved Concept Plan (SSD 9063) and therefore would not require any further remedial works to the accesses or surrounding road network. The proposed development will satisfy the requirements of Clause 104 of State Environmental Planning Policy (Infrastructure) 2007.

#### **8.1.5 State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004**

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 applies to the development and aims to encourage sustainable residential development.

A BASIX certificate accompanies the development application and demonstrates that the proposal achieves compliance with the BASIX water, energy and thermal efficiency targets.

#### **8.1.6 State Environmental Planning Policy (Urban Renewal) 2010**

The Urban Renewal SEPP does not apply to the Tallawong Station Precinct South as it applies to “potential urban renewal precincts” which only include land at Redfern-Waterloo and Granville, and is therefore not a relevant consideration for this Concept Proposal.

#### **8.1.7 State Environmental Planning Policy (Affordable Rental Housing) 2009**

State Environmental Planning Policy (Affordable Rental Housing) 2009 applies to the State and aims to provide a consistent planning regime for the provision of affordable housing.

The provisions of the SEPP seek to facilitate the effective delivery of new affordable rental housing by providing incentives such as expanded zoning permissibility, floor space ratio bonuses and non-discretionary development standards. However, whilst the site does meet the necessary criteria under Clause 10 of the SEPP in order to benefit from the incentives provided under Part 2 Division 1 In-fill Affordable Housing of the SEPP, the proposal does not seek to take advantage of the floor space ratio and other benefits under the SEPP.

The requirement for the provision of minimum 5% of the apartments as Affordable Rental Housing arises from Condition A18 of the Concept Plan SSD 9063 which states that:

A18. Minimum 5% of dwellings on the site shall be Affordable Housing provided in accordance with the definition under State Environmental Planning Policy (Affordable Rental Housing) 2009.

The definition of Affordable Housing in the SEPP means housing for very low income households, low income households or moderate income households, being such households as are prescribed by the regulations or as are provided for in an environmental planning instrument. A household is taken to be a very low income household, low income household or moderate income household if the household:

- (a) has a gross income that is less than 120 per cent of the median household income for the time being for the Greater Sydney (Greater Capital City Statistical Area) (according to the Australian Bureau of Statistics) and pays no more than 30 per cent of that gross income in rent, or
- (b) is eligible to occupy rental accommodation under the National Rental Affordability Scheme and pays no more rent than that which would be charged if the household were to occupy rental accommodation under that scheme.

Deicorp will deliver a minimum of 5% of the proposed apartments as affordable housing to Bridge Housing, who are a registered community housing provider with an established relationship with Deicorp. Bridge Housing have indicated their preference for the following distribution of the minimum 5% affordable housing units in the development as follows:

Apartments	Site 1	Site 2	Total
1 bed	5	10	15
2 bed	10	20	30
3 bed	2	3	5
Total	17	33	50

It is anticipated that conditions will be imposed by the consent authority to the effect that:

- for 10 years from the date of the issue of the occupation certificate:
  - the dwellings proposed to be used for the purposes of affordable housing will be used for the purposes of affordable housing in accordance with the definition under State Environmental Planning Policy (Affordable Rental Housing) 2009, and
  - all accommodation that is used for affordable housing will be managed by a registered community housing provider, and a restriction will be registered, before the date of the issue of the occupation certificate, against the title of the property on which development

is to be carried out, in accordance with section 88E of the Conveyancing Act 1919, that will ensure that the requirements of paragraph (a) are met.

#### **8.1.8 State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017**

The aims of State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 are to protect the biodiversity values of trees and other vegetation in non-rural areas of the State, and to preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation.

The SEPP includes a range of provisions relating to the removal of vegetation and applies to the site as it is located within the Blacktown Council area and within zones R3 Medium Density Residential and B4 Mixed Use. However, the entire site is also located on 'biodiversity certified land' according to the Order to confer biodiversity certification on the State Environmental Planning Policy Sydney Region Growth Centres 2006.

Under s126(l) of the Threatened Species Conservation Act 1995 development on biodiversity certified land is taken to be development that is not likely to significantly affect any threatened species, population or ecological community or its habitat. A consent authority is not required to take into consideration the likely impact of the development on biodiversity values (despite any provision of the *Environmental Planning & Assessment Act, 1979* or any regulation or instrument made under that Act). Therefore, no further assessment of impacts to vegetation is required pursuant to this SEPP.

#### **8.1.9 State Environmental Planning Policy No.55 – Remediation of Land**

State Environmental Planning Policy No. 55 - Remediation of Land applies to all land and aims to provide for a State-wide planning approach to the remediation of contaminated land.

Clause 7 of SEPP 55 requires the consent authority to consider whether land is contaminated prior to granting consent to carrying out of any development on that land and if the land is contaminated, it is satisfied that the land is suitable in its current state or will be suitable after remediation for the purpose for which the development is proposed to be carried out.

The subject application is accompanied by a Detailed Site Investigation prepared by EI Australia which concludes that widespread contamination was not identified at the site and the site can be made suitable for the proposed land uses activities subject to the following recommendations:

- Preparation of a Remediation Action Plan (RAP) detailing the following:
  - a. Management and testing of waste on site
  - b. Closure of any data gaps
  - c. Detailing of an unexpected finds protocol
- Additional groundwater investigation in the vicinity of BH2M to confirm and delineate Total Recoverable Hydrocarbons (TRH) impacts;
- Surveying of onsite groundwater wells to accurately model groundwater flow direction;

- Management of the asbestos impacted material in accordance with the EPA(2014) Waste Classification Guidelines. Any area where asbestos is removed must be validated in accordance with the Wadoh (2009) Guidelines; and
- Classification of any soils to be disposed of off-site in accordance with the EPA (2014) Waste Classification Guidelines.

Accordingly, a Remediation Action Plan has also been prepared by EI Australia and accompanies this application.

Based on the above, it is considered that the consent authority can be satisfied that the site can be made suitable for the proposed development, subject to the imposition of conditions of consent requiring remediation to be undertaken in accordance with the submitted Remediation Action Plan, as well as conditions relating to the remaining recommendations of the Detailed Site Investigation.

#### **8.1.10 State Environmental Planning Policy No. 64 - Advertising and Signage**

State Environmental Planning Policy No. 64 – Advertising and Signage (SEPP 64) aims to ensure that signage is compatible with the desired amenity and visual character of an area, provides effective communication in suitable locations and is of high quality design and finish.

SEPP 64 applies to all signage that can be displayed with or without development consent and is visible from any public place or public reserve.

There is no signage proposed as part of this application and signage will be addressed via a subsequent Development Application to Blacktown City Council.

#### **8.1.11 State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development**

SEPP 65 applies to development for the purpose of a new residential flat building, shop top housing or mixed use development, the substantial redevelopment/refurbishment of one of these buildings or the conversion of an existing building into one of these types of buildings provided the building is at least 3 or more storeys and the building contains at least 4 or more dwellings. The development meets the definition of a residential flat development. As such the provisions of SEPP 65 are applicable to the proposed development.

SEPP 65 aims to improve the design quality of residential flat developments, provide sustainable housing in social and environmental terms that is a long-term asset to the community and delivers better built form outcomes. In order to satisfy these aims and improve the design quality of residential apartment buildings in the State, the plan sets design principles in relation to context and neighbourhood character, built form and scale, density, sustainability, landscape, amenity, safety, housing diversity and social interaction, and aesthetics.

SEPP 65 requires any development application for residential flat development to be assessed against the 9 principles contained in Schedule 1 of the SEPP and the matters contained in the Apartment Design Guide (ADG). The 9 principles of SEPP 65 are addressed below and the matters contained in the ADG are addressed in the SEPP 65 Design Verification Statement prepared by Turner Architects which accompanies the application.

The proposed development satisfies the design principles of the plan as follows:

#### Context and Neighbourhood Character

The development is considered to be contextually appropriate for the following reasons:

- The proposed development is permissible in the B4 Mixed Use zone and also R3 Medium Density Residential zones pursuant to the State Environmental Planning Policy (Sydney Region Growth Centres) 2006, meets the objectives of these zones and is consistent with the desired future character of the area.
- The proposed development will deliver the urban renewal of a large vacant site adjacent to Tallawong Station which will contribute profoundly to the vibrancy, retail provision, open space, jobs, amenity, economic success and housing choice within the area. The siting, scale, bulk, and massing of the development is generally consistent with that anticipated for the site by the approved Concept Plan SSD 9063 and represents an appropriately designed development which will contribute positively to the area.
- The proposed massing of the development provides a high level of modulation in scale between the various buildings within the development whilst also realising the environmental capacity of the site. The proposed massing of the development facilitates a high level of environmental performance within the development, reduced impacts on surrounding properties, allows for integration with the surrounding landscape and appropriate levels of solar access, combined with a high level of visual permeability and connectivity throughout the site.
- The proposal is a transit orientated development that will provide additional housing and retail choice with excellent access to Tallawong Station as well as being located close to other nearby centres including Rouse Hill Town Centre and is in close proximity to a range of recreational opportunities and services and facilities.
- Having regard to the planning principle established in the matter of Project Venture Developments v Pittwater Council [2005] NSWLEC 191 most observers would not find the proposed development offensive, jarring or unsympathetic to its location having regard to the future desired character of the area and the emerging context. In this regard the development will be compatible with its emerging context.

#### Built Form and Scale

The scale of the proposed buildings is appropriate to the scale of the street and the forthcoming development of the surrounding properties for the following reasons:

- The scale of the proposed buildings is generally consistent with the height expressed for the site under the State Environmental Planning Policy (Sydney Region Growth Centres) 2006. The scale of the buildings is also as anticipated for the site under the approved Concept Plan SSD 9063.
- The scale of the proposed buildings is modulated with a range of heights from 2 to 8 storeys and responds positively to the scale and siting of future development within the visual catchment of the site, particularly with higher buildings to the north, and lower elements to the south opposite Schofields Road.
- The proposed design delivers appropriate separation between the towers as well as a superior level of environmental performance within the development, and a high level of visual permeability throughout the site.

- The proposal incorporates a high level of materiality and demonstrates fine grain active frontages and the buildings architecture combined with the public domain improvements will serve to activate and enliven the street frontages of the site.
- The architectural package includes a solar access analysis which demonstrates that the proposed scale of the development will not unreasonably overshadow development on adjacent and nearby sites.
- The scale of the proposed buildings will not be perceived as jarring or antipathetic in the future streetscape and urban design context which will develop in the area.
- The proposed development will provide a high quality contemporary new development which will contribute positively to the emerging urban character of the area.

### Density

The approved Concept Plan SSD 9063 establishes the density for the proposed development of 93,393 square metres of Gross Floor Area comprising 9,000 square metres of non-residential floor space and 1,100 apartments. The proposal has a Gross Floor Area 93,393 square metres which is identical, however, actually results in a significantly reduced residential density of only 987 apartments when compared with the 1,100 apartments approved under the Concept Plan.

The proposed density of the development is appropriate for the site and its location in that:

- The availability and capacity of the local infrastructure, public transport and recreational opportunities supports the proposed number of apartments and commercial floor space. The site is located immediately opposite the Tallawong Station and will form part of the town centre adjacent to the station. The site is also in close proximity to the nearby Rouse Hill shopping centre, and nearby parks.
- The density proposed does not give rise to any significant impacts on the adjoining properties in terms of overshadowing, loss of privacy or visual impact as detailed in this Statement.
- A high level of amenity is provided within the proposed development.
- The proposed density assists in meeting the demand for housing, employment and retail and business services in the local government area in a highly appropriate location.

### Sustainability

The proposed development has been designed to reflect best practice sustainable building principles to improve environmental performance, in relation to energy and water efficient design and technology and use of renewable energy. A Sustainability Report prepared by ARUP accompanies the subject application which details how ESD principles have been incorporated in the design and construction of the project and are intended to be incorporated in the ongoing operation of the development.

The proposed development has aimed to integrate a variety of sustainability initiatives outlined in regional policies, local planning policies, SEARs and commitments of Landcom, Sydney Metro and Deicorp. This draws from the sustainability actions identified within the concept approval and develops up implementation details appropriate to this stage of design. In addition, the project has been designed to comply, and seek, a 5-star Green Star Communities certification.

Finally, the design provides for passive solar design principles, thermal massing and achieves cross ventilation to an acceptable number of dwellings within the development and a BASIX Certificate accompanies this application which confirms that the development will meet the NSW Government's requirements for sustainability for residential flat building.

### Landscape

The proposed development incorporates a strong landscaped character with generous landscaped setbacks, large common open space areas, and a publicly accessible park within the centre of the site. The proposed development includes a comprehensive design for the landscaping of the site and all public domain areas surrounding the site. The Landscape Plan and Statement prepared by Turf Design that accompany the application demonstrate that the proposal will result in a mixed use development within a generously landscaped setting having regard to the urban context of the site. The landscaping proposed represents an integral element in ensuring the development has an appropriate contextual fit and will positively contribute to the envisaged character of the Tallawong centre.

The proposed development provides a range of common open space areas throughout the ground floor plane and on roof tops which achieve the equivalent of 26.8% of the residual site (minus the roads and park) in excess of the minimum 25% requirement of the Apartment Design Guide. The common open space areas will be used for a range of activities and will include BBQs, soft and hard landscaping and outdoor seating. The common open space areas will receive good levels of solar access and will have a high level of amenity.

The proposed development also provides 12.5% unencumbered deep soil area which exceeds the 7% design criteria and design guidance of the ADG, and a further substantial contribution of soil on slab areas with soil depths and volumes which exceed the recommendations of the Apartment Design Guide.

### Amenity

A high level of amenity is provided for the occupants of the development with the development providing generous apartment sizes and practical room dimensions and shapes, storage space, indoor and outdoor space and access for all age groups and degrees of mobility. The number of units with access to natural light and ventilation has also been maximised with 60.1% receiving cross flow ventilation and 70.1% receiving over 2 hours of solar access to a portion of the living room window between 9am and 3pm on 21 June.

The separation distances within the site are generally consistent or exceed those suggested in the Apartment Design Guide and high levels of visual privacy between the apartments within the development has been achieved. Where separation distances are slightly less, this has been addressed with privacy measures such as screens, highlight windows, or blank wall treatments.

Overall the design of the development ensures a particularly high level of amenity for the residents of the building.

### Safety

Presently there is no built form of activation around the Tallawong Station. Accordingly, the safety and security of the public domain around the station will be significantly enhanced by introducing activity on the site and the casual surveillance of all surrounding streets from the commercial components and dwellings within the development.

A detailed CPTED report prepared by Barker Ryan Stewart accompanies this application, however, in summary the entries to the development will be appropriately lit at night to enhance safety, visibility and legibility. Effective access control has been achieved through the provision of physical barriers to

attract, channel and/or restrict the movement of people within the development. The internal areas within the development such as the entrances and lobbies will be well used by residents. The common areas will be under the supervision of the occupants of the apartments on the levels above. The use and supervision of the common areas will reduce the opportunities for crime.

#### Housing Diversity and Social Interaction

The proposed development provides a mix of 252 x 1 bedroom (26%), 682 x 2 bedroom (69%) and 53 x 3 bedroom (5%). The 'New South Wales Household and Dwelling Projections, 2008-2036: 2008 Release' prepared by the Department of Planning indicates that the average household size in Sydney is expected to continue its decline from 2.61 in 2006 to 2.49 by 2036. In addition, the population projections indicate that the lone person household is the type of household expected to experience the greatest percentage increase between 2006 and 2036 (69%).

It is also noted that there is a significant provision of larger households to the south of the site in The Ponds estate and the proposed apartment mix, with an emphasis on 1 bedroom and in particular 2 bedroom apartments provides a balance to the existing housing provision in the area and the proposed provision of units is consistent with the expected increase in smaller households.

Having regard to the above and the abundance of larger dwellings within close proximity of the site, it is considered that the development responds positively to the housing needs of the local community.

#### Aesthetics

The proposed development provides for a contemporary and attractive development which is compatible with the built form character envisaged within for the site under the Concept Plan SSD 9063. The proposed development introduces a broad variety of building elements and utilises a visually engaging architectural language with a selection of appropriate materials and finishes. The proposed built form and composition of the development responds to the desired future character for the area and will provide a particularly positive contribution to the visual quality of the area.

#### Clause 30 Standards that cannot be used as grounds to refuse development consent

Pursuant to clause 30 of SEPP 65 if an application for a development application to which the Policy applies the consent authority must not refuse the application because of those matters.

Car parking	Design Criteria	Proposal
(a) if the car parking for the building will be equal to, or greater than, the recommended minimum amount of car parking specified in Part 3J of the Apartment Design Guide.	For development within 800 metres of a railway station or light rail stop the minimum car parking requirement for residents and visitors is set out in the Guide to Traffic Generating Developments, or the car parking requirement prescribed by the relevant Council, whichever is less.	The Traffic Impact Assessment which accompanies the application addresses the car parking provision on the site.
(b) if the internal area for each apartment will be equal to, or greater than, the recommended minimum internal area for the relevant apartment	Apartments are required to have the following minimum internal areas: Studio – 35 sqm 1 bedroom – 50sqm	Each apartment complies with the minimum area requirement.

