Mecone

215, 229-239 Pitt Street, Merrylands

Environmental Impact Statement

Prepared for
Anglican Community Services

March 2026

Mecone acknowledges the Traditional Custodians of the land on where this project is undertaken and across the Mecone offices that this report is prepared, paying respect to the Elders past and present. We recognise the ongoing connection of Aboriginal and Torres Strait Islander peoples to land, waters, and culture.

Project director

Adam Coburn – Managing Director

Contributors

Tyson Ek-Moller – Associate

Amber Nehal – Senior Planner

Alyssa Chau – Planner

Revision	Revision date	Status	Authorised: Name & Signature
2	4 November 2025	SSDA	Adam Coburn 
3	20 February 2026	Test of Adequacy	Adam Coburn 
4	16 March 2026	Test of Adequacy	Adam Coburn 

* This document is for discussion purposes only unless signed and dated by the persons identified.
This document has been reviewed by the Project Director.

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APPENDIX	DOCUMENT	PREPARED BY
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Declaration

Signed EIS Declaration

Project details	
Project name	215, 229-239 Pitt Street, Merrylands – Mixed Use with Affordable Housing
Application number	SSD-79844224
Project address	215, 229-239 Pitt Street, Merrylands
Applicant details	
Applicant name	Anglican Community Services
Applicant address	Level 4 MQX4 Macquarie Exchange, 1 Giffnock Avenue, Macquarie Park, NSW, 2113

Details of people by whom this EIS was prepared

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Tyson Ek-Moller, Associate	Master of Planning, University of New South Wales	
Alyssa Chau, Planner	Bachelor of City Planning (Honours), University of New South Wales	

Declaration by registered environmental assessment practitioner

The undersigned declares that this EIS:

- has been prepared in accordance with Section 192 of the *Environmental Planning and Assessment Regulation 2021*;
- contains all available information relevant to the environmental assessment of the development, activity or infrastructure to which the EIS relates;
- does not contain information that is false or misleading;
- addresses the Planning Secretary's environmental assessment requirements (SEARs) for the project;
- identifies and addresses the relevant statutory requirements for the project, including any relevant matters for consideration in environmental planning instruments;
- has been prepared having regard to the Department's State Significant Development Guidelines - Preparing an Environmental Impact Statement;
- contains a simple and easy to understand summary of the project as a whole, having regard to the economic, environmental and social impacts of the project and the principles of ecologically sustainable development;
- contains a consolidated description of the project in a single chapter of the EIS;
- contains an accurate summary of the findings of any community engagement; and
- contains an accurate summary of the detailed technical assessment of the impacts of the project as a whole.

Name	Adam Coburn, Managing Director
Registration number	RPIA 10163
Registration organisation	Mecone Group Pty Ltd
Signature	
Date	19 February 2026

Glossary and abbreviations

Item	Description
Accord	National Housing Accord
ACHAR	Aboriginal Cultural Heritage Assessment Report
ADC	Architectural Design Competition
ADD	Aboriginal Objects Due Diligence Assessment
ADG	Apartment Design Guide
AEC	Areas of Environmental Concern
AIA	Arboricultural Impact Assessment
Applicant	Anglican Community Services
ASS	Acid Sulphate Soils
ATR	Archaeological Technical Report
BC Act	*Biodiversity Conservation Act 2016*
BDAR	Biodiversity Development Assessment Report
Biodiversity and Conservation SEPP	*State Environmental Planning Policy (Biodiversity and Conservation) 2021*
BCA	Building Code of Australia
CDCP 2021	Cumberland Development Control Plan 2021
CLEP 2021	*Cumberland Local Environmental Plan 2021*
Competition Report	Architectural Design Competition Report
Council	Cumberland City Council
CPTED	Crime Prevention through Environmental Design
CTMP	Construction Traffic Management Plan
DMP	Dewatering Management Plan
District Plan	Our Greater Sydney 2056 - North District Plan
DIP	Design Integrity Panel
DPHI	NSW Department of Planning, Housing and Infrastructure
DSI	Detailed Site Investigation
EDC	Estimated Development Cost
EIS	Environmental Impact Statement
EP&A Act	*Environmental Planning and Assessment Act 1979*
EPA Regulation	*Environmental Planning and Assessment Regulation 2021*
EPBC Act	*Environment Protection and Biodiversity Conservation Act 1999*
ESD	Ecologically Sustainable Development
FSR	Floor Space Ratio
FIRA	Flood Impact Risk Assessment
FRAP	Framework Remediation Action Plan
GIR	Geotechnical Investigation Report
GANSW	Government Architect NSW
GFA	Gross Floor Area
GTP	Green Travel Plan
HIS	Heritage Impact Statement
HMS	Hazardous Materials Survey
HRR	Hazards and Risks Report
Housing SEPP	*State Environmental Planning Policy (Housing) 2021*
IDMSP	Infrastructure Delivery, Management and Staging Plan
IWMP	Integrated Water Management Plan
LGA	Local Government Area
LSPS	Local Strategic Planning Statement
Mecone	Mecone Group Pty Ltd
MNES	Matters of National Environmental Significance

NSW	New South Wales
NVIA	Noise and Vibration Impact Assessment
Planning Systems SEPP	*State Environmental Planning Policy (Planning Systems) 2021*
PHAA	Preliminary Historical Archaeological Assessment
PSI	Preliminary Site Investigation
RAP	Remediation Action Plan
REAP	Registered Environmental Assessment Practitioner
Resilience and Hazards SEPP	*State Environmental Planning Policy (Resilience and Hazards) 2021*
Region Plan	Greater Sydney Region Plan: A Metropolis of Three Cities
SDRP	NSW State Design Review Panel
SEARs	Secretary's Environmental Assessment Requirements
SGIA	Surface and Groundwater Impact Assessment
SIA	Social Impact Assessment
SMP	Salinity Management Plan
SSD	State Significant Development
SSDA	State Significant Development Application
TPA	Traffic and Parking Assessment
TfNSW	Transport for New South Wales
Transport and Infrastructure SEPP	*State Environmental Planning Policy (Transport and Infrastructure) 2021*
TOD	Transport Orientated Development
VIA	Visual Impact Assessment
WM Act	*Water Management Act 2000*
DCWMP	Demolition and Construction Waste Management Plan
OWMP	Operational Waste Management Plan
UPRCT	Upper Parramatta River Catchment Trust
UPSS	Underground Petroleum Storage Services

Executive summary

Introduction

This Environmental Impact Statement (**EIS**) has been prepared by Mecone Group Pty Ltd (**Mecone**) on behalf of Anglican Community Services (**the Applicant**) to accompany a State Significant Development Application (**SSDA**) for a mixed-use development comprising of lower-level retail and commercial uses and shop top housing comprising of in-fill affordable housing at 215 and 229-239 Pitt Street, Merrylands (**the site**).

As described and assessed in further detail below, the proposed development successfully integrates employment-generating commercial and retail space and a significant number of new affordable dwellings in a way that responds appropriately to the Merrylands town centre.

Planning approval approach

This EIS has been prepared and submitted to the NSW Department of Planning, Housing and Infrastructure (**DPHI**) pursuant to Part 4 of the *Environmental Planning and Assessment Act 1979* (**EP&A Act**) and in accordance with the State Significant Guidelines – Preparing an environmental impact statement (July 2022) and the Secretary's Environmental Assessment Requirements (**SEARs**) issued on the 10 February 2025

The site is zoned E2 Commercial Centre under the *Cumberland Local Environmental Plan 2021* (**CLEP 2021**). In accordance with this zone the proposed mixed-use development is permissible with development consent on the site.

The proposed development incorporates in-fill affordable housing in accordance with Chapter 2, Part 2, Division 1 of *State Environmental Planning Policy (Housing) 2021* (**Housing SEPP**).

The project is also identified as State Significant Development (**SSD**) pursuant to Section 26A of Schedule 1 of *State Environmental Planning Policy (Planning Systems) 2021* (**Planning Systems SEPP**) as the site is located in the Central River City, has a residential component with an Estimated Development Cost (**EDC**) of more than $75 million and does not involve development prohibited under an environmental planning instrument.

Site location and context

The site is located at 215 and 229-239 Pitt Street, Merrylands, and comprises of five allotments that are legally identified as Lot 2 DP501597, Lot 1 DP537031, Lot 2 DP537031, Lot J DP10354, and Lot 1 DP1079960. The site has a total area of total area of 2,106m^2.

The site has four road frontages comprising of two road frontages to Pitt Street MacFarlane Street to the east and north respectively, whilst secondary frontages are provided to Milne Lane and Reyes Lane to the south and west respectively.

The site is located within the City of Cumberland Local Government Area (**LGA**) and is located within the Merrylands town centre, approximately 100 metres east of Merrylands Railway Station and the adjacent bus interchange (approximately three minutes' walk from the site) and opposite Stockland Mall, which is located on the northern side of McFarlane Street.

Existing development at the site consists of low-density (i.e. one- and two-storey) commercial development and at-grade car parking.

The proposal

The proposed State Significant Development Application (**SSDA**) seeks approval to construct a 37-storey mixed use shop top housing development that includes in-fill affordable housing.

The Department's reference for this SSDA is **SSD-79844224**.

This SSDA seeks development consent for the demolition of existing buildings and the construction of a mixed-use development comprising:

- Site preparation works, including the demolition of existing site structures and the removal of one tree, bulk excavation and preparatory earthworks.
- The construction of a thirty-seven-storey mixed use building comprising:
    - 36 habitable levels and one internalised mezzanine level,
    - A total of two hundred and thirty-eight (238) residential dwellings including:
        - Seventy-seven (77) one-bedroom apartments
        - One hundred and twenty-five (125) two-bedroom apartments
        - Thirty-six (36) three-bedroom apartments
        - All dwellings are to be delivered as affordable housing managed by a CHP in accordance with the Housing SEPP.
    - 623m² of retail floor space, configured as two tenancies at ground level.
    - 2,848m² of commercial floor space, across Levels 1 and 2.
    - Communal open space at podium and roof levels for use by residents.
    - Four levels of basement parking for 185 car parking spaces including:
        - 10 spaces for retail use (staff only)
        - 46 spaces for commercial use (staff only)
        - 129 residential spaces
    - On-site loading facility to be accessed from Milne Lane including:
        - Two (2) loading bays
        - A turntable to facilitate access into the loading bays.
- Associated landscaping and public domain works including offsite stormwater mitigation works.