Car parking	Design Criteria	Proposal
type specified in Part 4D of the Apartment Design Guide,	<p>2 bedroom – 70sqm</p> <p>3 bedroom – 90sqm</p> <p>The minimum internal areas include only one bedroom. Additional bathrooms increase the minimum internal area by 5sqm each.</p> <p>Every habitable room must have a window in an external wall with a total minimum glass area of not less than 10% of the floor area of the room. Daylight and air may not be borrowed from other rooms.</p>	
(c) if the ceiling heights for the building will be equal to, or greater than, the recommended minimum ceiling heights specified in Part 4C of the Apartment Design Guide.	<p>Minimum ceiling height:</p> <p>Habitable rooms: 2.7m</p> <p>Non-habitable rooms: 2.4 metres</p>	Each apartment has a minimum ceiling height of 2.7 metres for habitable rooms and service bulkheads in habitable spaces will not be greater than 500mm wide or 200mm below the ceiling.

#### 8.1.12 State Environmental Planning Policy No. 70 - Affordable Housing (Revised Schemes)

State Environmental Planning Policy No. 70 – Affordable Housing (Revised Schemes) (SEPP 70) is the mechanism which enables Councils in NSW to levy contributions for affordable housing.

Blacktown City Council does not presently have an affordable housing contribution scheme.

Notwithstanding, the proposal development includes a minimum 5% affordable housing in accordance with Condition A8 of Concept Plan SSD 9063.

#### 8.1.13 Draft State Environmental Planning Policy (Environment)

The provisions contained in State Environmental Planning Policy No. 19 (Bushland in Urban Areas) have been consolidated into the draft SEPP Environment. The draft SEPP (Environment) promotes the protection and improvement of environmental assets for their intrinsic, social and economic value.

The site is identified as being "biodiversity certified land" which means remnant vegetation on the site has been approved for removal. There is no significant vegetation on the site. The site was largely cleared as part of the Sydney Metro works and the proposal will not have any adverse impact on urban bushlands, water catchments or any other ecological values.

#### 8.1.14 Draft State Environmental Planning Policy (Remediation of Land)

The Department is reviewing all State Environmental Planning Policies to ensure they remain effective and relevant and SEPP 55 has been reviewed as part of that program. The Department has published the draft Remediation of Land State Environmental Planning Policy (Remediation SEPP), which was exhibited until April 2018.

Once adopted, the Remediation SEPP will retain elements of SEPP 55, and add the following provisions to establish a modern approach to the management of contaminated land:

- require all remediation work that is to be carried out without development consent, to be reviewed and certified by a certified contaminated land consultant
- categorise remediation work based on the scale, risk and complexity of the work
- require environmental management plans relating to post-remediation management or ongoing management of on-site to be provided to Council.

The proposal is not for remediation works without development consent and does not rely on an environmental management plan.

As discussed under the SEPP 55 discussion earlier in this Statement, the subject application is accompanied by a Remediation Action Plan prepared by EI Australia and it is considered that the consent authority can be satisfied that the site can be made suitable for the proposed development, subject to the imposition of conditions of consent requiring remediation to be undertaken in accordance with the submitted Remediation Action Plan, as well as conditions relating to the remaining recommendations of the Detailed Site Investigation which also accompanies this application.

## 8.2 Concept Plan SSD 9063

The site benefits from Concept Plan SSD 9063 which was approved on 21 February 2019 for a mixed-use precinct, known as Tallawong Station Precinct South, and provides for the following:

- building envelopes for up to 16 buildings of varying heights, to a maximum of eight storeys
- maximum gross floor area (GFA) of 93,393 m<sup>2</sup>
- residential development of up to 1,100 dwellings equating to approximately 85,000 m<sup>2</sup> GFA
- commercial, retail and community uses of approximately 9,000 m<sup>2</sup> GFA
- allocation of car parking and bicycle parking rates
- minimum 5% Affordable Housing
- landscaping of the site for public and private domain including a public park (approximately 3,411 m<sup>2</sup>)
- road layout.

The Department considered the suitability of the site with regard to the broad impacts of the proposed development during the assessment of SSD 9063.

In accordance with section 4.24(2) of the *Environmental Planning and Assessment Act, 1979*, the determination of any Development Application in respect to a site that is subject to a concept development cannot be inconsistent with the original consent.

As previously discussed in this Statement, a Section 4.55 Modification to the approved Concept Plan SSD 9063 has been concurrently lodged with the subject application, for a number of refinements to the approved building envelopes in the Urban Design Report prepared by Bennett and Trimble, as well as amendments to some of the diagrams in the approved Design Quality Guidelines prepared by Bennett and Trimble.

The primary modifications are:

- Amendment to the building footprints and envelopes for sites 1A, 1B, 2C and 2D;
- Amendment to the heights of the envelopes;
- Amendment to the basement locations, deep soil locations, and soil on slab;

- Amendment to the street design for the street to the west of the park; and
- Amendment to the ownership diagram.

The proposed development is assessed for consistency in relation to the proposed modifications to the Concept Plan SSD 9063. The development consent for Concept Plan SSD 9063 contains conditions outlining the matters to be addressed as part of the future development applications. The relevant conditions of consent are reproduced in the table below with a response as to how the subject proposal meets the requirements of the respective conditions:

Condition	Response
<b>Building Envelopes and Maximum Height</b>	
A14. Future development application(s) for the development must demonstrate that the building is contained within the building envelopes consistent with the plans listed in Condition A2.	The proposed development is contained within the building envelopes, as proposed to be amended concurrently via a S4.55 modification to the Concept Plan.
A 15. Building height is to be measured in accordance with the definition under State Environmental Planning Policy (Sydney Region Growth Centres) 2006.	Noted. Building height has been measured in accordance with the definition under State Environmental Planning Policy (Sydney Region Growth Centres) 2006
A16. The maximum height for the development shall be generally consistent with the building envelope diagrams and information for the proposal.	The maximum height for the proposed development is generally consistent with the heights as proposed to be amended concurrently via a S4.55 modification to the Concept Plan.
<b>Maximum Gross Floor Area</b>	
A17. The maximum GFA for the proposal shall not exceed 93,393 m <sup>2</sup> equating to approximately 85,000 m <sup>2</sup> residential GFA and approximately 9,000 m <sup>2</sup> GFA for commercial, retail and community uses.	The architectural package which accompanies the subject application includes GFA diagrams which demonstrate that the proposed GFA is 93,393 which is identical to the maximum approved 93,393 square metres. The proposal provides 9,000 square metres of commercial and retail uses and 84,393 square metres of residential floor space.
<b>Affordable Housing</b>	
A18. Minimum 5% of dwellings on the site shall be Affordable Housing provided in accordance with the definition under State Environmental Planning Policy (Affordable Rental Housing) 2009.	The proposal provides 50 or minimum 5% affordable housing.
<b>Car Parking and Bicycle Rates</b>	
A 19. The rates for car parking and bicycle spaces are to be as detailed in the following table: Residential dwelling: <ul style="list-style-type: none"> <li>• 0.6 car space per 1 bedroom</li> <li>• 0.9 car space per 2 bedroom</li> <li>• 1.4 car space per 3 bedroom</li> </ul>	The proposal car parking provision complies with the minimum rate, with the exception of residential visitor rate which is proposed to be amended via the concurrent S4.55 modification, as discussed previously in this Statement. Car parking provision is addressed further in this Statement.

Condition	Response
<p>Residential visitor:</p> <ul style="list-style-type: none"> <li>0.1 car space per dwelling</li> </ul> <p>Affordable Housing:</p> <ul style="list-style-type: none"> <li>As required by State Environmental Planning Policy (Affordable Rental Housing) 2009 or the residential dwelling rates as above, whichever is the lesser)</li> </ul> <p>Retail floor area:</p> <ul style="list-style-type: none"> <li>1 car space/60sqm of GLFA</li> </ul> <p>Commercial floor area:</p> <ul style="list-style-type: none"> <li>1 car space/70sqm GFA</li> </ul> <p>Bicycle space for residents:</p> <ul style="list-style-type: none"> <li>1 bicycle space/dwelling</li> </ul> <p>Bicycle space for visitors:</p> <ul style="list-style-type: none"> <li>1 bicycle space/10 dwellings</li> </ul>	
<b>Design Excellence</b>	
A20. Prior to the lodgement of the first subsequent detailed development application, the Applicant shall finalise the Sydney Metro Northwest Design Excellence Strategy in consultation with the GA NSW to the satisfaction of the Planning Secretary.	The Design Excellence Strategy was finalised by Landcom and approved by the Planning, Industry and Environment Secretary.
A21. The Design Excellence Strategy is applicable only to the Tallawong Station Precinct South concept proposal and is not endorsed under this consent as a Strategy which applies to other sites.	Noted.
<b>Special Infrastructure Contribution</b>	
A22. A special infrastructure contribution is to be made in accordance with the Environmental Planning and Assessment (Special Infrastructure Contribution - Western Sydney Growth Areas) Determination 2011 (as in force when this consent becomes operative).	Noted. It is expected that the Department will impose a condition of consent requiring payment of this contribution.
<b>Built Form and Urban Design</b>	
<p>B1. The detailed development application(s) shall address compliance with:</p> <p>(a) the Design Quality Guidelines as endorsed by the Planning Secretary pursuant to condition A2.</p> <p>(b) the Design Excellence Strategy as endorsed by the Planning Secretary pursuant to condition A2.0.</p>	<ul style="list-style-type: none"> <li>The architectural package includes details which demonstrate that the proposal is generally consistent with the Design Quality Guidelines, and this is also addressed further in this Statement.</li> <li>The endorsed Design Excellence Strategy includes provisions for the various stages of the project as follows:</li> </ul>

Condition	Response
	<ul style="list-style-type: none"> <li>• Concept Design</li> <li>• Competitive Selection</li> <li>• Detailed Design</li> <li>• Development Application</li> </ul> <ul style="list-style-type: none"> <li>• The processes required at the Concept Design and the Competitive Selection stages have been followed, which has led to the award of the project to Deicorp.</li> <li>• Landcom established the 'Tallawong Design Review Panel' for the Detailed Design phase of the project and a series of meetings have been undertaken as addressed in detail in Section 5.3 of this statement and also detailed in the Summary of DRP meetings prepared by Deicorp which accompanies this application.</li> </ul>
<p>B2. The following elements are not inconsistent with the concept development application but are subject to further assessment with the relevant detailed development application(s):</p> <ul style="list-style-type: none"> <li>(a) architectural roof features such as projecting fins or poles</li> <li>(b) design and use of rooftop terrace areas</li> <li>(c) design and location of lift overrun and fire stair</li> <li>(d) subdivision</li> <li>(e) interim activation works</li> <li>(f) staging of development.</li> </ul>	<p>The architectural package that accompanies the development application includes details in relation to architectural roof features, the design and use of rooftop terrace areas, and the design and location of lift overruns and fire stairs.</p> <p>This application outlines the proposed staging of construction, with Site 1 to be completed first, followed by Site 2. Each stage will be completed as one project and will not be broken into further sub-stages.</p> <p>This Statement outlines the proposed subdivision strategy for the project, which is also illustrated in the draft plans of subdivision prepared by Daw and Walton which accompany this application.</p> <p>Interim activation works are constrained by the practicalities of securing each site completely during the course of construction. Notwithstanding this, a display suite/centre is proposed to be constructed on Site 2 (with a development application for this lodged with Blacktown City Council) as soon as possible and this will remain in place for the duration of the works on Site 1 and will provide a focal point of engagement with the community for the project. Once Site 1 is completed and construction work is to commence on Site 2, the display will be decommissioned and the Site 1 retail centre will be officially opened.</p>
<p>B3. The detailed development application(s) shall address the following built form and design considerations:</p>	<p>The architectural package includes details in relation to:</p>

Condition	Response
<p>(a) design the built form and landscape of the blocks fronting Schofields Road, including setbacks to the top-most floor, to address the urban qualities of Schofields Road and the adjacent low density residential suburb of The Ponds</p> <p>(b) configure buildings to distribute density and building height of the precinct with consideration to improving solar access to apartments, communal open space and the public realm</p> <p>(c) achieve compliance with the requirements of State Environmental Planning Policy No 65- Design Quality of Residential Apartment Development and the accompanying Apartment Design Guide.</p>	<ul style="list-style-type: none"> <li>• interface with Schofields Road with a demonstration of an appropriate interface with The Ponds to the south.</li> <li>• solar access to apartments and common open space with sun-view diagrams and shadow diagrams which demonstrate the achievement of the solar Design Criteria of the Apartment Design Guide.</li> <li>• achievement of the requirements of SEPP 65 and the Apartment Design Guide, which are also addressed in this Statement.</li> </ul>
<b>Public Domain and Landscape Strategy</b>	
<p>B4. Future detailed development application(s) shall be generally consistent with the Public Domain and Landscape Strategy lodged with the EIS prepared by Clouston Associates (dated 18 May 2018, as updated 2 November 2018) and address the following:</p> <p>(a) a diversity of native trees, shrubs and groundcover species from the relevant local native vegetation community ( or communities) that once occurred on the site shall be used to landscape the site including street planting</p> <p>(b) details and specifications for public domain works, street planting and infrastructure as required by Blacktown City Council.</p>	<p>A detailed Civil Package prepared by AECOM and detailed Landscape package prepared by Turf Design both accompany the subject development application, generally in accordance with the Public Domain and Landscape Strategy lodged with the EIS prepared by Clouston Associates (dated 18 May 2018, as updated 2 November 2018) and addressing tree diversity, as well as providing details and specifications for public domain works, street planting and infrastructure as required by Blacktown City Council.</p>
<b>Environmental Performance / ESD</b>	
<p>B5. Future detailed development application(s) must demonstrate how the principles of ecologically sustainable development (ESD) have been incorporated into the design, construction and ongoing operation of the proposal. The ESD credentials of the detailed development application shall be generally consistent or improve performance with the framework, core objectives and visions of the Ecologically Sustainable Development Report lodged with the EIS prepared by AECOM Australia (dated 18 May 2018).</p>	<p>A Sustainability Report prepared by ARUP accompanies the subject application which details how ESD principles have been incorporated in the design and construction of the project and are intended to be incorporated in the ongoing operation of the development.</p> <p>The proposed development has aimed to integrate a variety of sustainability initiatives outlined in regional policies, local planning policies, SEARs and commitments of Landcom and Deicorp. This draws from the sustainability actions identified within the concept approval and develops up implementation details appropriate to this stage of design. In addition, the project has been designed to comply, and seek, a 5-star Green Star Communities</p>

Condition	Response
	certification
<p>B6. Future detailed development application(s) are to document the use of the Office of Environment and Heritage's and Environmental Protection Authority's risk-based decision framework (2017) to achieve the following outcomes:</p> <p>(a) assess the link between urban development, waterway health and the community's waterway values and design infrastructure</p> <p>(b) develop ambient water quality targets for receiving waters to achieve the desired waterway health outcomes</p> <p>(c) implement measures to collect, treat and manage any seepage waters from basement or underground car parking areas to prevent pollution of waters.</p>	<p>The Civil Package prepared by AECOM which accompanies the subject application details the Water Sensitive Urban Design measures to implemented as part of the development.</p>
<b>Wind Impacts</b>	
<p>B7. Future detailed development application(s) shall be generally consistent with the recommendations of the Pedestrian Wind Environment Statement lodged with the EIS prepared by Windtech Consultants Pty Ltd (dated 12 February 2018).</p>	<p>The development application is accompanied by a Wind Impact Assessment Report prepared by Windtech which demonstrates that the proposal has incorporated the necessary measures to achieve an acceptable wind condition throughout the site, generally consistent with the recommendations of the Pedestrian Wind Environment Statement lodged with the EIS prepared by Windtech Consultants Pty Ltd (dated 12 February 2018).</p>
<b>Crime Prevention</b>	
<p>B8. Future detailed development application(s) shall demonstrate adoption of the recommendations of the Crime Prevention Through Environmental Design Assessment lodged with the EIS prepared by AECOM Australia (dated 15 March 2018).</p>	<p>A Crime Prevention Through Environmental Design Assessment prepared by Barker Ryan Stewart accompanies the subject application addressing these requirements.</p>
<p>B9. Future detailed development application(s) shall demonstrate that appropriate and safe pedestrian access is provided and maintained through and adjoining the site to the metro station until such time that pedestrian and shared ways are delivered by Sydney Metro</p>	
<b>Bushfire Protection</b>	
<p>B10. Future detailed development application(s) shall adhere to the relevant provisions of Planning for Bush Fire Protection (PBP) 2006 as follows:</p> <p>(a) the provision of minimum Asset Protection Zones</p>	<p>Australian Bushfire Protection Planners Pty Limited prepared a Bushfire Protection Assessment which accompanied the Concept Plan application. In summary the site is not exposed to direct impacts</p>

Condition	Response
<p>(APZs) between the unmanaged vegetation to the east and southeast and future residential and mixed-use buildings in accordance with Table A2.4 of PBP 2006</p> <p>(b) the provision of minimum APZs in accordance with Table A2.6 of PBP 2006 where future buildings include uses that fall under the definition of Special Fire Protection Purpose (SFPP) development</p> <p>(c) future access to be provided in accordance with the design specifications set out in section 4.1.3 of PBP 2006</p> <p>(d) future services to be provided in accordance with section 4.1.3 PBP 2006.</p>	<p>of a bushfire and there is no requirement to provide and manage bushfire protection measures on the site or a need to apply bushfire construction standards to the development. Therefore, there is no need for any further bushfire assessment for the proposal.</p>
<b>Construction Impact Assessment</b>	
<p>B11. Future detailed development application(s) shall provide analysis and assessment of the impacts of construction and include:</p> <p>(a) Construction Traffic Management Plan as per condition B12(d)</p> <p>(b) Cumulative Construction Impact Assessment (i.e. arising from concurrent construction activity)</p> <p>(c) Noise and Vibration Impact Assessment</p> <p>(d) Community Consultation and Engagement Plans</p> <p>(e) Construction Waste Management Plan</p> <p>(f) Air Quality Management Plan</p> <p>The plans referred to above may be prepared as part of a Construction Environmental Management Plan prepared and implemented under the conditions of any consent granted by future development applications.</p>	<p>A Construction Management Plan prepared by Deicorp/Barker Ryan Stewart accompanies the subject application which addresses:</p> <ul style="list-style-type: none"> <li>• Construction pedestrian and traffic management</li> <li>• Public safety, amenity and site security</li> <li>• Operating hours, noise and vibration control</li> <li>• Air and dust management</li> <li>• Stormwater management and sediment control</li> <li>• Waste and material reuse management</li> <li>• Management responsibility</li> <li>• Community consultation and communication protocols</li> </ul> <p>The Appendices to the Construction Management Plan include:</p> <ul style="list-style-type: none"> <li>• Appendix A – Site management plan</li> <li>• Appendix B – Soil and Water Management Plan</li> <li>• Appendix C – Construction Waste Management Plan</li> <li>• Appendix D -Construction Pedestrian and Traffic Management Plan</li> </ul> <p>In addition to the above, Barker Ryan Stewart have also undertaken a Road Safety Audit Report for the construction of the project which accompanies the application. The report includes suggested treatments to mitigate safety impacts and these measures will be implemented during construction.</p> <p>Finally, the application is accompanied by an Acoustic Report prepared by Koikas Acoustics</p>

Condition	Response
	which also includes a Construction Noise and Vibration Management Plan.
<b>Traffic, Access and Car Parking</b>	
<p>B12. Future detailed development application(s) shall incorporate the following:</p> <p>(a) a parking strategy to maximise efficiency of car parking spaces including the consideration of sharing use of car spaces between land uses</p> <p>(b) clarify where residential bicycle parking facilities will be provided and where bicycle facilities will be provided for non-residential uses</p> <p>(c) roads and parking areas are to comply with the relevant specifications, Australian Standards, and be consistent with the Blacktown City Council Growth Centre Precincts Development Control Plan</p> <p>(d) a Construction Traffic Management Plan (CTMP) prepared in consultation with and to the satisfaction of Blacktown City Council and the relevant roads authorities. The CTMP shall include, but not be limited to:</p> <ul style="list-style-type: none"> <li>(i) identification of construction traffic-related impacts and development of mitigation measures</li> <li>(ii) haulage movement numbers and transport routes between the site and the major road network</li> <li>(iii) detailed travel management strategy for construction staff to minimise their commuter trips</li> <li>(iv) construction car parking strategy</li> <li>(v) maintaining pedestrian and cyclist links I routes</li> <li>(vi) independent road safety audits on construction-related traffic measures</li> <li>(vii) measures to account for any cumulative activities/ work zones operating simultaneously.</li> </ul>	<p>The following documents accompany the subject application in response to this condition:</p> <ul style="list-style-type: none"> <li>• A Traffic and Parking Impact Assessment prepared by Barker Ryan Stewart</li> <li>• A Green Travel Plan prepared by Barker Ryan Stewart</li> <li>• A Construction Traffic Management Plan prepared by Barker Ryan Stewart</li> </ul> <p>The specific measures to maximise efficiency of car parking spaces including the consideration of sharing use of car spaces between land uses is discussed further in this Statement.</p>
<p>B13. Independent road safety audits are to be undertaken for all stages of further design development. Any issues identified by the audits will need to be closed out to the satisfaction of the relevant road authorities.</p>	<p>Barker Ryan Stewart have also undertaken a Road Safety Audit Report for the construction of the project which accompanies the application. The report includes suggested treatments to mitigate safety impacts and these measures will be implemented during construction.</p>

Condition	Response
<b>Utilities</b>	
B14. Future detailed development application(s) shall address the existing capacity and any augmentation requirements of the development for the provision of utilities, including staging of infrastructure through the preparation of an infrastructure / utility management plan in consultation with relevant agencies and service providers.	Utilities are addressed in Section 9.15 of this Statement.
<b>Noise and Vibration</b>	
B 15. Future detailed development application( s) shall be generally consistent with the recommendations of the Masterplan Noise and Vibration Assessment lodged with the EIS prepared by Acoustic Logic (dated 14 May 2018, as amended on 25 October 2018).	The application is accompanied by an Acoustic Report prepared by Koikas Acoustics which also includes a Construction Noise and Vibration Management Plan. The recommendations of the Koikas Acoustics report for construction requirements for glazing are generally more stringent than those identified in the recommendations of the Masterplan Noise and Vibration Assessment prepared by Acoustic Logic (dated 14 May 2018, as amended on 25 October 2018)
<b>Waste Management</b>	
<p>B16. Future detailed development application(s) shall be accompanied by a Waste Management Plan which shall include, but not be limited to:</p> <p>(a) the ongoing management for each residential site and commercial/retail site within the proposed development:</p> <p>(i) proposed waste management features for the site</p> <p>(ii) proposed truck size to service the site</p> <p>(iii) number of stages, buildings and number of units in each</p> <p>(iv) provision of a caged bulky waste storage area for each building (and its size)</p> <p>(v) physical treatment of the loading bays to prevent unauthorised parking</p> <p>(vi) waste and recycling generation rates, bin capacities and collection frequencies</p> <p>(vii) collection point and associated access for collection vehicles</p> <p>(viii) provision of chutes on each residential floor and 240L recycling bins adjacent.</p>	<p>A Waste Management Plan prepared by Elephants Foot accompanies the subject application and addresses the requirements of Condition B16.</p> <p>Whilst Council's preference is for waste collection to occur within the basement, during design development, a range of options for the location of the loading docks for waste collection was explored, both within the ground floor of each site and also within the basement. Four primary options as illustrated below in this Statement, were explored which demonstrate that basement collection would result in several unsatisfactory design outcomes with respect of increasing heights of buildings, excessive ramping and therefore blank edges, and reduction of common open space and deep soil. At-grade loading docks result in the least impact and the specific locations of the loading docks result in minimal impact to the design of the buildings in relation to blank facades and also disruption to optimised internal planning.</p> <p>Therefore, waste collection is still proposed within the building, but not at basement level. This is</p>

Condition	Response
<p>(ix) method to move bins from the chute discharge points to the collection points</p> <p>(x) resident access to waste rooms, bulky items storage and chute discharge points</p> <p>(xi) use of a building manager to coordinate ongoing management:</p> <p>(xii) access to loading bay for collection trucks</p> <p>(xiii) the bulky waste storage area (including access)</p> <p>(xiv) the waste facilities onsite including cleaning of bins and waste rooms.</p> <p>(b) Satisfy Council that all waste collection is to be within the basement areas and a minimum 4.5 m clearance is provided for the waste collection area within the basements</p>	<p>addressed further in this Statement.</p>
<p>817. Future detailed development application(s) shall be accompanied by a Waste and Resource Recovery Plan (Plan) which is developed by a specialist in environmental and/or waste management. The Plan should include a vision and strategy for how waste and recycling can be managed in an integrated way across the development. This includes from construction through to the operation stage. The Plan is to adopt the outcomes of the following:</p> <p>(a) NSW EPA's 'Better Practice Guide for Waste Management in Multi-unit Dwellings'</p> <p>(b) The NSW Waste Avoidance and Resource Recovery Strategy 2014-2021.</p>	<p>The subject application is accompanied by a Waste and Resource Recovery Plan prepared by Elephants Foot which includes a strategy for how waste and recycling can be managed in an integrated way across the development. This report focuses primarily on the operation stage, as construction waste is addressed in the Construction Waste Management Plan prepared by Barker Ryan Stewart which accompanies this application.</p>
<b>Engineering</b>	
<p>818. Future detailed development application(s) shall adopt (where relevant) the outcomes of the report titled Response to Submissions: Engineering Items lodged with the RtS prepared by AECOM (dated 17 October 2018).</p>	<p>A Civil Package prepared by AECOM accompanies the subject application, which generally adopts the outcomes of the report titled Response to Submissions: Engineering Items lodged with the RtS prepared by AECOM (dated 17 October 2018).</p>
<b>Contamination and Remediation</b>	
<p>819. Future detailed development application(s) shall demonstrate the following:</p> <p>(a) adoption of the recommendations of the Phase 1 Preliminary Site Investigation lodged with the EIS prepared by ADE Consulting Group (reference STC-1023013390/PS11/v37, dated 15 March 2018)</p> <p>(b) that a Site Auditor accredited under the</p>	<p>Contamination is addressed under the SEPP 55 discussion above. A Remediation Action Plan prepared by EI Australia accompanies the subject application and subject to conditions of consent to require remediation in accordance with the Plan, the Department can be satisfied that the site will be made suitable for the proposed development.</p>

Condition	Response
Contaminated Land Management Act 1997 has been engaged to conduct a site audit, review the adequacy of the investigations, unexpected finds protocol, any remedial works/validation assessments and/or management plan required to confirm the suitability of the land for the proposed use, such that a Section A site audit statement and accompanying report will be issued prior to issue of an occupancy certificate at the completion of works  (c) compliance with the provisions of State Environmental Planning Policy No 55- Remediation of Land.	

The approved Concept Plan SSD 9063 also included Design Quality Guidelines prepared by Bennett and Trimble. An assessment against the Guidelines (as proposed to be amended) is provided below:

Element	Requirement	Response
Integration of the development with the metro station	Design the Tallawong Station Precinct South as an active and walkable neighbourhood with the metro station as an integrated and central element within the public domain.	The approved site layout and building locations and envelopes under Concept Plan SSD 9063 address this requirement by locating and designing the publicly accessible park to relate directly to the metro station and to achieve a high level of visual connectivity to the station, particularly as the park aperture widens towards the north. The proposed development is consistent with the Concept Plan and has adopted and refined this approach. The proposal provides an even higher level of connectivity through Site 1, increases the size of the park, and converts the north-south street in Site 1 to a private street design which further expands the pedestrian priority of this area. The proposal also encourages connectivity from the commuter car parks through the development and to the metro station.
Urban hierarchy and character	Establish an integrated yet diverse range of urban characters across the site to create an active, diverse and varied urban environment.	The proposed development achieves a high level of diversity. In the first instance, Site 1 and Site 2 have distinctly differing characters as Site 1 is a vibrant mixed use precinct with highly activated and engaged shop fronts and public domain, whilst Site 2 is a quieter residential precinct with a network of landscape pathways. There is a high degree of diversity as a result of the differing building forms, use, and scale. A

Element	Requirement	Response
		familial palette of materials and finishes is used to achieve cohesive, whilst differing themes ensure that each building, or group of buildings, has its own distinct character.
Urban connectivity	Establish an integrated network of streets, pedestrian connections and cycleways to create an active and legible urban centre with a rational block structure.	The proposed development provides all of the streets, pedestrian connections and cycleways as identified in the Concept Plan and will achieve a particularly high level of urban connectivity. The only refinement in relation to this network is the amendment of the north-south street in Site 1 into a privately owned private street arrangement which is a superior outcome as it prioritises pedestrian primacy and effectively expands the perceived size of the park and the public domain in this area.
Urban scale, legibility and ownership	Establish a fine grain development with an urban structure that is rational, legible and permeable, and capture this with an ownership structure that preserves the public domain.	The proposed development adopts the urban structure as established by the approved Concept Plan, albeit with some refinement to some of the buildings which further breaks down the length of buildings and further improves pedestrian connectivity and site permeability. The ownership structure is slightly amended with the park and adjacent street to be retained in private ownership, however the public access to these spaces will be secured on title and private ownership facilitates an optimised landscape design and maintenance regime to deliver a better outcome for the park in particular.
Integrated landscape network	Establish a local open space network that is integrated with and connected to the wider green infrastructure of the district. the public domain should be designed to support the needs of the local community and compliment the existing open space networks in surrounding areas	The proposed development adopts the landscape network as established by the approved Concept Plan. A detailed landscape package prepared by Turf Design accompanies this application and demonstrates a highly programmed and embellished green network throughout the development which provides connections throughout and beyond the site and will achieve a significant asset and amenity for the future occupants as well as the surrounding community.
The Public Park	The public park should form a strong relationship with the metro station and foster the idea of a meeting place for the	The proposed development has improved upon the park when compared to the Concept Plan by increasing the size of the

Element	Requirement	Response
	community by providing a variety of spaces, activities and opportunities for social interaction	park, creating a private street adjacent to the park instead of a street which serves to visually expand the park, and by amending the design of the buildings surrounding the park which creates optimal activation of and engagement with the park. The design of the park, as illustrated in the landscape package prepared by Turf Design which accompanies this application forms a strong relationship with the metro station and will be a highly utilised meeting place for the community. The design of the park with the Village Green, playspace and other hardstand and seating areas provides for a broad variety of activities and social interaction.
Fine Grain Open Spaces	Locate a series of fine grain landscape and open spaces within the development with a range of urban scales and landscape characteristics to support a range of uses	The proposed development adopts the fine grain landscape and open spaces as established by the approved Concept Plan. A detailed landscape package prepared by Turf Design accompanies this application and illustrates the various designs and differing character of these various spaces including the precinct entry, urban plaza and retail plaza.
Communal Open Space	Strategically locate a series of communal open spaces for residents within developments that are visually connected with the public domain to form an integrated network of larger landscaped zones	The proposed development adopts the common open spaces generally as established by the approved Concept Plan. A detailed landscape package prepared by Turf Design accompanies this application and illustrates a range of ground level and rooftop common open spaces. The ground floor areas are directly connected with the surrounding public domain and pedestrian network through the development.
Tree Canopy and Deep Soil Network	Distribute deep soil zones of sufficient size throughout the precinct and within sites to provide extensive tree canopy coverage for the town centre public domain and communal open spaces.	The proposed development adopts the deep soil zones generally as established by the approved Concept Plan, which will facilitate an extensive tree canopy coverage for the town centre public domain and communal open spaces. The only departure from the diagram in the Urban Design Guidelines relates to the deep soil for the park. As the park is privately owned, the basement level has been designed to go under the park which provides the urban design benefit of allowing one

Element	Requirement	Response
		loading dock to service all of Site 1. Notwithstanding, the park is still designed with a large soil 'vault' with a minimum depth of 1.5 metres which is sufficient soil depth and volume to provide for mature and generous trees and vegetation.
Building Heights, Separation and Setbacks	Provide a range of building heights from 2 to 8 storeys with setbacks and separations to support the character of the precinct, create a variety of urban scales, and to maximise amenity for residents and pedestrians.	The proposed development adopts a range of building heights of between 2 and 8 storeys generally as established by the approved Concept Plan. There are some proposed modifications to the building heights in Site 2, however, the amended heights still adhere to the principle of a lower 4 storey component and taller 8 storey component for the refined building envelopes. The setbacks and separation are as established by the Concept Plan.
An Active and Diverse Town Centre	Provide a wide range of housing typologies and non-residential programs to foster a diverse and active community	The proposed development provides a range of housing typologies including two-storey terraces with private gardens as well as apartments of a range of sizes to accommodate and foster a diverse community of residents. The design of the town centre provides for a range of retail, commercial, entertainment, and recreation uses which will serve the needs of the wider community and promote an active and vibrant local centre. Ground floor activation has been maximised, particularly adjacent to the park.
Building Entrances Car Parking and Servicing	Residential buildings should be designed with a legible street address and a discrete basement entrance for carparking and servicing	The proposed development adopts building entrances, and in particular residential lobbies, generally as established by the approved Concept Plan. The vehicle access arrangement has improved upon the Concept Plan by consolidating the 5 suggested entries for Site 2 into 3 entries. Servicing for Site 1 has also been improved with one loading dock now capable of servicing the entire non-residential component in Site 1.
Addressing Schofields Road and The Ponds	Design the built form and landscape of this edge precinct to address the particular qualities of Schofields Road and the adjacent suburb of The Ponds. The edge should not be designed or	The approved Concept Plan has already established a strong urban design framework for addressing Schofields Road by ensuring there is no 'second' street adjacent to Schofields Road, providing a