Table 1: Development summary

Parameter	Proposal
Site area	2,106m^2
Proposed land use	Shop top housing
Gross Floor Area (GFA)	• Residential: 19,800m^2 comprising of 100% infill affordable housing • Non-residential: 3,471m^2 • Total GFA: 23,271m^2
Floor Space Ratio (FSR)	11.05:1
Proposed Building Height	124.8 metres (RL 141.76)

Apartment Mix	• 238 apartments in total including:
	  ○ 77 -bedroom apartments
	  ○ 125 two-bedroom apartments
	  ○ 36 three-bedroom apartments

Infill affordable housing – 15% of total GFA under Housing SEPP	• 100% of proposed dwellings will comprise of affordable housing
Setbacks	• **Pitt and McFarlane Streets:** ○ Ground to three storeys: 0 metres

Parameter	Proposal
	○ Above three storeys: Min. 4 metres • **Reyes Lane:** ○ Ground to three storeys: Min. 2.7 metres ○ Above three storeys: Min. 8.4 metres • **Milne Lane:** ○ Ground to three storeys: Min. 1.5 metres ○ Above three storeys: Min. 8.4 metres
Proposed Car Parking	• Total: 185 car parking spaces over four basement levels allocated as follows: ○ Resident parking: 129 spaces ○ Retail parking: 10 spaces ○ Commercial parking: 46 spaces
Bicycle and Motorcycle parking	• Bicycle Parking: ○ Resident spaces: 159 spaces ○ Visitor spaces: 79 spaces ○ Non-residential tenant parking: 36 spaces ○ Non-residential visitor parking: 5 spaces • Motorcycle Parking: 9 spaces
Communal open space	1,063m^2 (50.48% of site area)
Deep soil area	0m^2
Soft Landscape area	1,450m^2
Employment generation	**Demolition/construction phase:** • Demolition phase: 20 • Site remediation/bulk excavation stage: 30 • Structure works: 100 • Fit out and finishes: 200 **Ongoing use:** • Building manager: 1 • Retail: Up to 10 (estimated, subject to separate approval(s)) • Commercial: Up to 135 (estimated, subject to separate approval(s))
Estimated Development Cost (EDC)	$140,024,387.00 excl. GST

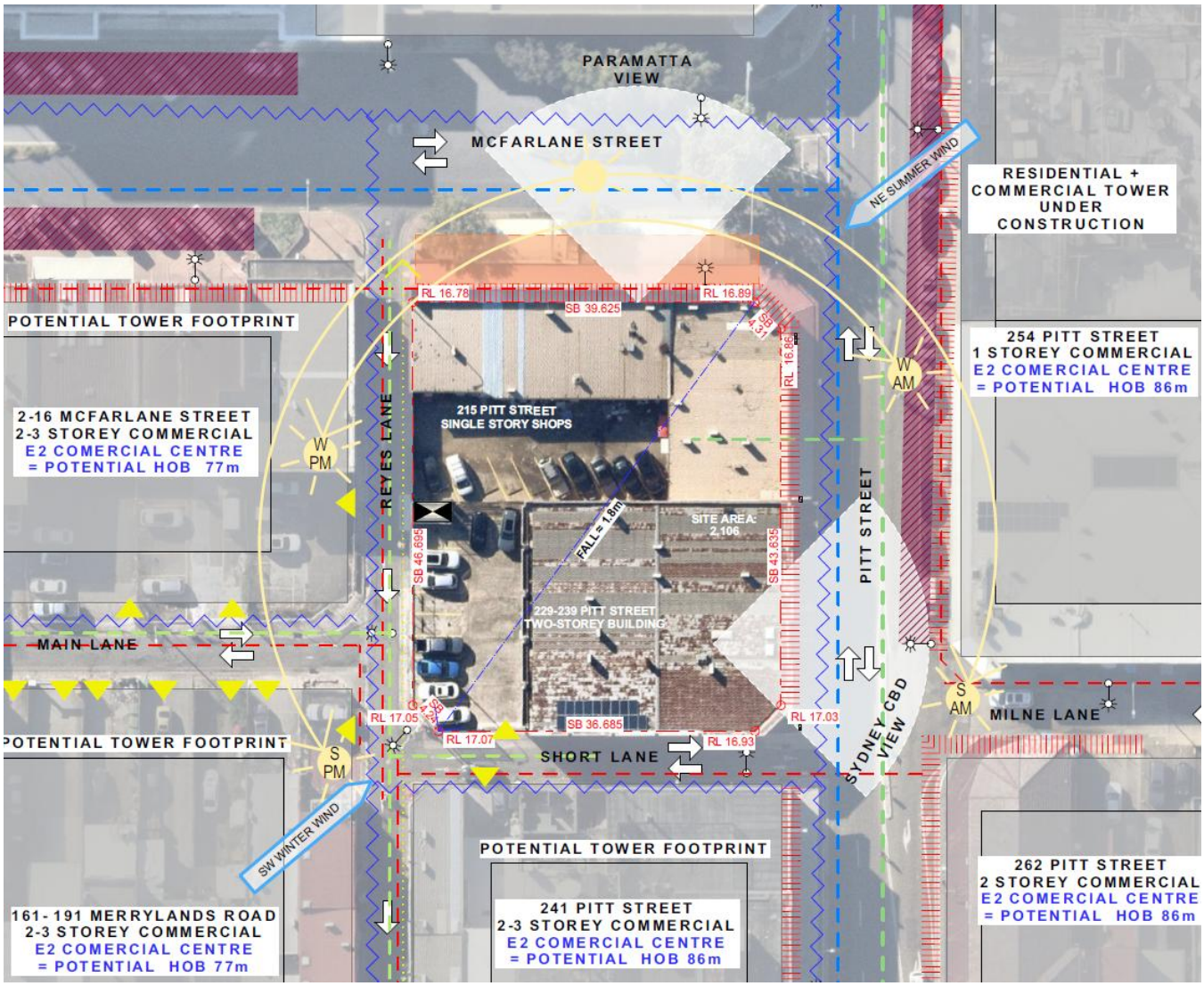


Figure 1: Site analysis plan
Source: Fuse Architects

Integrated development

The proposal does not constitute integrated development.

Strategic context

The proposed development aligns with the NSW Government's objective to increase housing supply across the Sydney metropolitan area, and by supporting the Commonwealth's Housing Accord through the provision of a substantive number of new affordable dwellings.

The proposed development is consistent with local and regional strategic directions for the site, which are assessed in greater detail **Section 2.2** of this report.

Project need and benefits

The intended objectives and benefits of this development are to:

- The proposed development will provide much-needed affordable housing for the Merrylands LGA and directly contributes to NSW's affordable housing targets under the National Housing Accord 2022.

- Deliver critical housing that provides enhanced liveability, accessibility and amenity, as well as universal design elements that address the needs of families, young people, older people and those with a disability alike. The proposed housing will provide a range of one-, two- and three-bedroom dwellings of varying size and layout.
- Delivers a built form outcome that provides design excellence and is consistent with the vision and likely future character of the Merrylands local centre.
- Deliver employment-generating floor space through podium level retail and commercial spaces.

Consultation and engagement

Engagement with the relevant community and stakeholders has been undertaken by Mecone, which included the following stakeholders:

- Community (individuals, existing tenants, groups and organisations),
- Aboriginal Stakeholders,
- Cumberland City Council (**Council**),
- Government Architect NSW (**GANSW**),
- Department of Planning, Housing and Infrastructure (**DPHI**), and
- Relevant Agencies

The following actions were taken to inform the community regarding the project and seek feedback regarding the proposal:

- Distribution of a project information sheet,
- Letterbox drop of community newsletter,
- An online community survey,
- Doorknocking, and
- Undertaking of project information session.

This engagement was consistent with the community participation objectives in the *Undertaking Engagement Guidelines for State Significant Projects* and complied with the community engagement requirements in the SEARs.

The community and stakeholder engagement process has helped inform the proposed development and are discussed in further detail within **Section 5** of this report.

Key impacts and mitigation measures

The key issues identified within the issued SEARs have been assessed in detail by this report and appended documents, with specialist reports underpinning key findings and recommendations identified in the assessment of environmental impacts; these are detailed within **Section 6** of this report, with mitigation measures also provided within **Appendix C**. These demonstrate that for each relevant consideration, the likely impacts will either be acceptable, positive or can be appropriately mitigated.

Built form and urban design

The proposed built form is appropriate for the site as a result of:

- Being generally consistent with applicable built form standards and controls that are incorporated within the form is therefore consistent with the desired future character of the Merrylands town centre, which envisages high density and mixed-use development comprising of lower-level commercial elements and shop-top housing in residential towers.
- The proposal has undergone a mini design competition process, has been reviewed twice by the SDRP and has been subject to revisions in response to feedback and suggestions from the SDRP, and as such has demonstrated that it exhibits design excellence in accordance with clause 6.14 of the CLEP 2021.

- While the proposed design includes small (i.e. 0.3-1.48%) variations to the building height development standard and residential FSR development standard, submitted information (including the architectural plans (**Appendix F**) and written variation requests prepared pursuant to clause 4.6 of the CLEP 2021 (**Appendices D** and **E**) demonstrate that these small variations will not give rise to perceptible of adverse impacts on surrounding sites or the area more broadly. Further, noting that they were not identified as issues by the SDRP, such variations are therefore considered to be acceptable in this instance.
- As the Proponent a registered Community Housing Provider (**CHP**), they have had considerable input into the design of the residential component will provide for a wide variety of housing typologies to meet the needs of future affordable housing tenants.

Environmental amenity

The proposal is consistent with the design criteria, guidance and objectives of the Apartment Design Guide (**ADG**), thereby ensuring high levels of building functionality, amenity and liability and are achieved within the development's residential component.

- 71% of all apartments achieve more than two hours of direct solar access to living and private open space areas in mid-winter, exceeding the minimum 70% requirement in accordance with Objective 4A-1 of the ADG.
- 92% of all apartments within the building (with 61.4% of apartments within the first nine levels) have designs that will enable natural ventilation achieving the natural ventilation requirements within Objective 4B-3 of the ADG.
- All residential units comply with the minimum internal areas, dimensions and ceiling heights under Objective 4D-1.
- All residential units comply with the minimum internal areas and dimensions for private open space areas under Objective 4E-1.
- Communal open space equivalent to 50.48% of the site's area are provided at varying levels. Noting that such areas will obtain sufficient solar access and contain a variety of micro-environments and facilities, they will cater for a wide range of passive and active recreational activities.
- Proposed building separation distances to likely future developments on surrounding sites will facilitate suitable visual privacy outcomes.
- The design of the building and its orientation are such that the proposed development will not give rise to significant nor unreasonable overshadowing impacts on surrounding sites, in particular those to the southeast, south and southwest of the site.
- The design of the building and associated landscaping will ensure that the building does not give rise to unacceptable wind impacts within communal open space areas nor surrounding streetscapes.

Visual impact

A Visual Impact Assessment (**VIA**) (**Appendix M**) has been prepared by Fuse Architects and Archimages 3D to review the proposal within its future setting. It concludes that:

- While the current development conditions within the Merrylands town centre would create a visual impact that may appear out of scale, such scale will appear more consistent with surrounding areas once they transition to higher-density forms of development as envisioned by the CLEP 2021 and CDCP 2021. Longer term, the proposed scale of the development and its associated visual impact will be progressively reduced, and will appear more consistent with likely future development.
- The proposal is therefore justifiable on the grounds of an acceptable amount of visual impact.

Landscaping

Landscape Plans (**Appendix I**) and a Landscape Design Report (**Appendix J**) and have been prepared by Taylor Brammer to illustrate the proposed landscape design strategy for the site.

- The proposal will remove three street trees, however, it will provide for 13 new street trees on the northern, easter and western road frontages

- In addition to such street-level landscaping, a variety of on-building landscaped and deep soil areas will be provided around private and communal open space areas on Levels 2, 3, 29 and 31. In addition to enhancing the appearance of the proposed development, such landscaping will facilitate a variety of microclimates to enhance the amenity and utilisation of communal open space areas.

Ecologically sustainable development

An ESD Report (**Appendix AK**) has been prepared by Intrax Consulting which details proposed ESD strategies proposed and commitments. The proposal will achieve the BASIX benchmarks in line with the Sustainable Buildings SEPP for mid/high-rise residential building (refer to the BASIX Certificate at **Appendix AJ**). Such information demonstrates that the proposal will deliver positive ESD outcomes.