Element	Requirement	Response
	perceived as a blank wall or the back of the precinct but rather an inhabited and attractive urban edge. The development should be designed to mitigate the environmental impact on The Ponds.	built form with a lower 3 storey base to the buildings which face Schofields Road, and providing a generous landscape buffer. The proposed development adopts these measures and achieves a highly activated southern façade for the development which meaningfully engages with the context to the south of the site.
Environmental considerations	<ul style="list-style-type: none"> <li>Reducing heat island effect</li> <li>Solar orientation and overshadowing</li> <li>Acoustic and air quality</li> <li>Water Management</li> <li>Wind mitigation</li> <li>Crime Prevention Through Environmental Design</li> </ul>	<p>The proposal responds positively to the various environmental considerations identified in the Concept Plan, as follows:</p> <ul style="list-style-type: none"> <li>The proposal minimises heat island effect as a result of the generous landscaping regime throughout the development which will support large trees and canopies throughout the precinct, as well as providing soft landscaping throughout the rooftops of the development.</li> <li>The design of the development responds to the solar orientation of the site to achieve compliant solar access in accordance with the Design Criteria of the Apartment Design Guide both in relation to apartments which receive at least 2 hours solar access, apartments which do not receive any solar access, and solar access to communal open spaces.</li> <li>An acoustic report prepared by Koikas Acoustics accompanies the subject application and the proposed development will incorporate the various recommendations during construction. Air quality is also addressed in the Air Quality Report prepared by Barker Ryan Stewart which accompanies this application.</li> <li>Water management and in particular Water Sensitive Urban Design is addressed in the Civil Package prepared by AECOM which accompanies the subject application.</li> <li>Wind mitigation is addressed in the Pedestrian Wind Environment Statement prepared by Windtech which</li> </ul>

Element	Requirement	Response
		<p>accompanies this application. The recommendations of the Statement in relation to awnings and landscape treatments have been incorporated into the proposal.</p> <ul style="list-style-type: none"> <li>A Crime Prevention Through Environmental Design assessment prepared by Barker Ryan Stewart accompanies the subject application.</li> </ul>
Building Design and Articulation	Buildings should be designed to be sympathetic yet distinct to neighbouring buildings to create a diverse and interesting neighbourhood and to avoid the singular aesthetic of many contemporary developments	<p>The design report prepared by Turner Architects which accompanies this application provides a detailed explanation in relation to the specific design and aesthetics of the proposed buildings. The following building character principles have guided the design of the buildings:</p> <ul style="list-style-type: none"> <li>Place: a contextual response</li> <li>Composition: a collection of buildings</li> <li>Diversity: a variation in typologies</li> <li>Identity: a familiar language</li> <li>Materiality: a unified palette</li> </ul> <p>The proposed development has been designed as two distinct but complimentary neighbourhoods being an active town centre in Site 1 and a new community neighbourhood in Site 2. Further diversity in urban character is achieved by identifying and responding to the varying conditions around the site including external edge conditions, local streets and neighbourhood streets. Finally, the two 'object' buildings serve as landmarks within the project. The proposal achieves buildings which are sympathetic yet distinct to create a diverse and interesting neighbourhood.</p>
Material Selection and Detailing	Successful urban environments are tactile as much as spatial. This requires the careful selection and integration of materials to create a range of buildings with their own distinctive identity, character and scale	<p>The design report prepared by Turner Architects which accompanies this application provides a detailed explanation in relation to the proposed materials and finishes and their role in creating a range of buildings with their own distinctive identity, character and scale.</p>
Landscape Design and	A well-planned public realm is one of the key contributors to social and community	<p>A landscape package prepared by Turf Design accompanies this application and</p>

Element	Requirement	Response
Species Selection	cohesion. This involves the provision of a series of varied and contextually responsive landscapes and open spaces catering for range of activities and experiences for residents and visitors	provides a detailed graphical and written explanation in relation to the proposed landscape treatment throughout the project to achieve a series of varied and contextually responsive landscapes and open spaces catering for range of activities and experiences for residents and visitors.

### 8.3 Policies and Guidelines

#### 8.3.1 NSW State and Premier's Priorities

There are 30 priorities for the State to deliver economic growth, greater infrastructure developments and social improvements to health and education. These priorities are as follows:

##### *Premier's Priorities 2020*

- Bumping up education results for children
- Increasing the number of Aboriginal young people reaching their learning potential
- Protecting our most vulnerable children
- Increasing permanency for children in our-of-home care
- Reducing domestic violence reoffending
- Reducing recidivism in the prison population
- Reducing homelessness
- Improving service levels in hospitals
- Improving outpatient and community care
- Towards zero suicides
- Greener public spaces
- Greening our city
- Government made easy
- World class public service

##### *State Priorities*

- Making it easier to start a business
- Encouraging business investment
- Boosting apprenticeships
- Accelerating major project assessment
- Increasing housing supply
- Protecting our credit rating
- Delivering strong budgets
- Improving Aboriginal education outcomes
- Transitioning to the National Disability Insurance Scheme
- Better government digital services
- Cutting waiting times for planned surgeries
- Increasing cultural participation
- Ensure on-time running for public transport

- Creating sustainable social housing
- Improving road travel reliability
- Reducing violent crime
- Reducing adult re-offending
- Reducing road fatalities

The proposed development aligns with the Premier's and State Priorities as it will deliver jobs, both during construction ongoing, within northwest Sydney and promote growth in the broader area. This project will be a catalyst for unlocking this development opportunity which will accelerate job creation in NSW. By bringing business and investment in the region, it ensures that NSW it solidifies the States AAA credit rating.

In addition, the proposed development will assist with keeping our environment clean by providing transit oriented development which will encourage more sustainable means of transportation. Finally, the proposed development will deliver a significant volume of housing, including minimum 5% affordable housing, therefore making housing more affordable and meeting the demographic needs in the area.

### **8.3.2 Greater Sydney Regional Plan 2018 - A Metropolis of Three Cities**

In March 2018 the Greater Sydney Region Plan - A Metropolis of Three Cities was released. The Plan sets a 40-year vision to 2056 and establishes a 20-year plan to manage growth and change for Greater Sydney. The vision for Greater Sydney as a metropolis of three cities — the Western Parkland City, the Central River City and the Eastern Harbour City where most residents live within 30 minutes of their jobs, education and health facilities, services and great places.

The Plan sets out 10 Directions which set out the aspirations for the region and objectives to support the Directions. The 10 Directions are:

- A city supported by infrastructure
- A collaborative city
- A city for people
- Housing the city
- A city of great places
- A well-connected city
- Jobs and skills for the city
- A city in its landscape
- An efficient city
- A resilient city

The Plan provides 38 objectives concerning, Infrastructure and collaboration, Liveability, Productivity and Sustainability which are aimed at achieving the identified Directions.

The Plan supports the focus on optimisation of government-owned land and urban renewal to deliver housing. The Plan also identifies housing targets for the Central City District of 53,500 dwellings in Year 0-5 and 207,500 beyond Year 20. More specifically the Tallawong Station area is identified in the Plan as a transit oriented development.

The proposal is consistent with the key directions, objectives and strategies outlined within the Plan. In particular it provides for the supply of approximately 987 new dwellings in the Tallawong Station Precinct in the form of transit-oriented development immediately adjacent to the metro line. The proposal; will therefore deliver housing choice in a highly accessible location and will accordingly contribute to the goal of achieving a 30 minute city and optimising infrastructure use.

### **8.3.3 Central City District Plan**

The Central City District Plan was also released in March 2018 and sets out a 20-year vision for the Central City District, which includes Blacktown, The Hills, Parramatta and Cumberland local government areas.

The Central City District Plan sets out priorities and actions for the growth and development of the Central District. The Plan provides the district level framework to implement the directions, objectives, strategies and actions outlined in the Greater Sydney Region Plan.

The Central City District is identified as one of the most dynamic and rapidly growing regions in Australia and one which plays a pivotal role in Greater Sydney's future as an economic and employment powerhouse, a core hub for transport and services, and the home of vibrant and diverse centres and communities.

Consistent with the Greater Sydney Region Plan, the Central City District Plan identifies the Cudgegong area (now known as Tallawong Station) as a transit oriented development located adjacent to the metro line and in close proximity to the Rouse Hill Strategic Centre.

The proposal is consistent with the relevant key priorities of the Central City District Plan as it:

- will provide new development supported by infrastructure;
- increases the supply and choice of housing in the area;
- increase the supply of employment floor space in the area; and
- proposes new green open space.

### **8.3.4 Towards our Greater Sydney 2056**

Towards our Greater Sydney 2056 was released in November 2016 as a draft amendment to A Plan for Growing Sydney to align it with the vision established in the draft District Plans. It was the first step in the comprehensive work that subsequently took place to review A Plan for Growing Sydney, and was also the document which reconceptualised Greater Sydney as a metropolis of three cities.

This document ultimately led to the release of the Greater Sydney Region Plan - A Metropolis of Three Cities in March 2018, which sets a 40-year vision to 2056 and establishes a 20-year plan to manage growth and change for Greater Sydney. The proposed development is consistent with the Greater Sydney Region Plan as previously discussed in this Statement.

### **8.3.5 Future Transport Strategy 2056**

The future transport strategy outlines the 40-year vision of the State Government in regard to the States transport network and system. The strategy aims to place NSW at the forefront of the country with a sophisticated transport system which will harness the rapidly advancing transport technology.

The strategy outlines a planned and coordinated set of actions to address challenges faced by the NSW transport system to support the State's economic and social performance over the next 40 years.

The proposed development is consistent with the relevant State-wide outcomes of the Future Transport Strategy 2056 as it:

- provides an optimal mix of uses; including a publicly accessible park, retail and commercial, and residential uses which will achieve a transformational place making outcome for the region (Outcome 1: Successful Places)
- will encourage business and individual investment in the area by providing a particularly well designed local centre which is in high demand as a result of the existing catchment which is currently under serviced for convenience retailing (Outcome 2: Strong Economy)
- provides direct pedestrian links between the precinct and the Tallawong Station, and the commuter car park (Outcome 5: Accessible services)
- encourages the use of public transport by linking residential uses to a transport node (Outcome 6: Sustainability).

### **8.3.6 State Infrastructure Strategy 2018-2038**

The NSW State Infrastructure Strategy 2018–2038 sets out the government's priorities for the next 20 years, and combined with the Future Transport Strategy 2056, the Greater Sydney Region Plan and the Regional Development Framework, brings together infrastructure investment and land-use planning for our cities and regions.

Over the last seven years, NSW has invested and delivered to reduce its infrastructure backlog, including the Metro North West Line and the Tallawong Station.

The proposal is consistent with the State Infrastructure Strategy 2018-2038 by integrating land use and transport to create an attractive environment and making the best use of recently delivered urban infrastructure.

### **8.3.7 Sydney's Walking Future**

Sydney's Walking Future focuses on getting people walking for transport purposes more often. Customers tell the NSW State Government that they could walk more for the short everyday trips they make, and 73 per cent would do so with the right encouragement and support. The NSW state government aims to provide for customers by:

- Promoting walking for transport
- Connecting people to places through safe walking networks around centres and public transport interchanges
- Engaging with partners across government, with councils, non-government organisations and the private sector to maximise their effectiveness.

The proposal provides a mixed use development immediately adjacent to the Tallawong Station, which means that residents will be able to walk to the station which provides connectivity to greater Sydney. In addition, the development itself provides much needed convenience retailing and a park which will mean that both residents within the development, as well as residents in the existing neighbourhood to

the south and emerging neighbourhood to the north, will be able to walk to the shops and cafes and also the park, rather than driving to access these amenities. The location and proposed facilities are such that the proposal will encourage walking as a viable transportation method.

### **8.3.8 Sydney's Cycling Future**

Sydney's Cycling Future presents a new direction in the way the NSW state government aims to plan, prioritise and provide for cycling in Sydney. This supports the change in culture evident in Sydney with more people choosing to ride a bike for transport. The NSW State Government is focused on the 70 per cent of NSW residents who would like to ride a bike more for everyday transport – and would do so if cycling was made a safer and more convenient option for them. The NSW State Government aims to make bicycle riding a feasible transport option for these customers by:

- investing in separated cycleways and providing connected bicycle networks to major centres and transport interchanges;
- promoting better use of our existing network; and
- engaging with our partners across government, councils, developers and bicycle users.

The proposed development is consistent with the vision of Sydney's Cycling Future in that it provides cycling connections to the retail and park amenities within the site which supports cycling as a viable method of transportation to access the proposed amenities. In addition, the proposal provides parking for every single apartment within the development, as well as for visitors, which encourages cycling within the locality.

### **8.3.9 Sydney's Bus Future**

Sydney's Bus Future is the NSW Government's long term plan to redesign Sydney's bus network to meet customer needs now and into the future and sets out step-by-step actions to deliver fast and reliable bus services for customers where and when they are needed.

As part of the Tallawong Station facilities there are 4 spaces for buses and it is also noted that the area is well serviced by public transport with four bus stops located within 400 metres of the site. These bus stops provide the following services:

- Route 607N Tallawong Station to City QVB via North West T-way and M2 Motorway
- Route 732 Rouse Hill to Blacktown via The Ponds
- Route 742 Marsden Park to Rouse Hill
- Route 747 Marsden Park to Rouse Hill via Riverstone
- Route 751 Rouse Hill Town Centre to Blacktown

The proposed development is consistent with the vision of Sydney's Bus Future in that it provides a large mixed use development in close proximity to existing bus services which maximises the efficiency of those bus services and also ensures a high level of connectivity between the site and the broader region.

### **8.3.10 Development near Rail Corridors and Busy Roads – Interim Guidelines**

The Guidelines applies to development adjacent to railway corridors and busy roads. The Guideline sets out requirements such as when an acoustic report may be needed and informs developments and

other industry stakeholders on the impacts, risks, requirements and mitigation methods with regard to airborne noise and vibration emanating from busy roads and railways.

The development is located opposite a rail corridor along the northern side and is also located adjacent to a busy road on the southern side. The design of the development has taken into consideration the design and orientation techniques to reduce the impact of such disturbances.

As suggested within the guideline, an Acoustic Report has been prepared by Koikas Acoustics which accompanies this application and has concluded that the proposal can achieve compliance with all relevant design considerations subject to the implementation of the suggested recommendations.

### **8.3.11 Guide to Traffic Generating Developments, Roads and Maritime Services**

The Traffic and Parking Assessment prepared by Barker Ryan Stewart which accompanies this application provides an assessment of the impact of the proposal upon the local road network by reference to the former Roads and Maritime Services publication Guide to Traffic Generating Developments, Section 3 - Landuse Traffic Generation (October 2002). The RMS Guidelines are based on extensive surveys of a wide range of land uses and application of the applicable traffic generation rates to the various components of the development proposal indicate that the proposed development will not have a significant impact on the efficiency of the surrounding road network. The Level of Service of surrounding intersections will remain the same with the exception of a minor change in the AM at the intersection of Tallawong Road/Schofields Road under the existing situation, and a minor change in the PM at the intersection of Cudgegong Road/Schofields Road in the 10 year growth scenario.

### **8.3.12 Heritage Council Guidelines: Heritage Curtilages 1996; Design in Context 2005**

A Statement of Heritage Impact, prepared in accordance with the NSW Heritage Manual by OCP Architects accompanied the Concept Plan SSD 9063 application. The Statement found that there are no heritage listings for the Tallawong Station Precinct South Site, however there are three state-listed heritage items within two kilometres of the Site. The Statement assessed the potential impact of the Concept Proposal on the state heritage items, including Rouse Hill House and Farm and its curtilage. The analysis indicated that the potential for any impact arising from the proposal on Rouse Hill House and Farm and its curtilage is very low because of the distance between the two sites (1.5km) as well as the undulating landscape and remnant vegetation which restrict views. No other heritage items were considered likely to be meaningfully impacted by the proposed works.

The Department's assessment concluded that the Department was satisfied that the development of the site will have no adverse impact on the heritage significance of these heritage items, that there is little potential for archaeological remains, and the site area has been confirmed to be cleared of Aboriginal heritage.

Accordingly, an assessment of the proposed development in relation to the Heritage Curtilage Guidelines is not necessary.