Traffic and parking impact

A Transport and Parking Assessment (**TPA**) (**Appendix P**) has been prepared by MLA Transport Planning, which provides an assessment of the anticipated transport implications of the proposal. The Transport Impact Assessment concludes:

- The proposed provision of 129 residential carparking spaces satisfies the minimum carparking requirements for affordable and market housing under the Housing SEPP. Given the satisfaction of such rates, that the Housing SEPP does not prescribe visitor parking rates and that the site is very well serviced by a range of public and active transport options, residential visitor parking at the site will not be provided.
- Further, the TPA The proposed retail and commercial spaces is consistent with the carparking requirements specified by the Transport for New South Wales (**TfNSW**) Guide to Transport Impact Assessment (**GTIA**). Given the
- Sufficient accessible car spaces and bicycle spaces will be provided within the site.
- With the excess in the provision of carparking, some carparking spaces may be allocated to motorcycles as needed to accommodate the potential motorcycle parking demand.
- The proposed parking layout is consistent with the requirements in AS 2890 series.
- The loading area has been designed to accommodate a Medium Rigid Vehicles (**MRVs**) as shown in the swept path analysis.
- Residential and non-residential uses are expected to generate maximum combined movements of 101 and 77 vehicle trips per hour during the AM and peak periods respectively. Such trip generation rates from the development are not anticipated to significantly contribute to the performance of the surrounding road network.
- SIDRA analyses indicate that the development will not result in the lowering of performance of surrounding road intersections (including at the intersection of Neil and Pitt Streets) under present and likely future development scenarios. While some lowering of service at some nearby roundabouts is anticipated, such lowering is directly attributed to the trip generation of the proposal, but rather to the natural growth rate of background intersection traffic rates.
- A Green Travel Plan (**GTP**) (**Appendix Q**) prepared by MLA Transport Planning also provides strategies for improving utilisation of sustainable transport options that will reduce dependency on private vehicle transport to and from the site.
- The submitted Construction Transport Management Plan (**CTMP**) (**Appendix R**) also demonstrates that traffic movements to/from the site during demolition and construction works will not require excessive reliance upon local road to access nearby classified roads.
- The location of temporary works zones and handling points will (subject to separate approvals) also enable demolition and construction activities to be undertaken without adversely affecting local roadways and pedestrian pathways.

Overall, the proposal is not anticipated to generate excessive traffic or to significantly affect the performance of the surrounding road network.

Ground and water conditions

A Groundwater Impact Assessment (**GIA**) (which incorporates a hydrogeological assessment) and Geotechnical Investigation Report (**GIR**) and prepared by CEC Geotechnical (**Appendices U** and **V** respectively) has been prepared by JK Geotechnics to present the results of a preliminary geotechnical investigation of the proposal. The key findings are summarised below:

- Maximum excavation depths are to be approximately 13.5 metres (FFL 4.4 metres). The proposed basements will extend to the site's boundaries to facilitate construction of the four basement levels. The GIR found that, subject to proposed migration measures, such excavation could be undertaken without risk to surrounding sites.
- The total groundwater inflow into the proposed basement excavation is expected to be approximately 0.43 megalitres (**ML**) during construction and 0.21ML over a 10-year post-construction equivalent.
- A Dewatering Management Plan (**DMP**) prepared by CEC Geotechnical (**Appendix V**) found that based on the estimated groundwater inflow rates, a drained basement is feasible. Appropriately sized sumps with automatic level control pumps will be required to intermittently discharge the seepage water to the stormwater system, which may require treatment subject to ongoing monitoring.

Site contamination and remediation

A Preliminary Site Investigation Report (**PSI**) (**Appendix X**) and Framework Remediation Action Plan (**FRAP**) (**Appendix Z**) have been prepared by CEC Geotechnical for the proposed development, to assess the site's suitability for the proposed development. The key findings are outlined below:

- Prior investigations for earlier development approvals have found that part of the site previously contained a petrol station; while since removed and redeveloped prior to 1998 and earlier reporting did not identify relevant contamination, such investigations were unable to confirm whether Underground Petroleum Storage Systems (**UPSSs**) were removed.
- Due to existing development on site, the PSI was only able to test soil samples from 12 locations across the site. Such testing found some Total Recoverable Hydrocarbons (**TRHs**) and Ecological Screening Levels (**ESLs**) were above human health assessment criteria.
- Noting that a Detailed Site Investigation (**DSI**) is unable to be undertaken at present due to existing development, mitigation measures recommended by the PSI include:
    - The undertaking of a DSI following demolition, which would include assessment of the potential UPSSs, soil and groundwater contamination and a vapour intrusion assessment (if required),
    - The preparation of a RAP including a Data Gap Assessment (**DGA**) to determine the site's suitability of the proposed development,
    - The undertaking of a HAZMAT assessment,
    - Procedures for any undiscovered contamination found during works, and
    - Classification procedures for materials being removed and/or imported to the site.
- Noting that the FRAP (and associated reporting such as the DMP) may also require updating subject to the findings of the DSI, the FRAP has also been prepared to:
    - Details likely required site remediation works as part of the development,
    - Outline necessary environmental and occupation health and safety works,
    - Identify how remediation works will be undertaken,
    - Develop validation assessment and reporting requirements, to demonstrate that remediation works are successfully undertaken, and
    - Provide remediation approaches and outcomes to relevant project stakeholders and authorities.

Such mitigation measures will therefore enable sufficient investigation of the site when possible, and provide direction for the sufficient remediation of the site (particularly if UPSSs are found to still be present). The site can therefore be made suitable for the proposed development.

Water management and flood impact

A Flood Impact and Risk Assessment (**FIRA**) (**Appendix T**) has been prepared by EI Australia to assess the potential impacts of local flood risks and behaviour.

- The majority of the site is located within the flood fringe, with surrounding areas being subject to flood storage, which are attributable to the site's proximity to A'Becketts Creek and subsequent location within the Duck River flood catchment. The site is subsequently subject to a 1% Annual Exceedance Probability (**AEP**) (i.e. a 1 in 100-year) flood event level.
- The FIRA advises that the site does not contribute any area towards flood storage or floodway, and as the entirety of the site is already developed the proposal will not result in a loss of flood storage nor changes in flood levels and convenance.
- The FIRA confirms that the development is capable of being designed to account for the flood hazard, with mitigation measures recommended to ensure the safety of habitable areas and the basement in events up to and including an AEP flood event. While a more significant flood event (i.e. beyond an AEP) would have sufficient notice to ensure that ground level retail areas could be vacated ahead of such an event, the design of the building provides upper levels (i.e. commercial and residential levels) that could provide for a safe evacuation point if required for persons on the ground level of the building.
- The Stormwater Management Plans and Report (**Appendices K** and **S** respectively) details stormwater will be managed through a new pit and pipe network designed to convey runoff by gravity to Council's existing inlet pit located on McFarlane Street to the north. The proposed building, which occupies the majority of the site footprint, will drain via a system of downpipes connected to an on-site detention (**OSD**) tank and a rainwater reuse tank.
- The system will ensure that post-development flows do not exceed pre-development conditions and that there is no increase in flood discharges within the catchment for all storm durations. Further, the design of the system will facilitate sufficient stormwater treatment to ensure the quality of stormwater being discharged from the site.

Environmental, Aboriginal and archaeological heritage

The site does not contain a heritage item nor is it within a Heritage Conservation Area (**HCA**), with the nearest mapped heritage item located approximately 93 metres from the site. A Heritage Impact Statement (**HIS**) was not required by the SEARs, provided that the development does not directly affect items of environmental heritage. The site's proximity from and orientation to such heritage items is such that an HIS is not warranted for this proposal.

Regarding Aboriginal and indigenous heritage, an Archaeological Technical Report (**ATR**) prepared by Artefact, (**Appendix AG**) found that there are no Aboriginal sites in proximity to the subject site; there are also no Aboriginal Heritage Impact Permits (**AHIPs**) that apply to the site, with the closest such permit located on a site approximately 965 metres away. The ATR therefore found it is unlikely that Aboriginal objects would be uncovered during works, and the proposed development will not impact Aboriginal objects. Further, a Connecting with Country Report (**CWCR**) (**Appendix AF**) included confirmation with relevant stakeholders to ensure that Country is embedded into the design of the development and that best-practice frameworks are implemented for designing with Country.

Social impact

A Social Impact Assessment (**SIA**) (**Appendix O**) has been prepared by Flagship Communications for the proposal. The following key social impacts were identified:

- Increased crime,
- Wind impacts,
- Overshadowing and
- Cumulative construction impacts.

Mitigation measures have been identified to address the abovementioned impacts. If implemented, the overall impact to the community from both the construction and operation phases of the project would be low to negligible.

Other matters

The EIS has also considered other assessment matters, as required by the SEARs:

- **Tree management:** The proposal includes the removal of three trees, due to their location to proposed public domain works to the north of the site. The three trees are to be replaced, noting that they are not of biodiversity or landscape significance, and suitable protection measures will be implemented to retain the remaining trees within adjoining road reserves (noting that surrounding sites do not contain any trees).
- **Biodiversity:** A waiver for a Biodiversity Development Assessment Report (**BDAR**) has been issued by DPHI (**Appendix AN**). The proposal will not impose any significant impacts on biodiversity values due to the highly modified nature of the site and surrounding arising from a long history of development on/around the site and associated disturbance, the absence of habitats for significant species of flora and fauna, and the metropolitan nature of the site and surrounding lands.
- **Acoustics:** A Noise and Vibration Impact Assessment (**NVIA**) has been prepared by Renzo Tonin & Associates (**Appendix AE**) for the demolition and construction works and the ongoing residential and non-residential operations of the site. The Assessment concludes that subject to recommended mitigations, the proposal is capable of compliance with the relevant noise and vibration criteria requirements. Further, while certain retail activities may be the subject of future assessment and consent(s), it is anticipated that the design of the building is such that non-residential activities, and the operation of onsite plant equipment will comply with applicable requirements regarding noise and vibration.
- **Bush Fire Risk:** The site is not identified as 'bushfire prone', and further assessment is not required.

Conclusion and project justification

This EIS provides a comprehensive assessment of the anticipated environmental, economic and social impacts of the development proposed in this SSDA. The EIS has addressed the requirements of the SEARs and the relevant requirements contained in the *Environmental Planning and Assessment Regulation 2021* (**EP&A Regulation**).

The key matters for the project as identified in the SEARs have been addressed in this EIS with specialist reports supporting the key findings and recommendations. This EIS demonstrates that for each of the likely impacts identified in the assessment of key issues, the impact will either be positive or can be appropriately mitigated.

The proposed development is justified, can be supported and approved for the following reasons:

- **The proposal is consistent with state and local strategic policies contained in:**
  - National Housing Accord 2022,
  - Housing 2041 – NSW Housing Strategy,
  - Greater Sydney Region Plan: A Metropolis of Three Cities,
  - Our Greater Sydney 2056: North District Plan,
  - Cumberland Local Strategic Planning Statement,
  - Cumberland Housing Strategy,
  - Connecting with Country Framework (**CCF**),
  - The Better Placed, and
  - NSW Future Housing Strategy 2056
- **The proposal satisfies the applicable state and local development Environmental Planning Instruments (EPIs), including:**
  - *State Environmental Planning Policy (Planning Systems) 2021*
  - *State Environmental Planning Policy (Housing) 2021*
  - *State Environmental Planning Policy (Resilience and Hazards) 2021*
  - *State Environmental Planning Policy (Planning Systems) 2021*
  - *State Environmental Planning Policy (Sustainable Buildings) 2022*
  - *Cumberland Local Environmental Plan 2021*
- **The design responds appropriately to the opportunities and constraints presented by the site:**
  - The proposed built form has been designed to respond to the surrounding road frontages and will facilitate transition from the edges to the centre of the Merrylands town centre and the proposed 37 storey building.

- The location and design of the mixed-use development will also minimise potential overshadowing impacts on proposed communal open space areas and both existing and likely future on surrounding sites within the Merrylands town centre.
- The proposed high-density development capitalises on the site's proximity to Merrylands Railway Station and the adjacent bus interchange, in addition to the local facilities and services, and as such supports the concept of a 30-minute city.

- **The proposal is highly suitable for the site:**
  - Being located both within the centre of the Merrylands town centre on a site that permits larger-scale development than on surrounding sites, the site is suitable for the proposed development as it will facilitate appropriate transition away from the site towards the peripheries of the Merrylands town centre as envisioned by the CLEP 2021.
  - The site is in a highly accessible location being approximately 100 metres walking distance from Merrylands town centre and the adjacent bus interchange, which promotes the use of public transport and a sustainable lifestyle. The site is located within an 'accessible area' as stipulated in section 15C(1)(c)(i) of the Housing SEPP, therefore the development will facilitate the delivery of in-fill affordable housing in an accessible location and assist in meeting the need for more homes (particularly affordable housing) for the growing population by boosting housing supply.
  - The site is also not inhibited by any significant environmental constraints that would prevent the provision of a shop top housing development. The potential environmental impacts associated with the proposal will be adequately managed through the implementation of mitigation measures.

- **The proposal is in the public interest:**
  - The proposal will significantly increase the local supply of affordable housing within the Merrylands town centre and LGA more broadly.
  - The housing to be provided will be of very high amenity and quality, thereby providing suitable, modern and accessible housing to lower-income households.
  - The proposal encourages transit-oriented development within the local area, by providing a large number of residences in proximity to Merrylands Railway Station and both services and facilities within the Merrylands town centre.
  - Pending the proposed implementation of the mitigation measures referenced throughout this report and its appendices, no adverse environmental or social impacts will occur as a result of the development, during both its construction and operational phases.
  - The proposal will provide employment opportunities for workers within the LGA and Greater Sydney region, both during its construction and ongoing operations.

Based on the above, it is considered that this SSDA has significant merit and should be approved, subject to implementing the mitigation measures detailed throughout this report.

Next steps

The next steps in the SSDA process include:

- Exhibition of this EIS for a minimum of 28 days and invitation for the community and stakeholders to make submissions,
- Consideration of submissions received by the DPHI will be provided to the Applicant who may then be required to prepare and submit a Submissions Report, responding to issues raised in the submissions, and an Amendment Report (if applicable), outlining any proposed changes to the proposal to minimise its environmental impacts or to deal with any other issues raised,
- Determination by the Minister for Planning and Public Spaces including, if approved, conditions of approval.

Consultation with the community and stakeholders will also continue throughout the detailed design and construction phases.

Introduction

This EIS is submitted to the DPHI on behalf of Anglican Community Services (the **Applicant**) to accompany an SSDA (**SSD-79844224**) for the construction of a mixed-use development, including in-fill affordable housing. This EIS has been prepared in accordance with Part 8, Division 5 of the EP&A Regulation and *State significant development guidelines – preparing an environmental impact statement* (the **Guidelines**).

This EIS addresses the requirements provided in the SEARs inside by DPHI. A SEARs table is included at **Appendix A**, which identifies where each of the SEARs has been addressed in the EIS.

This EIS should be read in conjunction with the supporting information accompanying this report. The EIS intends to inform the community and stakeholders about the proposed development, including its social, economic and environmental impacts, mitigation measures and benefits, as well as providing an environmental assessment of the project.

This section of the EIS identifies the Applicant for the SSDA and details the site and proposed development. It also identifies the site history and feasible alternatives explored for the proposal.

1.1 Applicant Details

The Applicant details for this SSDA are provided in **Table 2**.

Table 2: Applicant details

Applicant Name	Anglican Community Services
Applicant Address	Level 4 MQX4 Macquarie Exchange, 1 Giffnock Ave Macquarie Park, NSW, 2113
Nominated Contact	Ellena Thoma

1.2 Project description

1.2.1 Site overview

The site is located on Burramadagal/Burramattagal Country, within the broader Dharug Nation, in an area now known as Merrylands. The site comprises of five lots at 215 and 229-239 Pitt Street, Merrylands and are legally identified as Lot 2 DP501597, Lot 1 DP537031, Lot 2 DP537031, Lot J DP10354, and Lot 1 DP1079960. The site is regular in shape, relatively flat, and has a total area of 2,106m^2 (as noted in the survey plan, **Appendix L**). The site provides primary frontages to Pitt Street to the east and MacFarlane Street to the north, whilst secondary frontages are provided to Milne Lane to the west and Reyes Lane to the south.

The site is located within the City of Cumberland LGA and is strategically located within 100 metres east of Merrylands Train Station, which is approximately a 3-minute walk. The site is also well connected to Merrylands Interchange Terminal, providing regular bus services to Liverpool, Guildford and surrounding suburbs. The site is approximately 23 kilometres from Sydney CBD to the East, equating to a travel time of approximately 25 minutes from Sydney CBD, 30 minutes from Liverpool CBD and 8 minutes from Guildford CBD.

The site is located within the Merrylands Station and McFarlane Street Precinct, in the centre of the Merrylands Town Centre, and is directly opposite the Stockland Merrylands Shopping Centre and the Billabong Hotel. Located opposite of the site includes a mix of low to medium scale commercial and retail developments consistent with the town centre character.

Existing development on the site currently consists of a part two storey commercial building, with retail and commercial tenancies at ground level. Vehicular access and parking are currently provided via Reyes Lane and Milne Lane, with the primary road frontages being Pitt Street and McFarlane Street. Landscaping on the site is minimal, with existing trees located along the northern frontage to McFarlane Street.

Figures 2 and 3 below shows the wider context for the proposed development and the location of the subject site.

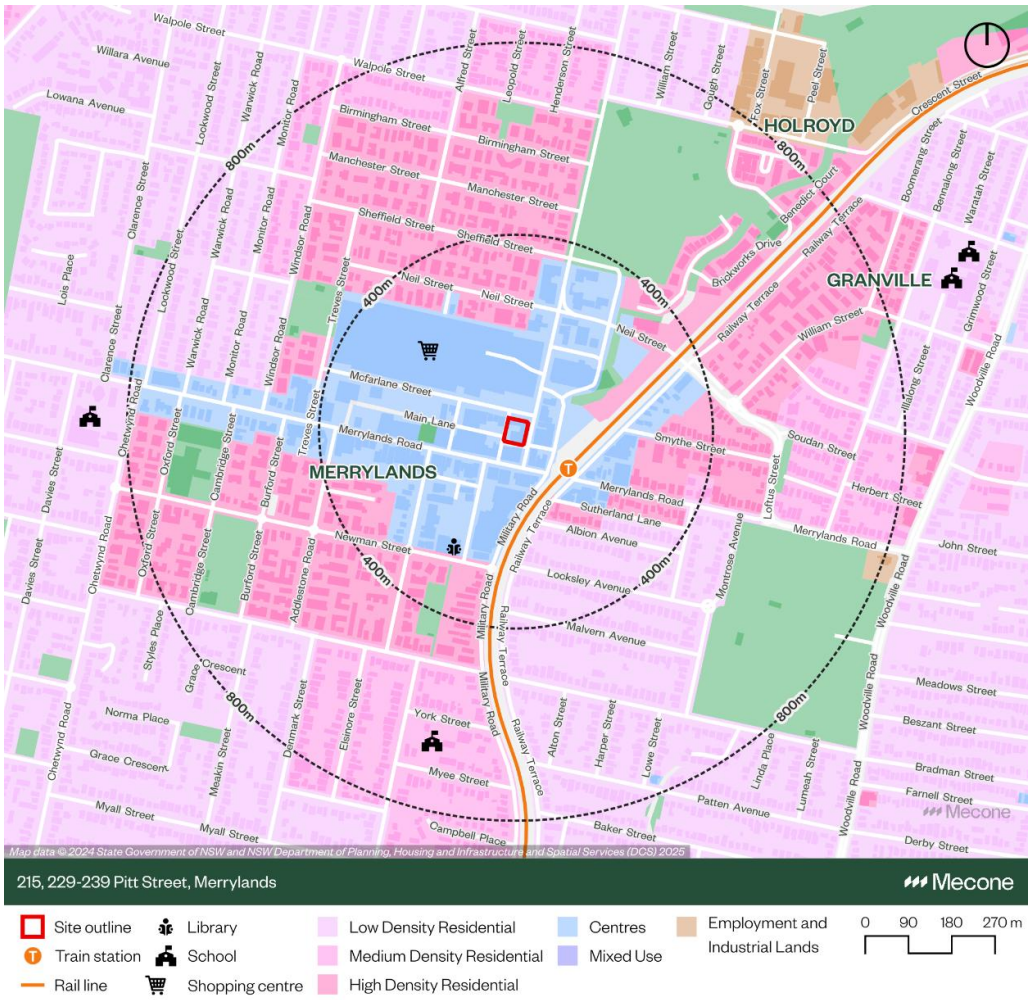


Figure 2: Regional context map
Source: Mecone Mosaic, 2025

Figure 3: An aerial image of the subject site and surrounding sites
Source: Mecone Mosaic, 2025

1.2.2 Summary of proposal

This SSDA seeks development consent for the demolition of existing buildings and the construction of a mixed-use development comprising:

- Site preparation works, including the demolition of existing site structures and the removal of one tree, bulk excavation and preparatory earthworks.
- The construction of a 37-storey mixed use building comprising:
    - 36 habitable levels and one internalised mezzanine level.
    - A total of 238 residential dwellings including:
        - 77 one-bedroom apartments
        - 125 two-bedroom apartments
        - 36 three-bedroom apartments
        - All dwellings to be delivered as affordable housing managed by a CHP in accordance with the Housing SEPP.
    - 623m² of retail floor space, configured as two tenancies at ground level.
    - 2,848m² of commercial floor space, across Levels 1 and 2.
    - Communal open space at podium and roof levels for use by residents.
    - Four levels of basement parking for 185 car parking spaces including:
        - 10 spaces for retail use (staff only)
        - 46 spaces for commercial use (staff only)
        - 129 residential spaces.
    - On-site loading facility to be accessed from Milne Lane including:
        - Two (2) loading bays
        - A turntable to facilitate access into the loading bays.
- Associated landscaping and public domain works including offsite stormwater mitigation works.

The site is located within the E2 Commercial Centre zone under the *Cumberland Local Environmental Plan 202*1 (**CLEP 2021**). The residential component is classified as shop top housing, which is a form of residential accommodation that is permitted with consent in the E2 Commercial Centre zone. All dwellings are located above the ground floor, which is proposed to be used for retail and commercial premises, thereby satisfying the definition of shop top housing under the relevant planning instruments.

The site is located within a Transport Oriented Development (**TOD**) area, and all the proposed dwellings are proposed to be delivered as community housing, in compliance with the Housing SEPP, as affordable housing.

This EIS has been prepared to address the SEARs and accompanying cover letter issued for the SSD- 79844224 dated 28 January 2025.

The proposal as described in the EIS remains substantially the same as was described in the SEARs request lodged on 6 February 2025 and only detailed design requirement changes have been made which do not materially affect any aspect of the SEARs issued by DPHI on 10 February 2025.

A more detailed description of the proposed development is outlined at **Section 3** of this EIS.

1.3 Project objectives

The primary objectives of the project are as follows:

- Revitalise an underutilised site into a high-quality mixed-use tower that integrates residential, retail, food and beverage, and commercial office uses in a highly accessible location adjacent to Merrylands Station.
- Provide well-designed, affordable, diverse, and family-friendly housing that incorporates universal design principles to meet the needs of a wide range of households, including families, young people, seniors, and people with disability.
- Create a strong public domain outcome, including widened laneways, landscaped communal areas, and activated street frontages that enhance permeability and urban amenity.
- Embed environmentally sustainable design initiatives to improve building performance, maximise solar access and natural ventilation, and reduce the project's environmental footprint.
- Reflect and enhance the evolving character of Merrylands Town Centre, incorporating design excellence, cultural responsiveness (including Connecting with Country principles), and a built form that contributes positively to the future skyline and streetscape.