### **8.3.13 Guide to investigating, assessing and reporting on Aboriginal Cultural Heritage in NSW**

A Statement of Heritage Impact, prepared in accordance with the NSW Heritage Manual by OCP Architects accompanied the Concept Plan SSD 9063 application. The Statement detailed an investigation, excavation and salvage program which was undertaken in accordance with the Guide to

investigating, assessing and reporting on Aboriginal Cultural Heritage in NSW (DECWW, 2011) and Aboriginal Cultural Heritage Consultation requirements for Proponents 2010, and the site area has been confirmed to be cleared of Aboriginal heritage by Transport for NSW.

The Department's assessment concluded that the Department was satisfied that there is little potential for archaeological remains, and the site area has been confirmed to be cleared of Aboriginal heritage.

#### 8.3.14 Better Placed

*Better Placed* is a policy implemented by the NSW Government that advocates, supports and enables effective design processes to be established and supported in the planning system. The aim of the policy is to provide consistent objectives to achieve good designs during the development process, while also providing a framework for examining and reviewing proposal from a good design perspective. It provides 7 key objectives to support good design

An assessment of the proposal in relation to the Better Placed objectives is provided in the table below:

Objective	Assessment
<p><b>Better fit - contextual, local and of its place</b></p> <p>Good design in the built environment is informed by and derived from its location, context and social setting. It is place-based and relevant to and resonant with local character, heritage and communal aspirations. It also contributes to evolving and future character and setting.</p>	<p>The approved Concept Plan SSD9063 was designed to respond to the existing context including the existing and proposed surrounding street pattern, the metro station, commuter carparks and the existing low-density neighbourhood of The Ponds to the south. The Concept establishes a framework for an active and walkable neighbourhood with the metro station at its core. The approved street pattern creates a clear and legible urban grid, and an overlay of pedestrian and cycleways complements and extend the urban grid with a series of through-site links dividing the developable areas into smaller blocks to create a more permeable and pedestrian friendly urban environment. The pedestrian and cycle network achieves direct links between the residential areas, the local centre, the metro, adjoining neighbourhoods such as The Ponds to the south, and the Second Ponds Creek landscape corridor to the east.</p> <p>The detailed proposal has adopted and embraced the framework established for the site by the Concept Plan and will deliver a highly connected and permeable neighbourhood.</p>
<p><b>Better Performance – sustainable, adaptable and durable</b></p> <p>Environmental sustainability and responsiveness is essential to meet the highest performance standards for living and working. Sustainability is</p>	<p>Sustainability was one of the key design parameters shaping the approved Concept Proposal, particularly in relation to street layout and building orientation, location of street trees and roof top gardens to reduce the urban heat</p>

Objective	Assessment
<p>no longer an optional extra, but a fundamental aspect of functional, whole of life design.</p>	<p>island effect, and deep soil zones coupled with Water Sensitive Urban Design measures.</p> <p>The detailed proposal for the site has responded to these established elements under the Concept Plan and built upon the framework to achieve a high level of sustainability for the project. The buildings have been designed to maximise solar access and natural cross ventilation, as well as dealing with differing demands for varying orientations of facades.</p> <p>The proposed development has been designed to reflect best practice sustainable building principles to improve environmental performance, in relation to energy and water efficient design and technology and use of renewable energy. A Sustainability Report prepared by ARUP accompanies the subject application which details how ESD principles have been incorporated in the design and construction of the project and are intended to be incorporated in the ongoing operation of the development.</p>
<p><b>Better for Community – inclusive, connected and diverse</b></p> <p>The design of the built environment must seek to address growing economic and social disparity and inequity, by creating inclusive, welcoming and equitable environments. Incorporating diverse uses, housing types and economic frameworks will support engaging places and resilient communities.</p>	<p>The Concept Proposal establishes a framework which provides opportunities for social interaction in the private communal areas, the publicly accessible spaces, and in and around the active uses.</p> <p>The proposed development embraces these components and provides a particularly high level of publicly accessible spaces throughout the development, culminating in the park which is the focal point and heart of the development. The park sits within the centre of the retail and commercial component of the project which is designed as a highly activated and engaged component which interacts closely with the park and the metro station to the north. The retail and commercial component will provide for shops, offices, childcare centres, and other local conveniences.</p> <p>In addition to the above, the proposal will deliver much needed housing supply with a good diversity of housing typologies, a minimum of 5% affordable housing, and 20% Silver Level Livable Housing as required by the Apartment Design Guide, to meet the needs of the local</p>

Objective	Assessment
	community now and into the future.
<p><b>Better for People – safe, comfortable, and liveable</b></p> <p>The built environment must be designed for people with a focus on safety, comfort and the basic requirement of using public space. The many aspects of human comfort which affect the usability of a place must be addressed to support good places for people.</p>	<p>The proposal development has been designed to create a walkable and active local centre development with good access to a range of parklands, open space, commercial and retail facilities and the metro station. High quality pedestrian links through the development allow for finer grain pedestrian connections within the area.</p> <p>The approved precinct layout combined with the design of the buildings with highly activated ground level interfaces and the landscape design have adopted good CPTED principles and practices. There will be a high level of passive surveillance achieved, and the pedestrian network layout provides direct routes to destination points on clearly established desire lines.</p> <p>The central park location and design, including its relationship with the metro station to the north, are such that it will provide an important meeting place which is the heart of the development and which will be highly patronised. The park enjoys a particularly high level of passive surveillance from the surrounding businesses, but also into the evening after businesses have closed from the residential apartments which look onto this space.</p>
<p><b>Better Working – functional, efficient and fit for purpose</b></p> <p>Having a considered, tailored response to the program or requirements of a building or place, allows for efficiency and usability with the potential to adapt to change. Buildings and spaces which work well for their proposed use will remain valuable and well-utilised.</p>	<p>The proposed commercial component of the development has been designed to provide diversity and adaptability for the way in which the buildings and tenancies can be used in the future. The floor to ceiling heights have been increased beyond those anticipated by the Concept Plan to maximise flexibility and amenity, as well as providing for the ongoing servicing needs for this component of the development.</p>
<p><b>Better Value – creating and adding value</b></p> <p>Good design generates ongoing value for people and communities and minimises costs over time. Creating shared value of place in the built environment raises standards and quality of life for users, as well as adding return on investment for industry.</p>	<p>The proposed development achieves the maximum value having regard to its location opposite the Tallawong Station and as it maximises the benefit of this new public transport for a large number of new residents and businesses. The proposal will also benefit the existing and future community by creating</p>

Objective	Assessment
	<p>an attractive high density and sustainable urban precinct. The proposal has great public amenity with streets, laneways, parks and plazas that will create a neighbourhood that people will want to live and work in.</p> <p>The proposal also optimises the use of surplus government land and provides a return on investment to the NSW State Government and the people of NSW.</p>
<p><b>Better Look and Feel – engaging, inviting and attractive</b></p> <p>The built environment should be welcoming and aesthetically pleasing, encouraging communities to use and enjoy local places. The feel of a place, and how we use and relate to our environments is dependent upon the aesthetic quality of our places, spaces and buildings. The visual environment should contribute to its surroundings and promote positive engagement.</p>	<p>The Concept Proposal establishes a framework to ensure that the built form and amenity of the future urban environment results in the creation of useable, enjoyable and attractive buildings and public domain. The design is the culmination of a detailed assessment of the site, its relationship to the metro station, the objectives of transit oriented development as well as a range of other design parameters.</p> <p>The proposed development has embraced and refined this framework and fulfils the vision established for the site by Landcom and Sydney Metro.</p> <p>The detailed design of the buildings has been subject to a design excellence assessment process, where it has been demonstrated that a visually dynamic architectural outcome, with good street activation, high quality landscape, and appropriate architectural detailing and materials and finishes combine to achieve an aesthetically pleasing outcome.</p>

### 8.3.15 Draft Contaminated Land Planning Guidelines

The draft Contaminated Land Planning Guidelines have been prepared by the Department of Planning, Industry and Environment to assist planning authorities:

- address land contamination issues when dealing with rezoning or development applications
- assess development applications for remediation works.

The Guideline is an overarching and comprehensive document which:

- sets out the legislative framework for the management of contaminated land in NSW
- explains the roles of DPE, EPA, planning authorities, applicants, landowners, certified contaminated land consultant and accredited site auditors
- provides advice for planning authorities on how to undertake an initial evaluation for the potential for land to be contaminated when a development application or rezoning proposal is received
- explains the key processes in investigating and remediating contaminated land in NSW

- highlights the issues that the planning authorities should consider when reviewing documents and reports received at each stage of the process
- provides advice on how certified contaminated land consultant and accredited site auditors can assist planning authorities during investigation and remediation processes
- includes information to assist planning authorities respond to information about land contamination and make planning decisions
- describes the notification and information requirements for remediation works that can be undertaken without consent
- provides advice on assessing development applications for remediation works that require consent
- provides advice on record keeping and information management
- provides advice on preventing contamination and harm

The SEPP 55 discussion above at Section 8.1.9 of this Statement addresses these requirements.

### 8.3.16 Healthy Urban Development Checklist, NSW Health

The Healthy Urban Development Checklist was released in February 2010 and the purpose of the checklist is to help build the capacity of NSW Health to provide valuable feedback to local councils, and other relevant organisations, on health issues in relation to urban development plans and proposals. It is intended that the use of the Guidelines will facilitate strengthened partnerships and collaboration between NSW Health and urban planners and developers as part of NSW Health's initiatives to promote healthy communities in NSW. The focus of the checklist is on opportunities for participation in the planning and development system that Area Health Service workers are most likely to experience. This includes two broad categories: policies and strategies; and plans and proposals. This tool was intended to be used in two ways:

- As an early or 'upstream' participation tool to provide advice or input during the developmental phase of policies, plans or proposals
- As a feedback mechanism to assist with providing comment on draft or publicly exhibited policies, plans or proposals.

The checklist questions are addressed as follows:

Checklist	Comment
Healthy food	The proposed development will improve access to fresh, nutritious and affordable food as the retail component is expected to provide a number of food and drink premises and the development will also provide a metro style supermarket which will facilitate convenient grocery shopping for the community and commuters.
Physical activity	The proposed development will encourage incidental physical activity as it provides a high quality network of walking and cycling pathways, and will achieve a high level of connectivity with the existing The Ponds community to the south. The proposal also provides a park for outdoor recreation including a generous children's playground.
Housing	The proposed development provides new housing which will improve housing affordability generally and also provides a good diversity of

Checklist	Comment
	housing to meet the needs of the community as well as minimum 5% affordable housing to be managed by Bridge Housing.
Transport and physical connectivity	The proposed development is located immediately opposite the recently completed Tallawong Station and provides excellent transport and physical connectivity. This will reduce car dependency and encourage active transport.
Quality employment	The proposed development will deliver 9,000 square metres of employment floor space in a highly accessible location and therefore significantly improves access to quality employment opportunities.
Community safety and security	The approved precinct layout combined with the design of the buildings with highly activated ground level interfaces and the landscape design have adopted good CPTED principles and practices. There will be a high level of passive surveillance achieved, and the pedestrian network layout provides direct routes to destination points on clearly established desire lines.
Public open space	The proposed development provides significant publicly accessible open space comprising the primary circa 3,500 square metre publicly accessible park within Site 1, as well as the pedestrian and cycling network throughout the site.
Social infrastructure	The proposed mixed use nature of the proposal will significantly enhance social infrastructure within the area as it provides the opportunity for social gathering within the park and surrounding cafes.
Social cohesion and social connectivity	The proposed development will significantly enhance the opportunity for social interaction and connection amongst the community and the design of the development, with high quality connections, a central park and highly engaged ground floor plane will promote a strong sense of community and attachment to place.
Environment and health	The proposed development ensures a healthy environment with Water Sensitive Urban Design measures ensuring water quality, remediation of the land during construction, effective management of noise from the commercial component, and acceptable air quality.

### 8.3.17 NSW Aquifer Interference Policy

The purpose of this Policy is to explain the role and requirements of the Minister administering the Water Management Act 2000 in the water licensing and assessment processes for aquifer interference activities. The development has the potential to interfere with an aquifer and groundwater at the site. As such a Geotechnical Report prepared by EI Australia has addressed the potential groundwater impact from the development and the surrounding vicinity.

### 8.3.18 Planning for Bushfire Protection (2016)

Australian Bushfire Protection Planners Pty Limited prepared a Bushfire Protection Assessment which accompanied the Concept Plan application. In summary the site is not exposed to direct impacts of a

bushfire and there is no requirement to provide and manage bushfire protection measures on the site or a need to apply bushfire construction standards to the development. Therefore, there is no need for any further bushfire assessment for the proposal.

#### **8.3.19 Sydney Metro At Grade and Elevated Sections Corridor Protection Guidelines (2018)**

The Sydney Metro At Grade and Elevated Sections Corridor Protection Guidelines (2018) covers the specific requirements and provides technical and procedural guidelines to be followed for new developments near existing and future Sydney Metro rail at grade and elevated infrastructure during development planning, designing, construction and operating stages.

AECOM have prepared a letter in relation to how the proposal development addresses these technical requirements which accompanies the subject application. The letter confirms that due to the distance between the rail corridor and the proposed development, it is clear that the Tallawong Station Precinct South Development:

- Is not located within the protection reserve; and
- Does not have the potential to cause design and construction related safety, engineering, maintenance and operational impact on the at grade and elevated metro infrastructure.

The development of this future precinct was considered as a part of the Tallawong Station design and the adjacent roads and frontages are already completed, with new works limited to the south of the recently constructed road.

## 9.0 ENVIRONMENTAL ASSESSMENT

### 9.1 Design Excellence and Built Form

The design excellence and built form items identified in the SEARs are addressed as follows:

SEARs requirement	Response
Demonstrate compliance with the approved Tallawong Station Precinct South Design Quality Guidelines and Design Excellence Strategy and submit the required documentation including details of how feedback from the Tallawong Station South Design Review Panel (TSS DRP) is addressed in the design.	<p>The proposed built form has been designed having regard to the Concept Plan approval and in particular the Design Guidelines, as addressed in detailed above in this Statement.</p> <p>The proposed development has also been the subject of an extensive workshop process with the Tallawong Station Design Review Panel which was established and managed by Landcom and Sydney Metro. The issues raised during the discussions and meetings have been considered through an iterative process with the Panel and subsequent revisions and refinement to the proposal. The proposal is consistent with the independent advice provided during this review process, including areas where the Concept Plan is proposed to be refined to achieve an improved design outcome. A summary of the Design Review Panel process prepared by Deicorp accompanies this submission, and Turner architect's SEPP 65 design report also includes design commentary in relation to the design development which has occurred in collaboration with the Design Review Panel.</p>
Demonstrate how the design, built form and landscaping of blocks fronting Schofields Road (including setbacks to the top-most floor) would appropriately address the urban qualities of Schofields Road and the adjacent low-density residential suburb of The Ponds	<p>The approved Concept Plan has already established a strong urban design framework for addressing Schofields Road by ensuring there is no 'second' street adjacent to Schofields Road, providing a built form with a lower 3 storey base to the buildings which face Schofields Road, and providing a generous landscape buffer. The proposed development adopts these measures and achieves a highly activated southern façade for the development which meaningfully engages with the context to the south of the site. Finally, the materiality for these buildings, with a strong masonry character, references the materiality evident in The Ponds neighbourhood.</p>
Demonstrate the proposal would maximise solar access to apartments, communal open space and the public realm.	<p>The proposed development has been designed to maximise solar access with 70.1% of apartments enjoying 2 hours solar access between 9am and 3pm on 21 June, and ample sunlight provided to common open space areas due to the generous provision of roof top common open space areas. Overshadowing of the public domain is established</p>

SEARs requirement	Response
	by the parameters of the Concept Plan, however, this framework also ensured that the central park is located at the northern end of the site where solar access to the park is maximised.
Demonstrate the proposal achieves a high level of residential amenity for future residents in accordance with the requirements of State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development and the accompanying Apartment Design Guide	The proposal achieves a high level of amenity as addressed in the SEPP 65 discussion elsewhere in this Statement and also in the SEPP 65 and ADG report prepared by Turner Architects which accompanies this application. The proposed development either meets or exceeds the relevant Design Criteria of the ADG.
<p>Demonstrate compliance with the approved public domain and landscape strategy and address the following matters:</p> <ul style="list-style-type: none"> <li>a diversity of native trees, shrubs and groundcover species from the relevant local native vegetation community (or communities) that once occurred on the site shall be used to landscape the site including street planting. Species selection criteria to consider climate adaptability</li> <li>details and specifications for public domain works, street planting and infrastructure as required by Blacktown City Council</li> <li>allow for appropriate landscape setbacks to ensure tree planting can be achieved in the private domain consistent with NSW government urban canopy targets.</li> </ul>	<p>The proposal is accompanied by a detailed landscape package prepared by Turf Design which provides details in relation to the landscape strategy for the site which addresses the identified matters. The landscape design for the proposal is considered to be a fundamental component of the development, particularly the design of the central park, and an exemplary landscape outcome has been achieved for the development.</p>
<p>Provide details of the following elements:</p> <ul style="list-style-type: none"> <li>architectural roof features such as projecting fins or poles</li> <li>design and use of rooftop terrace areas</li> <li>design and location of lift overrun and fire stair</li> <li>subdivision</li> <li>interim activation works</li> <li>staging of development</li> </ul>	<p>The architectural package provides details in relation to architectural roof features and other façade elements, as well as the design and location of lift overruns and stairs. The design of the rooftop common open spaces is addressed in the architectural package prepared by Turner Architects and also in more detail in the landscape package prepared by Turf Design. Staging of the project is outlined in this Statement above and essentially comprises just four stages.</p> <p>Interim activation works are constrained by the practicalities of securing each site completely during the course of construction. Notwithstanding this, a display suite/centre is proposed to be constructed on Site 2 (with a development application for this lodged with Blacktown City Council) as soon as possible and this will remain in place for the duration of the works on Site 1 and will provide a focal point</p>

SEARs requirement	Response
	<p>of engagement with the community for the project. It is anticipated that various community events can be accommodated at the display village with activities for children such as face painting, balloons, art and craft etc and it has been designed to facilitate this outcome, with a large open space to the west of the display building and also a children's playground included. Once Site 1 is completed and construction work is to commence on Site 2, the display will be decommissioned and the Site 1 retail centre will be officially opened. In addition to the above, it is anticipated that public art will be integrated with the site hoarding.</p>

## 9.2 Integration with Sydney Metro Station

The approved site layout, building locations and envelopes under Concept Plan SSD 9063 fundamentally address integration with the Tallawong Station by locating and designing the publicly accessible park to relate directly to the metro station in order to achieve a high level of visual connectivity to the station, particularly as the park aperture widens towards the north.

The proposed development is consistent with the Concept Plan and has adopted and refined this approach. The proposal provides an even higher level of connectivity through Site 1, increases the size of the publicly accessible park, and converts the north-south street in Site 1 to a private street design which further expands the pedestrian priority of this area. The proposal also encourages connectivity from the commuter car parks through the development and to the metro station.

Furthermore, the design of the ground level frontages directly opposite the metro station in Buildings 1A1 and 1B.3 are such that they are completely activated.

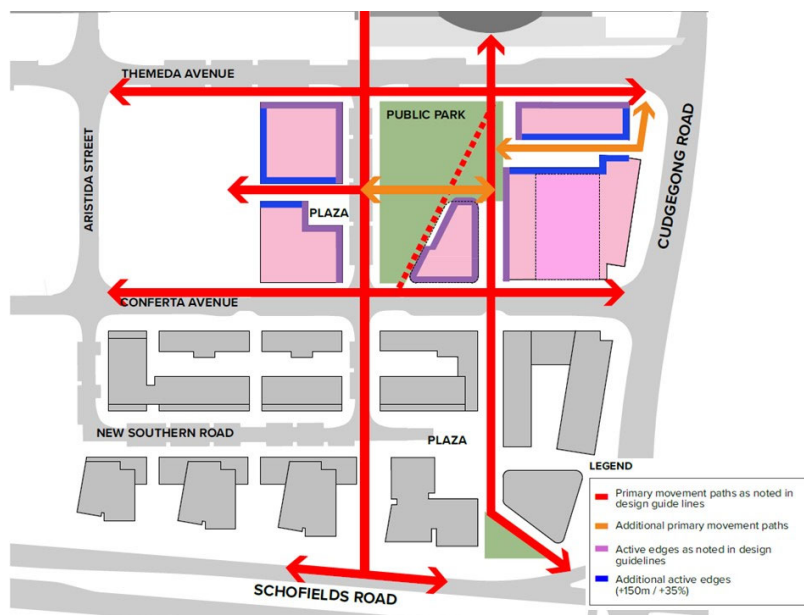


Figure 29:

Proposed active edges

The existing pedestrian crossing from the metro station across Themeda Avenue leads directly to the top of the primary north-south pedestrian link through the entire site, where there is also a choice for pedestrians to also head in a south-western direction to access the commercial and residential components along the western side of the proposal, or the commuter car parks further to the west. The pedestrian and cycle links throughout the site all lead to the focal point of the metro station as established by the Concept Plan SSD 9063 and the design of the ground floor plane of the proposal ensures that these connections are properly activated.

### 9.3 Waste Management

The proposed development provides for on-site waste collection as follows:

Site	Waste Collection Location
1A and 1B	Basement loading dock at south-eastern corner of the site
2A	At-grade loading dock at south-western corner of site
2B, 2C and 2E	At-grade loading dock at north-eastern corner of site
2D	At-grade loading dock at western end of site

During design development, a range of options for the location of the loading docks for waste collection was explored, both within the ground floor of each site and also within the basement. Four primary options were explored, as illustrated in Figures 17 to 20 below.

Figures 30, 31 and 32 illustrate various configurations for access to basement garbage collection, and each demonstrates that basement collection would result in several unsatisfactory design outcomes with respect of increasing heights of buildings, excessive ramping and therefore blank edges, and reduction of common open space and deep soil within the centre of the respective site.

Figure 33 illustrates the principles of the waste collection solution as proposed which comprises at-grade loading docks contained within each building. The more detailed solution is illustrated in Figure 34 which demonstrates that the loading docks have been sleeved to the greatest extent possible with apartments, so that there is minimal blank façade, and their location minimises disruption of the central communal and deep soil areas within each building. This solution clearly results in the least detrimental impact to the internal planning and amenity of the buildings and also minimise blank facades.

A detailed discussion in relation to the design of the loading docks, bins storage and location, and methods for collection is included in the Waste Management Plan prepared by Elephants Foot which accompanies this application.

In summary, the loading docks have been designed as an optimal outcome to accommodate Blacktown City Council's waste vehicles which can enter and exit the loading dock in a forwards direction, with the least adverse impact. An acceptable design solution has been achieved which appropriately balances the servicing demands of the project with the achievement of an optimised urban design outcome.

## BASEMENT ENTRIES - OPTION 1 - LOADING IN BASEMENT

### SERVICING

- Total number of loading zones and vehicular entries reduced from Concept DA
- Approved Concept DA basement entry locations maintained
- Communal open space & deep soil compromised by long, deep ramps
- Communal open space & deep soil compromised by loading docks
- Inactive facades created by long, deep ramps
- Space-consuming 4.5m high loading docks

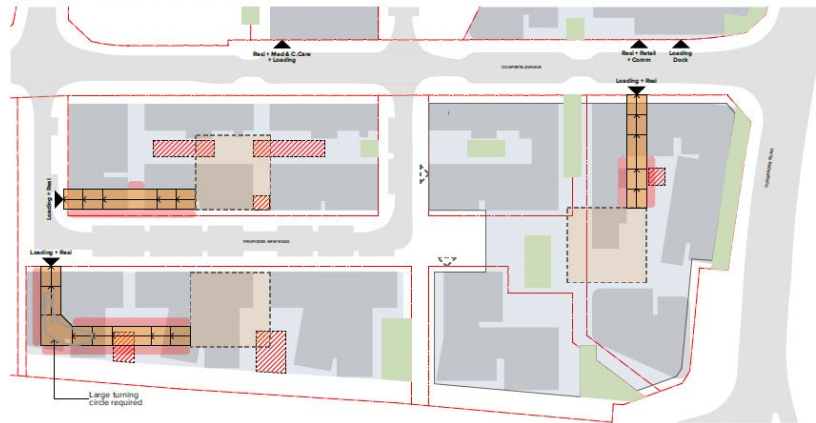


Figure 30:

Waste collection from basement – Option 1

## BASEMENT ENTRIES - OPTION 2 - LOADING IN BASEMENT

### SERVICING

- Total number of loading zones and vehicular entries reduced from Concept DA
- Approved Concept DA basement entry locations changed
- Communal open space & deep soil compromised by long, deep ramps
- Communal open space & deep soil compromised by loading docks
- Inactive facades created by long, deep ramps
- Space-consuming 4.5m high loading docks

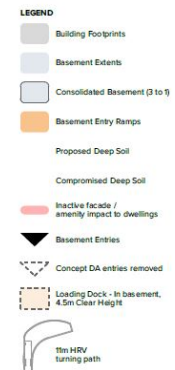
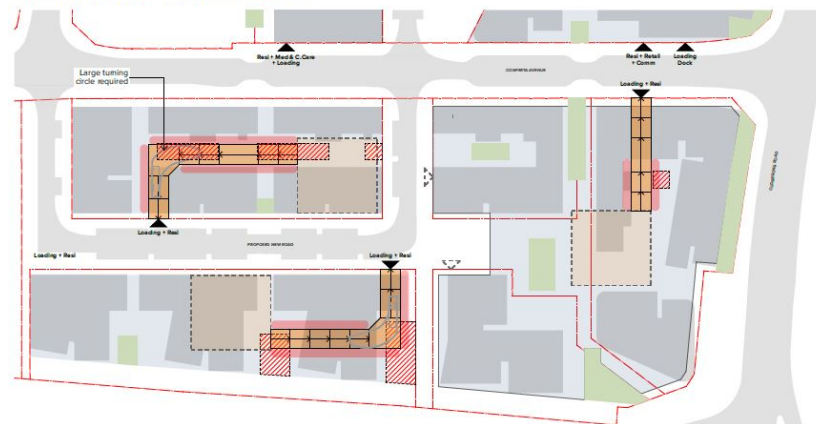


Figure 31:

Waste collection from basement – Option 2

## BASEMENT ENTRIES - OPTION 3 - LOADING IN BASEMENT

### SERVICING

- Total number of loading zones and vehicular entries reduced from Concept DA
- Communal open space & deep soil compromised by long, deep ramps
- Communal open space & deep soil compromised by loading docks
- Large openings above ramps create poor amenity for adjacent dwellings

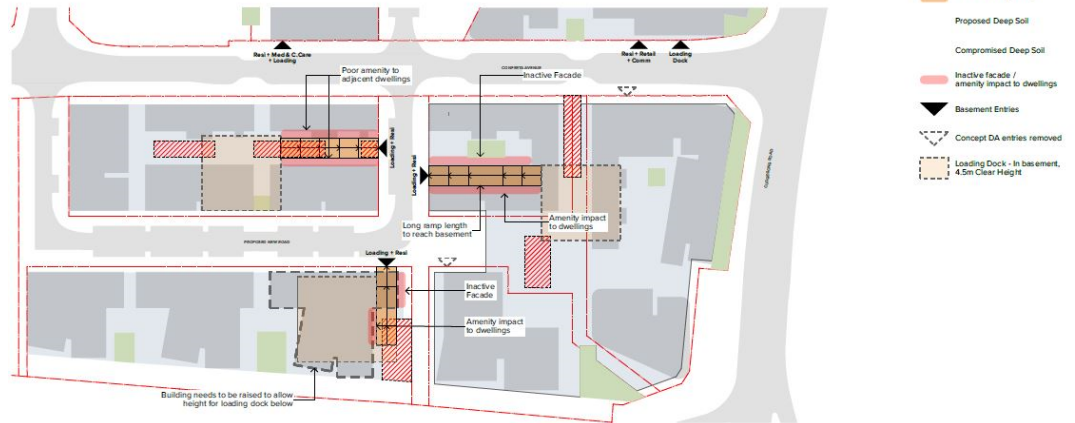


Figure 32:

Waste collection from basement – Option 3

## BASEMENT ENTRIES - OPTION 4 - LOADING AT GROUND

### SERVICING

- Total number of loading zones and vehicular entries reduced from Concept DA
- Communal open space & deep soil maximised
- Consolidated loading and basement entry areas
- Streetscape presentation improved and activation maximised

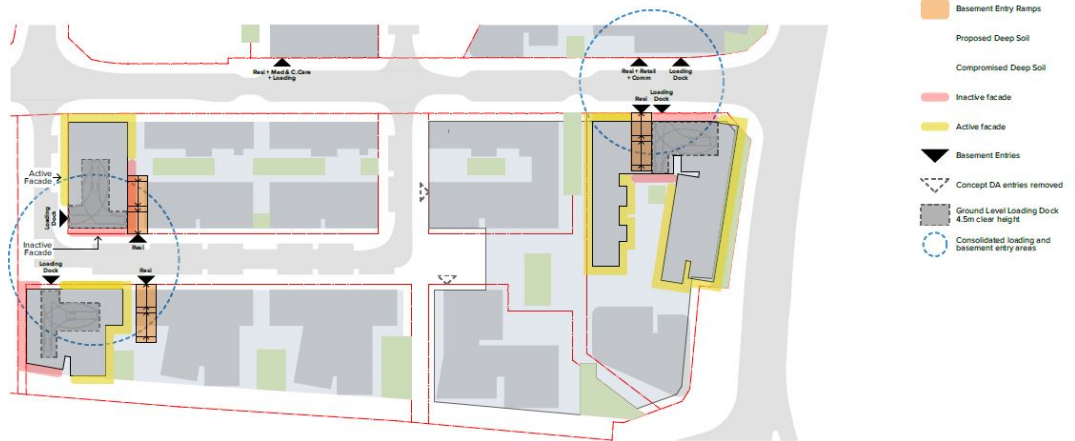


Figure 33:

Waste collection from ground level – Option 4



Figure 34:

Final loading dock designs

#### 9.4 Wind and Solar Reflectivity

The development application is accompanied by a Wind Impact Assessment Report prepared by Windtech which demonstrates that the proposal has incorporated the necessary measures to achieve an acceptable wind condition throughout the site, generally consistent with the recommendations of the Pedestrian Wind Environment Statement lodged with the EIS prepared by Windtech Consultants Pty Ltd (dated 12 February 2018).

The development application is accompanied by a Solar Reflectivity Report prepared by Windtech which identifies any possible adverse reflected solar glare conditions affecting motorists, pedestrians, and to occupants of neighbouring buildings. To avoid any adverse glare to motorists and pedestrians on the surrounding streets, occupants of neighbouring buildings, it is recommended that all glazing and materials used on the external façade of the development should have a maximum normal specular reflectance of visible light of 20%. The report also notes that the most reflective surface on the façades of the proposed buildings is the glazing and that reflected solar glare from concrete, brickwork, timber, etc. is negligible at less than 1% normal specular reflectance, whilst solar glare from any painted or powder-coated metallic surfaces on the exterior façade of the development is also acceptable with a normal specular reflectance of visible light in the range of 1% to 5%. Subject to the glazing not exceeded the recommended maximum normal specular reflectance of visible light of 20%, the proposed building materials will not lead to hazardous, undesirable or uncomfortable glare to pedestrians, motorists or occupants of surrounding buildings.

#### 9.5 Shopping Centre Management

The proposed design of the building provides retail and commercial tenancies predominantly at the ground floor of Site 1, as well as some upper levels in Building 1A. It is intended that the tenancies will be occupied by a variety of uses appropriate for a mixed use development such as a metro style supermarket, cafes, restaurants, hairdressers, newsagents, pharmacies, medical centres, a child care centre, a gym and the like and subsequent development applications will be submitted for these specific uses in the future.

A preliminary Plan of Management accompanies this application to provide a framework in relation to the operational aspects of the commercial component of the project to ensure that it is well managed and does

not result in an adverse impact to residential amenity within the development. The preliminary Plan of Management addresses the following issues:

- Hours of operation
- Trolley management
- Car parking
- Loading Dock
- Waste Management
- Mechanical services
- Safety and security
- Pest control
- Cleaning
- Complaint handling
- Public transport advice
- No smoking policy
- Emergency procedures.

Subject to the implementation of these measures identified in the Preliminary Plan of Management, the commercial component of the proposed development will function efficiently, will ensure the preservation of residential amenity, and will provide a well managed facility for the community.

## 9.6 Traffic and Parking

### *Traffic*

The approved Concept Plan SD 9063 was supported by a Traffic and Transport Impact Assessment prepared by SCT Consulting which established an anticipated peak hour trip generation associated with the development, and an analysis of the impact of that trip generation to the surrounding road network. The analysis confirmed that the proposed development would not result in an unreasonable impact on the road corridor performance and on intersections in close proximity of the site.

The proposed development actually has a significantly reduced residential yield of 987 apartments compared with the 1,100 assumed apartments (i.e. 10.2% less apartments) which results in reduced peak hour trip generation when compared with the assumptions which underpinned the Concept Plan approval. Accordingly, the trip generation and traffic impact associated with the subject proposal is less than that which was previously assumed and accordingly, the proposal has a reduced traffic impact.

Stage	AM Peak	PM Peak
Concept Plan SSD 9063	344	322
Proposed application	322.5	305.05

Notwithstanding the above, the subject application is accompanied by a Traffic and Parking Impact Assessment Report prepared by Barker Ryan Stewart which has undertaken an independent analysis of the impact of the proposed development upon the surrounding road network using the SIDRA modelling software which uses the level of service (delay) model adopted by the former Roads and Maritime Services (RMS) in NSW to assess intersection performance. The assessment has confirmed that the proposed development will not have a significant impact on the efficiency of the surrounding road network. The Level of Service of surrounding intersections will remain the same with the exception of a minor change in the AM at the

intersection of Tallawong Road/Schofields Road under the existing situation, and a minor change in the PM at the intersection of Cudgegong Road/Schofields Road in the 10 year growth scenario.