1.4 Project background

1.4.1 Applicable restrictions and covenants

A title search has been undertaken at the site which confirms that the following restrictions and covenants apply to the land, as shown below in **Table 3**.

Table 3: Restrictions and covenants

Lot number	Description
Lot 1 DP 537031	Located on the western side of the site. This lot contains an electrical substation with an easement registered across the whole lot.

1.4.2 Previous consents

On 28 May 2020 DA2020/0308 was lodged for the construction of a 24-storey mixed use development on the site. The development comprises:

- Ground floor retail,
- Podium commercial space,
- Tower containing an eighty-eight (88) bed residential aged care facility, nighty eight (98) independent living units and communal rooftop open space, and
- Three (3) levels of basement parking.

Consent was granted on 23 December 2020 and lapses on 23 December 2025.

1.5 Structure of this Environmental Impact Statement

Table 4 below sets out the structure of this EIS.

Table 4: Structure of the EIS report

Chapter	Description
Chapter 1 – Introduction (this chapter)	Outlines the key elements of this proposal, including its strategic context, as well as the purpose of this EIS.
Chapter 2 – Strategic and site context	Provides the strategic policy framework for the proposed development and describes the site and local context for the proposal.
Chapter 3 – The proposal	Provides a description of the proposed development.
Chapter 4 – Statutory context	Provides an outline of the statutory approvals framework, including applicable legislation and planning policies.
Chapter 5 – Community engagement	Outlines stakeholder and community engagement carried out to date, including during the preparation of this Environmental Impact Statement.
Chapter 6 – Assessment of Impacts	Provides a detailed summary of the results of the assessment of potential impacts of the project.
Chapter 7 – Project Justification	Provides a conclusion including justification for this proposal and an assessment of whether this proposal has achieved the objects of the EP&A Act.

Strategic and site context

2.1 Justification for the project

The proposed development will play an important role in delivering much needed affordable shop top housing within the Merrylands Town Centre, an area currently undergoing significant transformation in response to population growth and strategic planning targets.

The proposed development provides for a balanced mix between affordable apartments ranging from one to three bedrooms, commercial offices, food and beverage offerings, and retail tenancies. This approach aligns with the growing demand for inclusive and connected housing options in Western Sydney, especially for vulnerable communities. The development is also well located, providing well-connected affordable housing, with access to jobs, public transportation systems, social infrastructure (hospitals, schools), open spaces and household amenities.

As demonstrated below, the proposed development is aligned with the relevant state, district and local strategic plans and policies applying to the site.

2.2 Strategic policy context

Table 5: Summary of strategic policy context

Document	Summary Overview
National Housing Accord 2022	In October 2022, the Federal Government announced the National Housing Accord (the **Accord**), which committed to delivering 1 million houses in well-located areas in the 5 years starting from the year 2024. As part of the Accord, NSW committed to delivering 3,100 new affordable homes over 5 years from 2024-25. These homes in part are to be delivered by the NSW Government, with the remaining homes delivered by private developers. The proposed development is committed to providing affordable housing to contribute to achieving NSW's Accord targets. This is achieved by providing well-connected affordable housing, with access to jobs, public transportation systems, social infrastructure (hospitals, schools), open spaces and household amenities. On this basis, the proposed development, being well-located within 400m of Merrylands train station and Merrylands Town Centre is in alignment with the Accord as it seeks to provide a significant amount of housing within Merrylands, including a number of affordable housing units in a well serviced location.
Housing 2041 – NSW Housing Strategy	Housing 2041 represents a 20-year vision for housing across NSW. It embodies the government's goals and ambitions to deliver better housing outcomes by 2041— housing in the right locations, housing that suits diverse needs and housing that feels like home. This vision for housing across the state is reflected in four key pillars being supply, diversity, affordability, and resilience. The proposed development is aligned with the four key pillars of Housing 2041 as it: • will facilitate the delivery of a total of 238 apartments, all of which are to be delivered as affordable housing. This represents a significant contribution to the supply of social and affordable accommodation in Western Sydney. • assist in improving affordability for low to moderate income holders by providing an increased supply of apartments at an affordable rate which will assist in relieving the pressure on rents and apartment prices.

Document	Summary Overview
	• provides for a balanced mix between apartment, ranging from one bedroom to three-bedroom units, able to cater to most people and families. • provides new housing being built in accordance with the building sustainability index (BASIX) standards - recognising it as a strong mechanism to influence building performance.
Greater Sydney Region Plan: A Metropolis of Three Cities	The Greater Sydney Region Plan: A Metropolis of Three Cities (Region Plan) provides the overarching strategic plan for growth across Greater Sydney. The Region Plan provides a 20- year plan that seeks to address changing demographics and growth Greater Sydney, facilitating a metropolis of three cities - the Western Parkland City, Central River City and Eastern Harbour City. The site is situated in the Central River City of Greater Metropolitan Sydney. Merrylands is identified as a Local Centre within the Central City District Plan and is undergoing significant transformation aligned with the strategic objectives of the Region Plan. Merrylands benefits from its proximity to Parramatta and contributes to the region's targeted growth in housing supply, transport investment, and employment opportunities. The Region Plan provides several key objectives to address liveability, sustainability, productivity, and infrastructure and collaboration in Greater Sydney. The relevant objectives are discussed below, in the context of the proposed development. • **Liveability:** The proposal achieves objectives 7, 10, 11 and 12 by aiding in the delivery of a diverse array of housing opportunities at an affordable price and commercial uses. The proposal will provide housing that is located within a highly accessible location and within close proximity to open green and communal spaces, numerous retail and commercial spaces. It is the intention that these spaces will foster and grow a community feel, fostering social cohesion, within the development itself and across Merrylands. • **Productivity:** The proposal achieves objectives 14, 16 and 22 by delivering new dwellings within 400m of Merrylands Station, which provides highly connected heavy rail and bus services that connect to key centres via the T2 Inner West & Leppington Line and T5 Cumberland line such as Parramatta, Liverpool and the Sydney CBD. The proposed development will also result in the creation of full-time jobs, during the construction phase and create ongoing jobs within the proposed retail and commercial tenancies. • **Sustainability:** The proposal achieves objective 38 by incorporating Ecologically Sustainable Development (**ESD**) principles into the development. This includes numerous initiatives to ensure use of sustainable resources including gas, electricity and water. • **Infrastructure and Collaboration**: The proposal achieves objectives 3 and 5 by being within 400m walking distance to Merrylands Station, which operates a heavy rail train line being the T5 Cumberland Line and T2 Inner West & Leppington Line which connects the site directly with the Sydney CBD. Furthermore, this proposal has undertaken extensive community consultation and collaboration with number key stakeholders to ensure the needs of the community are responded to.
Our Greater Sydney 2056: Central City District Plan	The Central City District Plan (**District Plan**) is a 20-year plan to manage growth in the context of economic, social and environmental matters, building upon the Greater Sydney Region Plan. The intent of

Document	Summary Overview
	the District Plan is to guide Local Strategic Planning Statements (**LSPS**) and Local Environmental Plans (**LEPs**), supporting equitable growth and change across the Central City District. Merrylands is identified in the District Plan as a local retail centre, playing a key role in delivering housing, jobs, services and amenities to support the needs of the local and surrounding communities. A five-year housing target is set for each LGA in the Central City District Plan. For the Cumberland LGA, the target for 2016–2021 is 9,350 additional dwellings. A long-term target of 207,500 additional dwellings across the Central City District has been set as a minimum over the next 20 years, equating to an average annual supply of 10,375 new dwellings per year to be delivered in the District over the next 20 years. The proposed development is consistent with the priorities of the District Plan, by locating housing near transport infrastructure and providing access to jobs and services.
Cumberland Local Strategic Planning Statement	The Cumberland City Council LSPS, dated February 2020, sets out a 10+ year plan and 20-year vision for land use in the LGA, outlining how growth, connectivity, housing, and economic activity will be supported and managed. The LSPS contains a number of planning priorities relevant to the site and proposal including: • Delivering housing diversity to meet the changing needs of the community, including a mix of dwelling sizes and layouts to accommodate different household types and life stages • Providing affordable housing that is suitable for people at various stages of life, supporting social inclusion and housing choice • Locating housing close to transport, services, and facilities to enable convenient access • Promoting Merrylands as a thriving, vibrant and diverse centre • Aligning growth with infrastructure delivery to ensure that increased housing supply is supported by community facilities, open space and public domain improvements The proposed development will meet the aims and demands of the LSPS by providing 238 dwellings ranging in size and layout to accommodate the future demographics for Merrylands.
Cumberland Housing Strategy	The Cumberland Local Housing Strategy (**LHS**) identifies the key priorities, objectives and initiatives for future planning, delivery, and design of housing within the Cumberland LGA. This includes the vision in regard to housing across the LGA, including in planned centres and corridors, whilst protecting the existing character and amenity of the surrounding established residential areas. The LHS prioritises a focus on delivering diversity and affordability in the local housing market to meet the needs of the community. The LHS identifies that Merrylands is the proposed strategic centre for the Cumberland LGA, providing higher order services and facilities to meet the needs of the Cumberland area, and complementing the role of Greater Parramatta. The key priorities of the LHS include: • Delivering housing diversity to suit changing community needs • Promoting transit-oriented housing options to support the 30 Minute city • Facilitating housing that respects and enhances local character • Valuing heritage and cultural diversity in housing • Infrastructure-led housing delivery The proposed development meets the aims and priorities of the LHS through the large-scale supply of affordable housing within a high amenity strategic centre. The proposal is located within a public transit

Document	Summary Overview
	serviced area, whilst enhancing the envisioned future character of the Merrylands strategic centre.
Connecting with Country Framework	The CCF established by the Government Architect of NSW, offers guidance and suggestions on how proposals can connect with Country. The framework encouraging proponents to do their own research, undertake cultural awareness training and work with Aboriginal communities to develop projects throughout their lifecycle. The proposal has involved Burramadagal and wider Dharug knowledge holders to discuss cultural values applicable to the proposal. These cultural values are used to inform actions, outcomes and design principles to embed Country into the development of the site, as well as identify Country narratives and interpretive themes for development and provides a best-practice framework for designing with Country. The proposal was informed via an online briefing with the project team and Burramadagal stakeholders, a workshop attended by Aboriginal stakeholders as well as representatives from the project team and the proponent commits to ongoing consultation with Aboriginal stakeholders. Further details on how the proposal aligns with the CCF are provided in the CWC Report, refer to **Appendix AF**.
NSW Future Transport Strategy 2056	The NSW Future Transport Strategy 2056 (**Transport Strategy**) sets the 40-year vision, directions and principles for customer mobility in NSW, guiding transport investment over the longer term. It presents a glimpse of the large economic and societal shifts we will see in the future and places the customer at the centre of everything we do, to ensure we harness rapid advances in technology and innovation to create and maintain a world-class, safe, efficient and reliable transport system. The proposal is consistent with the Transport Strategy by delivering increased residential dwellings, at an affordable rate within a highly accessible location within the growing Merrylands area with excellent access to public transport routes, diverse jobs and education facilities.

2.3 Cumulative Impacts

At the time of writing there are other state significant development proposals and a Planning Proposal that have been recently approved or are under assessment that should be considered in terms of cumulative impact. The cumulative impact assessment has focused on projects within Merrylands and extension area that are of state significance and have requested SEARs or represent the potential for significant uplift. **Table 6** below lists these projects which are included in the assessment of cumulative impacts, and their status.

The potential cumulative impacts of the project are addressed in **Section 6** of this EIS in accordance with DPHI's *Cumulative Impact Guidelines for State Significant Projects*.

Table 6: Cumulative impact assessment projects

Site number	Address	Reference number	Description and Status
1	171 – 173 Pitt Street, Merrylands NSW 2160	DA2025/0495	Demolition of existing structures and construction of 13 storey shop top housing development comprising of three (3) levels of basement parking, a 57 place centre-based child care facility and retail tenancy on the ground floor, 104 residential apartments including 21 adaptable apartments and 17 affordable housing apartments pursuant to State Environmental Planning Policy (Housing) 2021 and a private lane The development is also classified as integrated development requiring approval under Section 91 of *Water Management Act 2000*. Lodged on 15 July 2025, notification to end on 11 September 2025.
2	242- 252 Pitt Street, Merrylands NSW 2160	DA2024/0202	Alterations and additions to the approved mixed-use development to introduce 3 additional storeys to the development with 33 new apartments and to incorporate 27 affordable housing apartments across Levels 4 to 6 of the development under State Environmental Planning Policy (Housing) 2021, including minor design changes to the basement car park. Approved 14 August 2024.
2	0, 246-250, 252 and 244 Pitt Street, Merrylands NSW 2160	DA2017/558/1	Demolition of existing structures, consolidation of 4 lots into 1 lot and construction of an 18-storey mixed use development over 5 levels of basement parking accommodating 3 levels of commercial floor, 161 residential units above and 315 parking spaces. Approved 15 November 2018.
2	244 Pitt Street, Merrylands NSW 2160	DA2024/0202	Alterations and additions to the approved mixed-use development to introduce 3 additional storeys to the development with 33 new apartments and to incorporate 27 affordable housing apartments across Levels 4 to 6 of the development under State Environmental Planning Policy (Housing) 2021, including minor design changes to the basement car park. Approved 14 August 2024.
3	15 Neil Street, Merrylands NSW 2160	DA2022/0131	Alterations and additions to an approved mixed-use development including the provision of an additional 8 residential storeys accommodating an additional 30 apartments, minor amendments to existing apartment layouts, minor amendments to the basement car park layout and modifications to the design and materials of the development. Approved 9 August 2022.
4	1 Main Lane, 239 Merrylands Road and 245R Merrylands Road, Merrylands NSW 2160	DA/2023/0243	Alterations and additions to the approved mixed-use building including an additional 4 storeys in building D and 3 storeys in building E and provide an increase of 73 apartments across the development within Lot 2. Approved 24 November 2023

Figure 4: Cumulative impact assessment projects in proximity to the site
Source: Mecone, 2025

2.4 Feasible alternatives

Section 192 of the EP&A Regulation and the Guidelines prepared by DPHI, requires an analysis of any feasible alternatives for SSDAs. The Applicant considered four project alternatives for the proposed development being: do nothing, shop top housing under the CLEP 2021, and the proposed design. The project alternatives are described in **Table 7** below.

Table 7: Project alternatives

Options	Assessment
Alternative 1 – Do Nothing	The 'Do Nothing' approach is undesirable as it would result in the site remaining underutilised. The site is a prime location for future development being a high-amenity area with access to shops, services, facilities and well-connected public transport services. This option would not facilitate additional affordable housing and employment opportunities within the Merrylands town centre as intended by the LEP or the Cumberland LSPS, nor does it allow for renewal to provide new housing opportunities. Noting the current state of the housing affordability crisis prevalent across Greater Sydney, leaving the site in its current state would be a significant lost opportunity to supply new affordable housing. The site is suitable for new development as it is generally free from key environmental constraints that would limit development on site. On this basis the 'Do Noting' scenario is wholly inconsistent with the strategic context presented in **Section 2.2** of this report, by not providing additional affordable housing in the Merrylands LGA.
Alternative 2 – Shop top housing under CLEP 2021 controls	This scenario would result in a lesser provision of affordable housing (10% of residential floorspace based on the LEP FSR of 8.5). Whilst this would not inhibit the provision of affordable housing, there would be a smaller supply provided in the single proposal.

Options	Assessment
	While a viable option, providing a lesser extent of affordable housing is unfavourable particularly noting the opportunity to optimise the site's development when in a high amenity location and within a close proximity to public transport and employment opportunities.
Alternative 3 – Proposal approved under DA2020/0308	The site was previously subject to a proposal which received approval from Council for the *demolition of existing structures and construction of a 24-storey mixed use development comprising retail and commercial premises, an 88-bed registered aged care facility, 98 independent living units, basement car parking and public domain works.* While a viable option, providing no dedicated affordable housing is an unfavourable outcome, particularly considering the significant positive social impact of providing affordable housing stock in a high amenity location, and the wider strategic alignment to provide increased affordable housing across metropolitan Sydney.
The Proposal	The design and siting of the proposed development was decided through a considered analysis of the site opportunities and constraints, context and social impact. The design has been subject to a design review panel meeting. The proposal was identified as capable of achieving design excellence in line with the requirements of the CLEP 2021, noting that the following elements of the proposal contribute to the demonstration of design excellence: • Work to further development relationships with, and expressions of Country • Introduction of an accessible ramp on the western side of the building to ensure equitable access through the 'arcade' • Changes to the internal layout that ensure natural light to all internal corridors • Relocating the communal 'sitting areas' on each floor to a location closer to the windows and lifts. • Changes to retail to increase flexibility for smaller tenants • Adaptions to apartment layouts to meet family friendly apartment guidelines • Improvements to landscape design of the seated area on McFarlane Street, including introduction of permeable paving in this area.

2.5 The site and surrounding context

2.5.1 Site location

The site is located at 215 and 229-239 Pitt Street, Merrylands within the Cumberland LGA. The site comprises five allotments. A summary of the site details is provided at below. The site provides primary frontages to Pitt Street to the east and MacFarlane Street to the north, whilst secondary frontages are provided to Milne Lane to the west and Reyes Lane to the south. The site is located across the road from the Stocklands Merrylands shopping centre, 100m east of the Merrylands Train Station and 23km west of the Sydney CBD. The site benefits from being situated within the Merrylands Station and McFarlane Street Precinct and with access into jobs, public transport and services.

The site currently consists of a part two storey commercial building, including retail tenancies at the ground floor. Vehicular access and parking are currently provided via Reyes Lane and Milne Lane. Landscaping on the site is minimal, with existing trees located along the northern frontage to McFarlane Street.

Surrounding the development is a diverse mix of land uses. To the north is Stocklands Merrylands, a significant retail shopping centre, beyond which is land zoned high-density residential flat buildings and shop top housing units. To the east is the Merrylands Civic Square that adjoins both retail offerings and high-density residential flat buildings.

Table 8: Site details

Address	Legal Description	Site area (sqm)
215 Pitt Street, Merrylands	Lot 2 DP501597	988.2 sqm
239A Pitt Street, Merrylands	Lot 1 DP537031	19.04 sqm
229-239 Pitt Street, Merrylands	Lot 2 DP537031	579.62 sqm
229-239 Pitt Street, Merrylands	Lot J DP10354	261.18 sqm
229-239 Pitt Street, Merrylands	Lot 1 DP1079960	249.31 sqm
Total		**2,106 sqm**

Figure 5: Site context
Source: Mecone, 2025

2.5.2 Local context & surrounding development

The area surrounding the development is contextualised as follows:

- **North**: Directly north of the site is the Stocklands Merrylands shopping centre, a major retail hub extending across approximately a 6.6 hectares site and providing a mix of supermarkets, specialty retail, and dining uses.
- **East**: To the east lies Merrylands Train Station and bus interchange, with Holroyd Gardens further north east, offering a large area of open space within an 800m radius. Holy Trinity School and Delany College are also located further north east of the site.
- **South**: South of the site is a mix of commercial, and community uses, including the Merrylands Community Gardens, Byron Park, and a cluster of active retail tenancies extending along Merrylands Road. South east of the site is Granville Park.
- **West**: Further west, the area is characterised by medium- to high-density residential development consistent with the town centre character. This is complemented by smaller open space and recreation areas, including Merrylands Memorial Park, as well as the Merrylands Bowling Club, King Park, and St Margaret Mary's Primary School located to the south-west of the site.

Figure 6: Existing development at 215 Pitt Street
Source: Google, 2024

Figure 7: Existing development at 229-239 Pitt Street
Source: Google, 2024

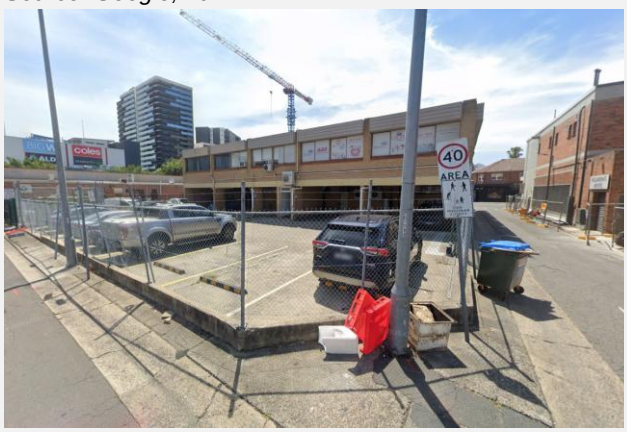


Figure 8: Existing development at 229-239 Pitt Street
Source: Google, 2024

Figure 9: Existing development at 215 Pitt Street
Source: Google, 2024

2.5.3 Transport and accessibility

The site is located in close proximity to the Merrylands Train Station being located approximately 100m east of the site. Various public transport options are available from the transport interchange, including rail services and bus services which provide connections to Liverpool, Guildford and surrounding suburbs.

Several bus stops are located on McFarlane Street which offer bus services in the vicinity of the site. These bus services provide connections to destinations to Pemulwuy, Greystanes, Parramatta and Westmead.

2.5.4 Site typography

The site is generally flat with the site elevation profile varies between 16-18m. A site survey plan detailing the existing conditions of the site is provided at **Figure 10** below and at **Appendix L**.