#### Car Parking

Condition A19 of the approved Concept Plan SSD 9063 nominates the following minimum car parking rates:

Use	Minimum Rate
Residential dwellings	0.6 car space per 1 bedroom 0.9 car space per 2 bedroom 1.4 car space per 3 bedroom
Residential visitor	0.1 car space per dwelling
Affordable Housing	As required by State Environmental Planning Policy (Affordable Rental Housing) 2009, or the residential dwelling rates above, whichever is the lesser
Retail floor area	1 car space/60sqm GLFA
Commercial floor area	1 car space/70sqm GFA
Bicycle space for residents	1 bicycle space/dwelling
Bicycle spaces for visitors	1 bicycle space/10 dwellings

It is noted that a concurrent S4.55 Modification application proposes to reduce the residential visitor parking rate from 0.1 car space per dwelling to 0.28 car spaces per dwelling.

In addition, Condition B12 of the Concept Plan SSD 9063 requires that the application is to include a parking strategy to maximise efficiency of car parking spaces including the consideration of sharing use of car spaces between land uses.

The proposed development provides car parking and bicycle parking based on the following rates:

Use	Proposed car parking rate
Residential dwellings	1 car space per 1 bedroom 1 car space per 2 bedroom 2 car spaces per 3 bedroom
Residential visitor	0.28 car space per dwelling (1/35 dwellings)
Retail floor area	1 car space/30sqm GLFA
Commercial floor area	1 car space/30sqm GFA
Bicycle space for residents	1 bicycle space/dwelling
Bicycle spaces for visitors	1 bicycle space/10 dwellings

With the exception of the residential visitor provision, the proposed residential and the commercial car parking rates exceed the minimum requirement and are therefore compliant with Condition A19 car parking rates. The proposed amendment to the residential visitor rate is a direct response to Condition B12 of the Concept Plan

SSD 9063 which requires that the application is to include a parking strategy to maximise efficiency of car parking spaces including the consideration of sharing use of car spaces between land uses. It is considered that residential visitors can, and are likely to, use the retail parking capacity for visits to the site which supports a reduction in exclusive residential visitor parking.

Further discussion is provided below in support of the proposed car parking provision:

- The car parking rates comply with the minimum control expressed by Condition A19.
- Whilst the proposed development is characterised as transit oriented development, it is still necessary to acknowledge the unique location of Tallawong Precinct South at the end of the Metro North West Line and the extensive catchment area it serves. In particular, the North West Growth centre has only been partially developed and the catchment area beyond the North West Growth centre is predominantly rural in nature with poor or no public transport options available to the residents. Many of the services and facilities in the local area still need to be accessed by car including schools, childcare centres, sporting facilities, parks, and visiting family and friends at destinations that are not readily served by public transport. Accordingly, whilst the close proximity of the metro line is an excellent asset for the future residents and businesses and will reduce some private car trips, particularly during the week to access primary employment centres, it does not cater for all trips which will be required by residents in the local area.
- The proposed parking rates have been arrived at in order to meet the travel demands associated with the characteristics of the Tallawong area; and are consistent with the parking provision of other approved developments in the vicinity of the Tallawong Station. In particular, the residential parking provision in other nearby recently approved developments demonstrates the demand for parking by residents, which indicates that it is necessary to provide 1 space per 1 and 2-bedroom units and 2 spaces per 3 bedroom units in order to address this demand.
- Notwithstanding that the car parking rates are higher than the minimums identified in Condition A19, the proposed development will still result in a reduced traffic impact when compared that which was anticipated by the approved Concept Plan SSD 9063 as the proposal has 113 or 10.2% less apartments.

Having regard to the above, it has been demonstrated that the proposed car parking rates are both compliant and justified having regard to the context of the site and there is no lawful or reasonable basis for an alternative provision of parking.

In relation to Condition B12 of the Concept Plan SSD 9063 which requires that the application is to include a parking strategy to maximise efficiency of car parking spaces including the consideration of sharing use of car spaces between land uses, the residential visitor parking has been reduced on the basis that residential visitors can, and are likely to, use the retail parking capacity for visits to the site.

Finally, the proposal is accompanied by a Green Travel Plan prepared by Barker Ryan Stewart which identifies a range of sustainable travel initiatives to complement the existing transport options and provide a holistic strategy to positively influence occupant behaviour.

## 9.7 Visual and Amenity Impacts

The visual and amenity impacts identified in the SEARs are addressed as follows:

SEARs requirement	Response
Provide a solar access and overshadowing analysis outlining impacts on adjoining developments and the public domain. The analysis must include, at a minimum, shadow diagrams at hourly intervals in mid-winter and additional diagrams to detail impacts on any affected public open space and private open space.	<p>The shadow impact associated with the proposal is predominantly established by the approved Concept Plan SSD9063. Whilst the proposed development results in some changes to building envelopes and heights, both up and down, the shadow impact is essentially as approved by the Concept Plan. Nonetheless, shadow diagrams accompany the subject application and demonstrate that there is no shadow impact to any residential properties to the south between 9am and 3pm on 21 June. The location of the park on the northern side of the site, as established by the Concept Plan, ensures that solar access has been maximised to this space.</p> <p>The solar assessment of the development as prepared by Turner Architects also demonstrates that the proposed development meets the Design Criteria of the Apartment Design Guide with 70.1% of apartments enjoying 2 hours solar access between 9am and 3pm on 21 June, and more than 50% of the required communal open space also enjoys at least 2 hours solar access between 9am and 3pm on 21 June.</p>
Provide a reflectivity analysis identifying potential adverse glare conditions affecting motorists, pedestrians and occupants of neighbouring buildings	<p>The development application is accompanied by a Solar Reflectivity Report prepared by Windtech which identifies any possible adverse reflected solar glare conditions affecting motorists, pedestrians, and to occupants of neighbouring buildings. To avoid any adverse glare to motorists and pedestrians on the surrounding streets, occupants of neighbouring buildings, it is recommended that all glazing and materials used on the external façade of the development should have a maximum normal specular reflectance of visible light of 20%.</p>
Include a wind assessment, identifying the impact of the proposal on surrounding wind conditions and any required measures to ameliorate wind impacts. Communal open spaces must remain fit for purpose with any adverse wind impacts ameliorated · identify any other potential impacts of the proposal on the amenity of surrounding land uses and the public domain	<p>The development application is accompanied by a Wind Impact Assessment Report prepared by Windtech which demonstrates that the proposal has incorporated the necessary measures to achieve an acceptable wind condition throughout the site, generally consistent with the recommendations of the Pedestrian Wind Environment Statement lodged with the EIS prepared by Windtech Consultants Pty Ltd (dated 12 February 2018).</p> <p>These measures do not compromise the communal open spaces and instead encourage landscaping as the most appropriate mitigation measure in most</p>

SEARs requirement	Response
	circumstances which also achieves a positive amenity outcome. Awnings are sufficient to address downwash in the commercial component of the project.
Identify any other potential impacts of the proposal on the amenity of surrounding land uses and the public domain	The proposed development is consistent with the established framework and density for the site under the approved Concept Plan SSD 9063 and does not generate any amenity impacts on surrounding land use and public domain beyond those anticipated by the approved Concept Plan.
Provide an operational acoustic report addressing any required noise mitigation measures	An Acoustic Report prepared by Koikas Acoustics accompanies this application which includes details in relation to operational aspects of the building in relation to mechanical plant and also the operation of the loading docks throughout the development. The Report finds that subject to the implementation of the recommendations of the report that the loading dock areas can be acoustically treated and a management plan adopted to ensure adequate noise levels to the adjoining residential premises.

### 9.8 Heritage

A Statement of Heritage Impact, prepared in accordance with the NSW Heritage Manual by OCP Architects accompanied the Concept Plan SSD 9063 application.

The Statement found that there are no heritage listings for the Tallawong Station Precinct South Site, however there are three state-listed heritage items within two kilometres of the Site. The Statement assessed the potential impact of the development of the site on the state heritage items, including Rouse Hill House and Farm and its curtilage. The analysis indicated that the potential for any impact arising from the proposal on Rouse Hill House and Farm and its curtilage is very low because of the distance between the two sites (1.5km) as well as the undulating landscape and remnant vegetation which restrict views. No other heritage items were considered likely to be meaningfully impacted by the proposed works.

The Statement of Heritage Impact also detailed an investigation, excavation and salvage program which was undertaken in accordance with the Guide to investigating, assessing and reporting on Aboriginal Cultural Heritage in NSW (DECWW, 2011) and Aboriginal Cultural Heritage Consultation requirements for Proponents 2010, and the site area has been confirmed to be cleared of Aboriginal heritage by Transport for NSW.

The Department's assessment concluded that the Department was satisfied that the development of the site will have no adverse impact on the heritage significance of these heritage items, that there is little potential for archaeological remains, and the site area has been confirmed to be cleared of Aboriginal heritage.

### 9.9 Ecological Sustainable Development

The proposed development has been designed to reflect best practice sustainable building principles to improve environmental performance, in relation to energy and water efficient design and technology and use of

renewable energy. A Sustainability Report prepared by ARUP accompanies the subject application which details how ESD principles have been incorporated in the design and construction of the project and are intended to be incorporated in the ongoing operation of the development.

The proposed development has aimed to integrate a variety of sustainability initiatives outlined in regional policies, local planning policies, SEARs and commitments of Landcom and Deicorp. This draws from the sustainability actions identified within the concept approval and develops up implementation details appropriate to this stage of design. In addition, the project has been designed to comply, and seek, a 5-star Green Star Communities certification

The *Environmental Planning & Assessment Act 1979* adopts the definition of ESD found in the *Protection of the Environment Administration Act 1991*. Section 6(2) of that Act states that ESD requires the effective integration of economic and environmental considerations in decision-making processes and that ESD can be achieved through the implementation of:

- the precautionary principle
- inter-generational equity
- conservation of biological diversity and ecological integrity
- improved valuation, pricing and incentive mechanisms.

The 4 principles are addressed below:

#### **Precautionary principle**

The precautionary principle requires careful evaluation of potential environmental impacts in order to avoid, wherever practicable, serious or irreversible damage to the environment. The proposed development is accompanied by multiple environmental studies and technical reports which conclude that there are no environmental constraints that preclude the development of the site in accordance with the proposal, subject to appropriate management in construction and operational strategies. The mitigation measures outlined in this Statement detail the methods by which environmental impacts will be managed on the site.

#### **Inter-generational equity**

The proposal will ensure that the health, diversity and productivity of the environment is enhanced for the benefit of future generations as it represents a sustainable use of the site which will take advantage of the existing infrastructure and make more efficient use of the site. The re-development of this site will also have positive social, economic and environmental impacts. The location of new residential development on a site with excellent access to public transport will enable residents to make sustainable travel choices which will protect the environment for future generations.

#### **Conservation of biological diversity and ecological integrity**

The principle of biological diversity upholds that the conservation of biological diversity and ecological integrity should be a fundamental consideration. The potential impacts of the development on the environmental value of the site and surrounds was assessed as part of the Concept Plan SSD 9063. The proposed development will not have any significant effect on the biological diversity and ecological integrity of the site and in fact provides the opportunity to introduce planting and landscaping to provide for habitat and to assist in rain water absorption.

### Improved valuation, pricing and incentive mechanisms

The principles of improved valuation and pricing of environmental resources requires consideration of all environmental resources which may be affected by a proposal, including air, water, land and living things. The development of the site will not produce excessive waste or result in pollution emanating from the site. All efforts will be made to ensure that materials are reused, recycled or disposed of in a sensitive manner. The life cycle of products and their robustness has been considered in the process of material and finish selection.

### 9.10 Construction Management

A Construction Management Plan prepared by Deicorp and Barker Ryan Stewart accompanies the subject application which addresses:

- Construction pedestrian and traffic management
- Public safety, amenity and site security
- Operating hours, noise and vibration control
- Air and dust management
- Stormwater management and sediment control
- Waste and material reuse management
- Management responsibility
- Community consultation and communication protocols

The Appendices to the Construction Management Plan include:

- Appendix A – Site Management Plan
- Appendix B – Soil and Water Management Plan
- Appendix C – Construction Waste Management Plan
- Appendix D - Construction Pedestrian and Traffic Management Plan

In addition to the above, Barker Ryan Stewart have also undertaken a Road Safety Audit Report for the construction of the project which accompanies the application. The report includes suggested treatments to mitigate safety impacts and these measures will be implemented during construction.

Finally, the application is accompanied by an Acoustic Report prepared by Koikas Acoustics which also includes a Construction Noise and Vibration Plan of Management.

### 9.11 Bushfire

Australian Bushfire Protection Planners Pty Limited prepared a Bushfire Protection Assessment which accompanied the Concept Plan application. In summary the site is not exposed to direct impacts of a bushfire and there is no requirement to provide and manage bushfire protection measures on the site or a need to apply bushfire construction standards to the development. Therefore, there is no need for any further bushfire assessment for the proposal.

### 9.12 Biodiversity

The entire site is also located on 'biodiversity certified land' according to the Order to confer biodiversity certification on the State Environmental Planning Policy Sydney Region Growth Centres 2006.

Under s126(l) of the Threatened Species Conservation Act 1995 development on biodiversity certified land is taken to be development that is not likely to significantly affect any threatened species, population or ecological community or its habitat. A consent authority is not required to take into consideration the likely impact of the development on biodiversity values (despite any provision of the Environmental Planning & Assessment Act, 1979 or any regulation or instrument made under that Act). Therefore, no further assessment of impacts to threatened species, populations or ecological communities is required under NSW legislation.

### 9.13 Public Components

The proposed development will deliver the following public components:

Component	Delivery and method for public access
New road in Site 2	The proposed development includes the construction and dedication of a new public road and pedestrian link to Blacktown City Council as part of the works in Site 2. It is anticipated that this will be secured via a condition of consent.
Pedestrian/cycleway links	The Concept Plan SSD9063 identifies a range of pedestrian and pedestrian/cycle links through both Site 1 and Site 2, which are intended to remain in private ownership but with easements on title which secure full and free public access. The proposed design of the development provides these links and it is anticipated that a condition of consent will be imposed to require these links to be secured on title in the final plan of subdivision.
Plaza areas	The proposal will deliver the 'plaza' spaces identified in the Concept Plan SSD9063.
Park	<p>The Concept Plan SSD9063 identifies a central park in Site 1 which was anticipated to be constructed and dedicated to Blacktown City Council. The proposed development will deliver a publicly accessible park within Site 1 as anticipated, noting that the park has been increased in size from the anticipated 3,411 square metres to 3,507 square metres.</p> <p>However, Blacktown City Council have agreed in principle for Deicorp to retain ownership of the park and accordingly it is proposed that the park will be retained in private ownership and that public access of the park will be secured on title.</p>
New road in Site 1	<p>The Concept Plan SSD9063 identifies a new north-south road in Site 1 to the west of the park, which connects Themeda Avenue with Conferta Avenue, which was intended to be constructed and dedicated to Blacktown City Council.</p> <p>However, during the course of design development this road has been redesigned as a private street arrangement which achieves a significantly improved public domain outcome which prioritises pedestrian primacy, achieves an improved relationship between the eastern and western sides of Site 1, and visually extends the perceived size of the park. Blacktown City Council have been consulted in relation to this change and support this approach in</p>

Component	Delivery and method for public access
	principle. It is proposed that the private street will be retained in private ownership and that public access of the private street will be secured on title.

#### 9.14 Utilities

Subdivision works have been undertaken to create the two development parcels for the subject proposal which including provision of all required public utility infrastructure, including water, electricity, gas and telecommunications services which are available for the development.

Notwithstanding this, further investigations have been undertaken as follows:

- DEP Consulting have been engaged as the Level 3 Accredited Service Provider to undertake the design of the electrical infrastructure & power supply for the overall Tallawong Station Precinct. DEP Consulting has assessed the proposal for the site and has determined that several new Padmount Substations will be required to service the entire development. The Substations will be positioned wholly within the development and will be designed to be installed to meet the staging requirements of the development. The Substations, the associated High & Low Voltage network extensions and public roadway streetlighting will be designed to comply with Endeavour Energy construction requirements.
- Greg Houston Plumbing Pty Ltd has submitted a feasibility study to Sydney Water and have identified that based on preliminary investigation that the development can be adequately serviced for water and sewer.
- In relation to gas supply, there are two existing 50NY 210 kPa gas main along Themeda Ave and Conferta Ave.
- In relation to communication infrastructure, a private fibre network provider will likely be appointed in the future.