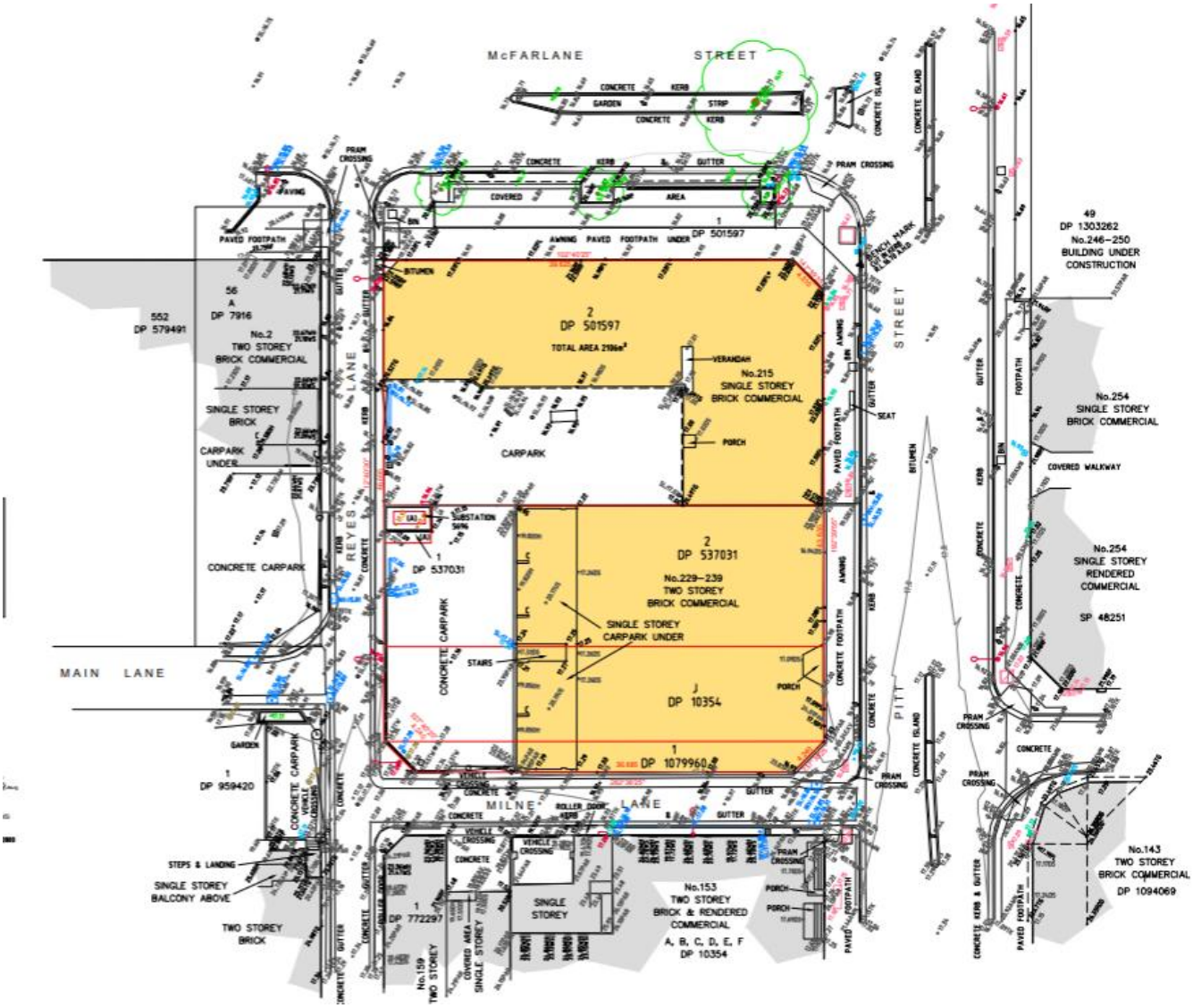


Figure 10: Extract of the submitted survey plan
Source: Beveridge Williams, 2024

2.5.5 Utilities and infrastructure

The site is located within a well-established urban area with the ability to connect to extensive existing infrastructure and utility services. The site is currently connected to all services, including power, water, stormwater, communications, sewer and gas. These services and utilities will be upgraded to support the proposed development

2.5.6 Acid sulphate soils

The site is not mapped as being subject to Acid Sulphate Soils. The GIR at **Appendix U** further quantifies the site is not subject to Acid Sulphate Soils. Based on the investigation, further investigation and an Acid Sulphate Soil Management Plan is not warranted.

2.5.7 Contamination

The site is not registered on the contaminated land register. No neighbouring sites are registered on the contaminated land register

2.5.8 Stormwater management and flooding

The site is currently connected to stormwater, which comprises of pits, gutters and pipes within the adjoining road reserves.

Regarding local flooding hazards, the subject site is located in proximity to A'Becketts Creek, which is a tributary of Duck River. Flows within this area generally flow from the southwest to the northeast (i.e. towards the M4 Motorway and Western Railway Line). The site is therefore located within the of the Duck River flood catchment, with:

- The majority of the site being located within the 'flood fringe', and
- The areas around the site (i.e. McFarlane and Pitt Streets) are mostly categorised as floodways, with some areas also being identified as flood storage areas.

2.5.9 Contamination

The submitted PSI prepared by EI Australia (**Appendix X**) has examined the potential for contamination on site. Based on the available historical information, the site has previously been used for commercial purposes. As reflected in the PSI, earlier reporting found that part of the site previously contained a petrol station that was removed and redeveloped prior to 1998. It is currently unclear whether the removal of the service station also included removal of UPSSs; due to existing development it is not possible for current investigations to confirm whether the UPSSs are still present, and this would be subject to investigations within a future DSI following demolition of existing structures.

2.5.10 Flora, fauna and biodiversity

The site is located in an urban environment and has been subject to historical modification, and is not identified as supporting significant native vegetation or terrestrial biodiversity. A BDAR Waiver Report (**Appendix AM**) was subsequently prepared by Narla Environmental and submitted to DPHI requesting to waive the requirement to prepare a BDAR report. DPHI confirmed on 28 February 2025 they are satisfied the proposed development is not likely to have any significant impact on biodiversity values. As such, a BDAR is not required.

Project description

This section of the EIS provides a summary of the proposed development, highlighting the key numeric parameters of the development and its operation.

3.1 Project overview

This SSDA seeks approval for the demolition of all existing structures and the construction of a mixed-use development comprising:

- Site preparation works, including the demolition of existing site structures and the removal of one tree, bulk excavation and preparatory earthworks.
- The construction of a thirty-seven-storey mixed use building comprising:
    - 36 habitable levels and one internalised mezzanine level.
    - A total of two hundred and thirty-eight (238) residential dwellings including:
        - Seventy-seven (77) one-bedroom apartments
        - One hundred and twenty-five (125) two-bedroom apartments
        - Thirty-six (36) three-bedroom apartments
        - All dwellings are to be delivered as affordable housing managed by a CHP in accordance with the Housing SEPP.
    - 623m² of retail floor space, configured as two tenancies at ground level.
    - 2,848m² of commercial floor space, across Levels 1 and 2.
    - Communal open space at podium and roof levels for use by residents.
    - Four levels of basement parking for 185 car parking spaces including:
        - 10 spaces for retail use (staff only)
        - 46 spaces for commercial use (staff only)
        - 129 residential spaces
    - On-site loading facility is to be accessed from Milne Lane including:
        - Two (2) loading bays
        - A turntable to facilitate access into the loading bays.
- Associated landscaping and public domain works including offsite stormwater mitigation works.

Table 9: Project overview

Parameter	Details
Site area	2,106m^2
Demolition	Demolition of existing building structures
Land use	Shop top housing
Gross Floor Area (GFA)	Total GFA: 23,355m^2 • Residential GFA: 19,795 m^2 • Non-residential GFA: 3,560m^2
Floor Space Ratio (FSR)	11.05:1 *Note: While the proposal complies with the maximum FSR, a 4.2% variation is proposed to the maximum residential FSR component, pursuant to clause 4.4(2F) of the CLEP 2021. A written variation request prepared pursuant to clause 4.6 of the CLEP 2021 has been provided at **Appendix E** for a variation to the building height standard.*
Building Height	124.8 metres (RL 141.76) *Note: Maximum permissible height of building (94.6m) + 30% = 122.98m under the Design Excellence bonus and SEPP (Housing) 2021 bonus.*

Parameter	Details
	*Note: A written variation request prepared pursuant to clause 4.6 of the CLEP 2021 has been provided at **Appendix D** for a variation to the building height standard.*

Setbacks	• **Pitt and McFarlane Streets:**
	  ○ Ground to three storeys: 0 metres
	  ○ Above three storeys: Min. 4 metres
	• **Reyes Lane:**
	  ○ Ground to three storeys: Min. 2.7 metres
	  ○ Above three storeys: Min. 8.4 metres
	• **Milne Lane:**
	  ○ Ground to three storeys: Min. 1.5 metres
	  ○ Above three storeys: Min. 8.4 metres

Dwelling number and mix	• 238 apartments in total including:
	  ○ 77 -bedroom apartments
	  ○ 125 two-bedroom apartments
	  ○ 36 three-bedroom apartments

Communal open space	1,063m^2 (50.48% of site area), provided at Levels 3, 29 and 31

Car Parking	• Total: 185 car parking spaces over four basement levels allocated as follows:
	  ○ Resident parking: 129 spaces
	  ○ Retail parking: 10 spaces
	  ○ Commercial parking: 46 spaces

Deep soil area:	0m^2
Deep soil and landscape area	1,450m^2
Employment generation	**Demolition/construction phase:** • Demolition phase: 20 • Site remediation/bulk excavation stage: 30 • Structure works: 100 • Fit out and finishes: 200 **Ongoing use:** • Building manager: 1 • Retail: Up to 10 (estimated, subject to separate approval(s)) • Commercial: Up to 135 (estimated, subject to separate approval(s)) Additional employment opportunities will also be provided through the engagement of landscaping and maintenance staff as required.
Timing / Staging	24-36 months post approval
Estimated Development Cost (EDC)	$140,024,387.00 excl. GST

Figures 11 to **14** below shows a render of the proposed development.

Figure 11: Photomontage of the development's Pitt Street elevation
Source: Fuse Architects, 2025

Figure 12: Photomontage of commercial areas on the Pitt Street elevation of the development
Source: Fuse Architects, 2025

Figure 13: Photomontage of commercial areas on the Pitt Street elevation of the development
Source: Fuse Architects, 2025

Figure 14: Photomontage of the upper levels of the building (i.e. Level 28 and above), looking northwest
Source: Fuse Architects, 2025

3.2 Demolition, excavation and site preparation

3.2.1 Demolition

The proposed development includes demolition of all existing structures on site which includes the demolition of two buildings and ancillary structures. Three (3) trees are proposed to be removed.

The demolition plan is contained within the architectural plans (**Appendix F**) and is shown in **Figure 15** below.

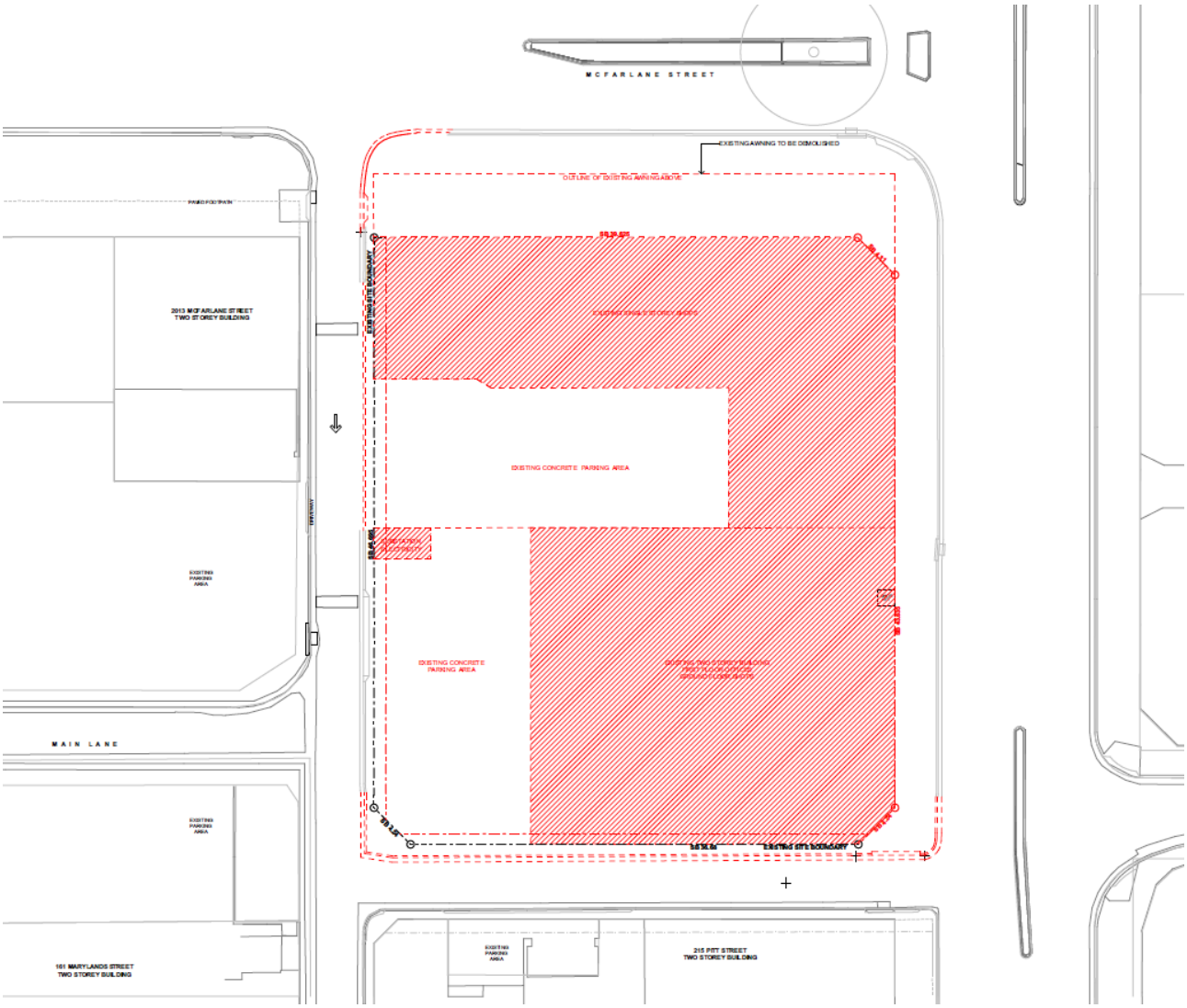


Figure 15: An extract of the proposed demolition plan
Source: Fuse Architects, 2025

3.2.2 Excavation and site preparation

Excavation is required to facilitate the proposed four level basement, to a maximum depth of approximately 13.5m as described within the GIR at **Appendix U**.