#### 9.15 Crime Prevention Through Environmental Design

Crime prevention through environmental design (CPTED) seeks to influence the design of buildings and places by:

- increasing the perception of risk to criminals by increasing the possibility of detection, challenge and capture
- increasing the effort required to commit crime by increasing the time, energy or resources which need to be expended
- reducing the potential rewards of crime by minimising, removing or concealing 'crime benefits'
- removing conditions that create confusion about required norms of behaviour

There are four principles that need to be used in the assessment of development applications to minimise the opportunity for crime:

- Surveillance
- Access Control
- Territorial Reinforcement
- Space Management.

A detailed Crime Prevention Through Environmental Design Assessment prepared by Barker Ryan Stewart accompanies this application. The Assessment analyses the crime statistics in the area as well as the design of the various elements of the proposal. The assessment concludes that the proposal incorporates:

- Architecturally designed common areas that promote resident interaction and a responsibility of users for the area;
- Entrance design to residential pathways and buildings which provide a clear demarcation between public and semi-private space;
- Clear design cues associated with fenced terraces which delineate these spaces and identify who they are to be used by; and
- A high level of passive surveillance of the public and private domain.

Subject to the implementation of security measures such as CCTV, security controlled access to basements and lobbies, lighting, regular cleaning and maintenance of publicly accessible areas, and maintenance of landscaping, the proposed development can be managed to minimise the potential risk of crime.

#### 9.16 Air Quality

An Air Quality assessment was prepared by AECOM in support of the approved Concept Plan SSD 9063 which involved:

- Identification of relevant ambient air quality criteria
- Discussion of relevant guidelines including the Department's Development Near Rail Corridors and Busy Roads – Interim Guideline (2008)
- Discussion of local meteorology and climate conditions based on available Bureau of Meteorology (BoM) data
- Discussion on existing air quality within the Study Area based on available Office of Environment and Heritage (OEH) data
- Identification of potential sources of air and odour emissions from surrounding land uses
- A qualitative odour impact assessment conducted in accordance with the EPA's Technical framework: Assessment and management of odour from stationary sources in NSW and Technical Notes (DEC 2006)
- Provision of recommendations including any potential safeguards or monitoring that may be required.

The assessment found that due to the general wind conditions of the area blowing parallel to or away from the site and the lack of any complex terrain or additional sources of pollution, the site is adequately located to minimise air quality impacts as a result of both vehicle emissions from Windsor Road and odour associated with broiler farm operations located at Riverstone and Marsden Park approximately six kilometres to the west. Therefore, it was established in the Concept Plan SSD 9063 that as current air quality meets relevant EPA criteria, in combination with the lack of any complex meteorology, terrain or major sources of pollution, there are no air quality issues requiring consideration in regard to the proposed development.

#### 9.17 Consultation

Consultation was previously undertaken during the preparation, public exhibition and assessment of the Concept Approval SSD 9063, which established the broad framework for the proposal. It is noted that the proposal is generally in accordance with the fundamental components of the Concept Approval. Notwithstanding, the project team have corresponded with the relevant authorities prior to the submission of

the EIS, and Pre-submission Consultation Statement prepared by Deicorp has been prepared and accompanies this application. Detailed consultation has been undertaken with Blacktown City Council in particular in relation to the tenure and design of the park and the western adjacent street, and Council have agreed in principle for Deicorp to retain ownership of the park and the adjoining road, provided that full and free public access is secured on title.

#### 9.18 Environmental Risk Assessment

An Environmental Risk Assessment determines residual risk by reviewing the significance of environmental impacts and the ability to manage those impacts. The Environmental Risk Assessment for the proposed development is derived from Australian Standard AS4369.1999 Risk Management and Environmental Risk Tools.

The assessment indicates the significance of potential environmental impacts on a scale of 1 to 5 (5 being more significant) based on the receiving environment, the level of understanding of the type and extent of impacts, and response to the environmental consequences. The assessment considers how manageable the impacts are on a scale of 1 to 5 (5 being complex) based on the complexity of mitigation measures, the known level of performance of the safeguards proposed, and the opportunity for adaptive management. This is illustrated below in the Risk Assessment Matrix Consultation was previously

Significance of Impact	Manageability of Impact				
	5 Complex	4 Substantial	3 Elementary	2 Standard	1 Simple
1 Low	6 Medium	5 Low/Medium	4 Low/Medium	3 Low	2 Low
2 Minor	7 High/Medium	6 Medium	5 Low/Medium	4 Low/Medium	3 Low
3 Moderate	8 High/Medium	7 High/Medium	6 Medium	5 Low/Medium	4 Low/Medium
4 High	9 High	8 High/Medium	7 High/Medium	6 Medium	5 Low/Medium
5 Extreme	10 High	9 High	8 High/Medium	7 High/Medium	6 Medium

The Environmental Risk Assessment addresses:

- the adequacy of baseline data;
- the potential cumulative impacts due to other development in the vicinity; and
- measures to avoid, minimise and if necessary, offset the predicted impacts, including detailed contingency plans for managing any significant risks to the environment.

The below table illustrates the risk assessment for the proposed development:

Item	Phase	Potential Environmental Impact	Proposed Mitigation Measures and/or comment	Significance of Impact	Manageability of Impact	Residual Impact
C – Construction O - Operation						
Biodiversity	C	Loss of vegetation within the site.  Potential to impact on biodiversity of the site	Site is biodiversity certified. Vegetation to be removed during construction will be replaced with new planting as illustrated in the landscape plan which accompanies the application	3	2	5 (low/medium)
Amenity	O	Inadequate privacy, solar access, ventilation.  Overshadowing of adjoining sites.	Proposal has been designed to meet or exceed amenity requirements of the ADG and SEPP 65. No overshadowing of adjoining sites.	2	1	3 (low)
Stormwater	C+O	Potential water quality	Implement stormwater drainage infrastructure as designed by AECOM in accordance with the Integrated Water Cycle Management Strategy – Tallawong Station Precinct South prepared by AECOM	3	2	5 (low/medium)
Wind	O	Adverse wind environment	Ensure the wind mitigation measures outlined in the Pedestrian Wind Environment Statement are implemented during construction.	3	2	5 (low/medium)
Soil and contamination	C	Exposure of contamination or hazardous materials during construction.	Implement Remediation Action Plan during construction	3	2	5 (low/medium)
Resources, Water and Energy	C+O	Waste of water, energy and other resources	Detention tanks, rainwater tanks and stormwater treatment measures.  Waste management plan to be implemented to reduce waste and encourage recycling.  Materials selection and energy saving devices.	2	1	3 (low)

Item	Phase	Potential Environmental Impact	Proposed Mitigation Measures and/or comment	Significance of Impact	Manageability of Impact	Residual Impact
			Multiple ESD measures.			
Noise and Vibration	C+O	Noise during construction. Noise during operation.	The acoustic assessment provides that adequate control of construction noise will be achieved through implementation of Construction Management Plan.  Subject to finalisation of equipment specifications, appropriate sound minimisation measures will be incorporated within the development	C-2  O-2	C-2  O-1	4 (low/medium)  3 (low)
Transport and Parking	C+O	Increased traffic and parking on local roads	Sufficient parking is provided within the development for the various uses to ensure that the proposal does not result in a detrimental impact on parking on surrounding streets.  The proposal is supported by a detailed Traffic and Parking Assessment which has identified that surrounding intersection performance assessed on SIDRA analysis maintains an acceptable level of performance with good remaining capacity.	3	1	4 (low/medium)
Hazardous Materials	C	Potential to encounter asbestos Remediation of contaminated soil. Risk of mishandling of hazardous materials and substances	Should asbestos be encountered then it should be removed by a licensed contractor. Remediation of contaminated soil will be undertaken in accordance with the Remediation Action Plan prepared by EI which accompanies this application.	3	2	4 (low/medium)
Construction Management -	C	Potential generation of off-site transmission of	Implementation of a Construction Management	2	1	3 (low)

Item	Phase	Potential Environmental Impact	Proposed Mitigation Measures and/or comment	Significance of Impact	Manageability of Impact	Residual Impact
sediment and erosion control and air quality		sediment, dust and fine particles affecting water quality	Plan including its provisions relating to erosion and sediment control measures			
Crime	O	Risk of criminal activity affecting employees, residents and visitors	Crime Prevention Through Environmental Design principles have been applied to ensure access control, surveillance and territorial reinforcement	2	1	3 (low)

#### 9.19 Cumulative Impact

In light of the above assessment in Chapters 8 and 9 of this EIS, it is considered that the proposed development on its own or whether in conjunction with other developments occurring nearby at the same, does not give rise to any cumulative environmental impacts that cannot be appropriately managed through the mitigation measures identified in Chapter 10.

The approved metro station construction and associated works are now complete. Major projects outside of the site are likely to include development of other release areas which is to be expected in a nominated Growth Area. The Traffic and Transport Impact Assessment prepared by SCT Consulting which supported the approved Concept Plan SSD 9063 included an assessment of the cumulative impact of the Concept Proposal and demonstrated that no significant cumulative impacts are likely. The proposed development has 113 fewer apartments and so results in less peak trip generation compared with that which was anticipated by the approved Concept Plan, and accordingly the conclusions in relation to cumulative impact arising at the Concept Plan stage remain relevant.

## 10.0 MITIGATION MEASURES

The mitigation measures that are required to mitigate the likely impacts arising from the proposal. The measures have been determined by the planning and environmental assessment in Sections 8 and 9 and the specialist consultant reports appended.

Mitigation Measures
<b>Environmental sustainability</b> Implement the requirements of the ESD strategy prepared by ARUP.
<b>Accessibility</b> The detailed design will incorporate the accessible requirements of the BCA and those identified in the Accessibility Report prepared by Access Building Solutions which accompanies this application.
<b>Traffic and transport</b> <ul style="list-style-type: none"> <li>The developer will encourage a minimum of deliveries and other site traffic both during construction and operation phases.</li> <li>Development construction activity will be staged over a suitable timeframe and in a suitable sequence to avoid clashes with peak hour traffic.</li> <li>Compliance with AS 2890.1 and AS 2890.2 is required.</li> <li>Implement the Green Travel Plan prepared by Barker Ryan Stewart</li> </ul>
<b>Visual Impact During Construction</b> <ul style="list-style-type: none"> <li>Provide well-presented and maintained construction hoarding and site fencing with shade cloth (or similar material where necessary) to minimise visual impacts on key viewpoints during construction. Hoardings and site fencing would be removed following construction completion</li> <li>Provide cut-off or directed lighting within and outside of construction site, with lighting location and direction considered to ensure glare and light spill is minimised.</li> </ul>
<b>Biodiversity</b> <ul style="list-style-type: none"> <li>Sediment and erosion controls should be put in place during construction to prevent indirect impacts on the adjacent vegetation and the water courses to the east and west of the study area.</li> <li>Revegetation and/or soil stabilisation works should occur post construction</li> <li>When the small isolated stand of trees is removed, care should be taken to avoid harm to native fauna. If fauna is found on the construction site, all works should stop – all native fauna is protected. Do not touch animal but wait for it to leave. If it is a threatened species, advice from a qualified ecologist should be sought and a rescue agency such as WIRES should be called if it is harmed</li> <li>Weeds should be controlled within the study area as a part of landscaping works for future development.</li> </ul>
<b>Acoustic</b> The acoustic recommendations of the Acoustic Assessment prepared by Koikas Acoustics will be implemented during construction and the management measures implemented during operation.
<b>Air Quality</b> The air quality recommendations of the Construction Management Plan prepared by Deicorp and Barker Ryan Stewart will be implemented during construction and the management measures implemented during operation.
<b>Construction management</b>

### Mitigation Measures

The recommendations of the Construction Management Plan prepared by Deicorp and Appendices prepared by Barker Ryan Stewart will be implemented during construction.

### Operational Waste Management

The measures identified in this Operational Waste Management Plan prepared by Elephants Foot in relation to waste management will be implemented to maximise recycling throughout the operational activities of the development.

### Water Sensitive Urban Design

The stormwater management and water re-use initiatives for the project as identified in the WSUD Plan and Civil Package prepared by AECOM will be implemented during the construction of the development.

### Geotechnical

Construction work is to be undertaken in accordance with the recommendations of the Geotechnical Report prepared by EI Australia.

### Contamination

Remediation of the site is to be undertaken in accordance with the Remediation Action Plan prepared by EI Australia.

### Wind Mitigation

The recommendations of the Pedestrian Wind Environment Report prepared by Windtech will be implemented during construction of the development.

### Solar Reflectivity

The recommendations of the Solar Reflectivity Report prepared by Windtech will be implemented during construction of the development.

### Crime Prevention

The recommendations of the Crime Prevention Report prepared by Barker Ryan Stewart will be implemented during construction and the operational phase of the development.

### Shopping Centre Management

The Shopping Centre Plan of Management shall be implemented during the operation phase of the development.

## 11.0 JUSTIFICATION

Sydney Metro is Australia's biggest public transport project. This new standalone railway will deliver 31 metro stations and more than 66 kilometres of new metro rail, revolutionising the way Sydney travels. The Metro North West Line opened in May 2019 between Tallawong and Chatswood.

The Metro North West Line, with 13 stations is a catalyst for urban renewal, providing connections to areas that will be transformed through both NSW Government and private investment.

NSW Government-owned land surrounding the metro stations includes land that is no longer required to support operation. These sites have been made available for development that supports NSW Government priorities of housing affordability, local infrastructure delivery and economic development.

Landcom is the master developer for government land around new stations. As a master developer, Landcom is leading studies to support planning for project sites, work with local councils, Department of Planning, Infrastructure and Environment and other government agencies, local business and communities to shape plans for projects. Landcom will appoint private sector development partners to deliver projects across the program.

In July 2018 Landcom lodged an application with the Department of Planning, Industry and Environment on behalf of Sydney Metro for a Concept Plan application (SSD 9063) for the Tallawong Station South Precinct for a mixed use development south of Tallawong Station. Consent was issued in February 2019 for the Concept Plan which provides a deeply considered and well designed neighbourhood and provides the structural framework for the subject proposal.

Landcom also prepared an iterative design excellence process to guide the design of the development via a comprehensive Design Review Panel workshop series to ensure the achievement of an optimal design outcome for the project. That process has been undertaken and completed and the guidance provided by the Panel is reflected in the development as proposed.

The proposed development is consistent with the Department's previous assessment of site suitability in relation to the Concept Plan SSD 9063 in relation to the use and built form and therefore achieves an acceptable outcome for the site.

The development is compatible with the emerging character of the locality and will provide a positive contribution to the area through the delivery of a transit oriented mixed use development with excellent public amenity, convenience retailing and residential accommodation.

Finally, the environmental impact assessment of the proposed development has demonstrated that the development will have an overall positive impact for the area for the following reasons:

- It facilitates new housing, and a diversity of housing product, in an area that is particularly well serviced and well connected;
- It will provide the minimum 5% affordable housing which equates to 50 affordable housing apartments;
- It will provide for new work environments close to public transport, leading to the creation of jobs within the local area;
- It will provide much needed convenience retailing to service the surrounding community;
- It will provide new public open space including a new publicly accessible park and pedestrian and cycling connections for the community;
- It will maximise the significant investment in transport and other infrastructure that is being provided in the area; and

- It provides for development that maximises connectivity to the new station and activates the area around the Tallawong Station, encouraging people to use public transport and helping to make the station active and viable.

## 12.0 CONCLUSION

This State Significant Development application seeks approval for the construction of a staged mixed use development comprising residential apartments, commercial and retail uses, public domain works and landscaping including a publicly accessible park, new road and land and stratum subdivision at 1-15 and 2-12 Conferta Avenue, Rouse Hill (Tallawong Station Precinct South site) (SSD 10425)

This Environmental Impact Statement (EIS) has been prepared under section 4.12 (8A) of the Environmental Planning and Assessment Act 1979 (EP&A Act 1979), the requirements of Schedule 2 Part 2 of the Environmental Planning and Assessment Regulation 2000 and the SEARs issued for the project.

This EIS demonstrates that subject to the implementation of the identified mitigation measures, the proposed scheme will not result in any unreasonable impacts on adjoining properties, the locality or the environment. The proposal is consistent with the aims and objectives of the State Environmental Planning Policy (Sydney Growth Centres) 2006 as well as the relevant key development standards and the specific objectives and design principles of the approved Concept Plan SSD 9063 which applies to the site.

The proposal will provide a positive social and economic impact with regard to the development of the area, and as demonstrated within this report, the proposal does not result in any unreasonable adverse impacts upon adjoining properties.

Finally, the proposal will fulfill the vision established for the Tallawong Station Precinct South site by Landcom and Sydney Metro and represents the culmination of a significant investment in the locality by Sydney Metro. The proposal fulfills the established aspirations for the site, demonstrates design excellence and is in the public interest

For reasons outlined in this Statement the proposed development at 1-15 and 2-12 Conferta Avenue, Rouse Hill is recommended to be granted development consent.