3.3 Site servicing and utilities

3.3.1 Substation

The existing substation located near the western boundary fronting Reyes Lane will be demolished. A new substation is proposed on the ground floor level on the Short Lane (Milne Lane) frontage.

3.3.2 General utilities and services

As the site is located within the Merrylands town centre, it is appropriately serviced by relevant infrastructure and utilities. For the proposed development, all essential infrastructure services, including potable water, wastewater, electricity (including a new substation), gas, and telecommunications, will be augmented accordingly subject to authority applications and design.

3.4 Affordable Housing Allocation

The proposed development allocates all apartments as affordable housing, which are to be managed by a registered CHP for a period of at least 15 years.

The letter from the housing provider that will manage the affordable housing component is provided at **Appendix AR**.

3.5 Physical Layout and Design

The proposed physical layout and design of the proposal is dictated by the existing site conditions and context and mitigation of potential impacts on neighbouring sites. The layout has also been informed by the need to reduce the development's impacts on sensitive receivers.

The proposed development has been carefully oriented to maximise solar access to apartments. The development has also been designed to integrate into the streetscape and broader locality whilst also remaining harmonious with the surrounding residential developments.

3.5.1 Floor space ratio and building height

GFA Calculation permitted under CLEP 2021

The site has a mapped 8:1 FSR control prescribed by Clause 4.4(2) of the CLEP 2021.

Further, the site is eligible for up to an additional 0.5:1 bonus FSR, subject to development exhibiting design excellence and being endorsed by the Cumberland Design Excellence Panel (**CDEP**) as prescribed by clause 6.14(6) of the CLEP 2021. This results in a maximum permissible FSR of 8.5:1.

The FSR map within the CLEP 2021 situates the site within an area denoted as "Area B". As a result and pursuant to clause 4.4(2F) of the CLEP 2021, any development that includes 'residential accommodation' or 'tourist and visitor accommodation' (or both) is therefore limited to maximum FSR for that particular use(s). Based upon the 8:1 FSR prescribed by clause 4.4(2) of the CLEP 2021, the residential accommodation component of this development is to have a maximum FSR of 6.3:1 (i.e. a GFA of 13,267.8m^2 based on the 2,106m^2 site area).

The development proposes a residential GFA of 19,800m^2 (i.e. a 9.4:1 residential FSR). Once FSR bonuses (afforded by design excellence provisions (see above) and in-fill affordable housing (see Section 3.5.2 below)) are added however, the size of the variation is reduced. While the overall FSR complies, the SSDA proposes a 4.2% variation to clause 4.4(2F) that governs the maximum residential FSR component of the development.

A written variation request has therefore been prepared pursuant to clause 4.6 of the CLEP 2021 and is included at **Appendix E** to justify the proposed exceedance, in accordance with relevant statutory requirements.

GFA Calculation permitted under Housing SEPP

The Housing SEPP allows for a maximum 30% increase to the mapped FSR, where a minimum of 15% of the residential gross floor area is provided as affordable housing. As indicated above, the site has a mapped FSR of 8:1 under the CLEP 2021 and is eligible for a 0.5:1 design excellence bonus, resulting in a base FSR of 8.5:1. Applying the full 30% bonus, the maximum permissible FSR under the Housing SEPP is 11.05:1.

The proposal seeks an FSR of 11.05:1 and delivers 100% of the residential GFA as affordable housing, which is well within the permissible limit and equates to a provision more than six times the minimum affordable housing requirement under the SEPP.

GFA exclusions

While reference is made to the architectural plans and architectural design report (**Appendices F** and **G**), it is proposed to remove the following from GFA and FSR calculations. These include:

- exclusions provided within the CLEP 2021 dictionary definition for GFA, and

- parts of common passageways and adjacent social areas within the residential tower element of the building.

Areas within common passageways to be excluded from GFA calculations include the ends of passageways and social spaces (the latter of which is generally located towards the northeast of Levels 4-28 inclusive) up to two metres from the exterior of the building. All remaining parts of the internal corridors have however been included as GFA.

Such elements are excluded from GFA calculations due to the ends of the corridors comprising of 'open' features (such as palisade-style balustrades and louvres) that have been provided in response to SDRP feedback to increase light and fresh air within the communal corridors and social spaces. The provision of such openings however result in adjacent areas (i.e. the ends of passageways and social spaces) being somewhat exposed to inclement weather conditions, therefore resulting in them not being completely weatherproofed. The ends of the corridors and social spaces have therefore been excluded in accordance with relevant Land and Environment Court (**LEC** or **Court**) caselaw, which provides such areas are not weatherproofed; such are therefore considered 'external' to the building, resulting in their exclusion from GFA and FSR calculations.

Calculating the Height of Buildings Bonus

Under the CLEP 2021, the site is subject to a mapped maximum building height of 86 metres. Clause 6.14 of the CLEP 2021 permits an 10% height bonus (equating to 8.6 metres) where a proposal demonstrates design excellence and is endorsed by the CDEP, resulting in a maximum permissible height of 94.6 metres under the LEP.

In addition to the LEP standards, Chapter 2 of the Housing SEPP allows for a further 30% height increase where the required proportion of affordable housing is delivered. Applying this 30% to the LEP-based maximum of 94.6 metres results in a maximum permissible building height of 122.98 metres under the combined provisions.

The proposal seeks to utilise both the 10% design excellence bonus and the 30% SEPP height allowance and proposes a maximum building height of 124.8 metres (including the lift overrun). This results in a maximum 1.82 metre (i.e. 1.48%) variation to the building height development standard.

A written variation request has been prepared pursuant to clause 4.6 of the CLEP 2021 and is included at **Appendix D** to justify the proposed exceedance, in accordance with relevant statutory requirements.

3.5.2 Built form and massing

3.5.2.1 Building envelope

The residential tower provides an expressive singular tower form that aligns with strategic planning objectives for intensification around key transport nodes. The proposed height is consistent with the surrounding future context of the area which will be characterised by tall buildings of a similar height as part of the transition to high-density mixed-use precinct.

The bulk of the tower element will be effectively mitigated through the incorporation of suitable front, side and rear setbacks ensuring that the tower's envelope is appropriate for the site and is not a dominant feature in the street scape.

The design is envisioned as a 'three petal form' that reduce the bulk of the tower while also providing visual interest through the modulation and articulation of the facades. The building tower achieves a high level of amenity for its occupants through its orientation, setbacks and use of glazing, ensuring natural light is maximized. The facades respond to environmental conditions and orientations by optimizing light and air while managing privacy issues.

Extracts of the western and southern elevation are provided below at **Figure 16** and **17**.

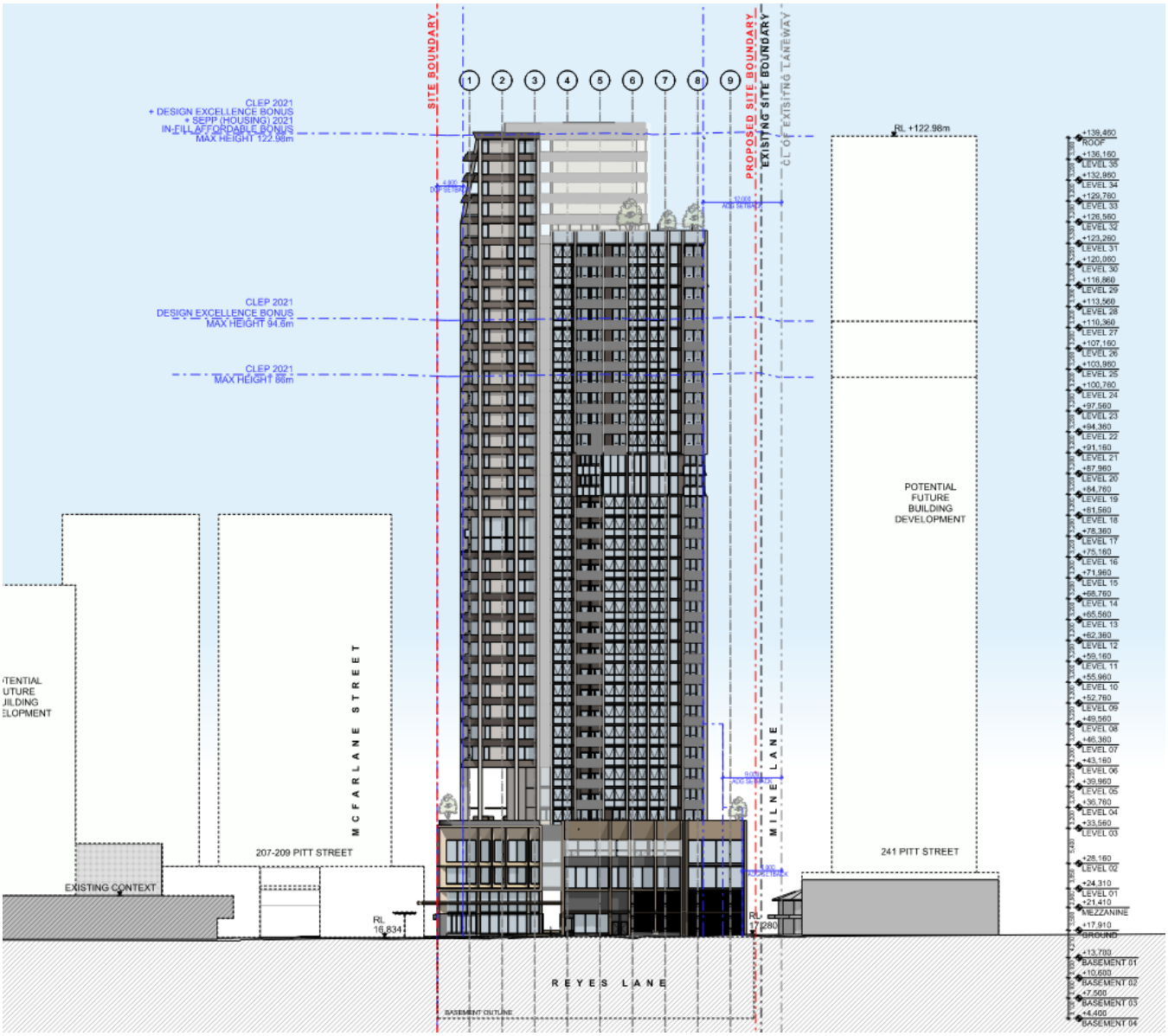


Figure 16: An extract of the proposed western elevation (Reyes Lane)
Source: Fuse Architects, 2026

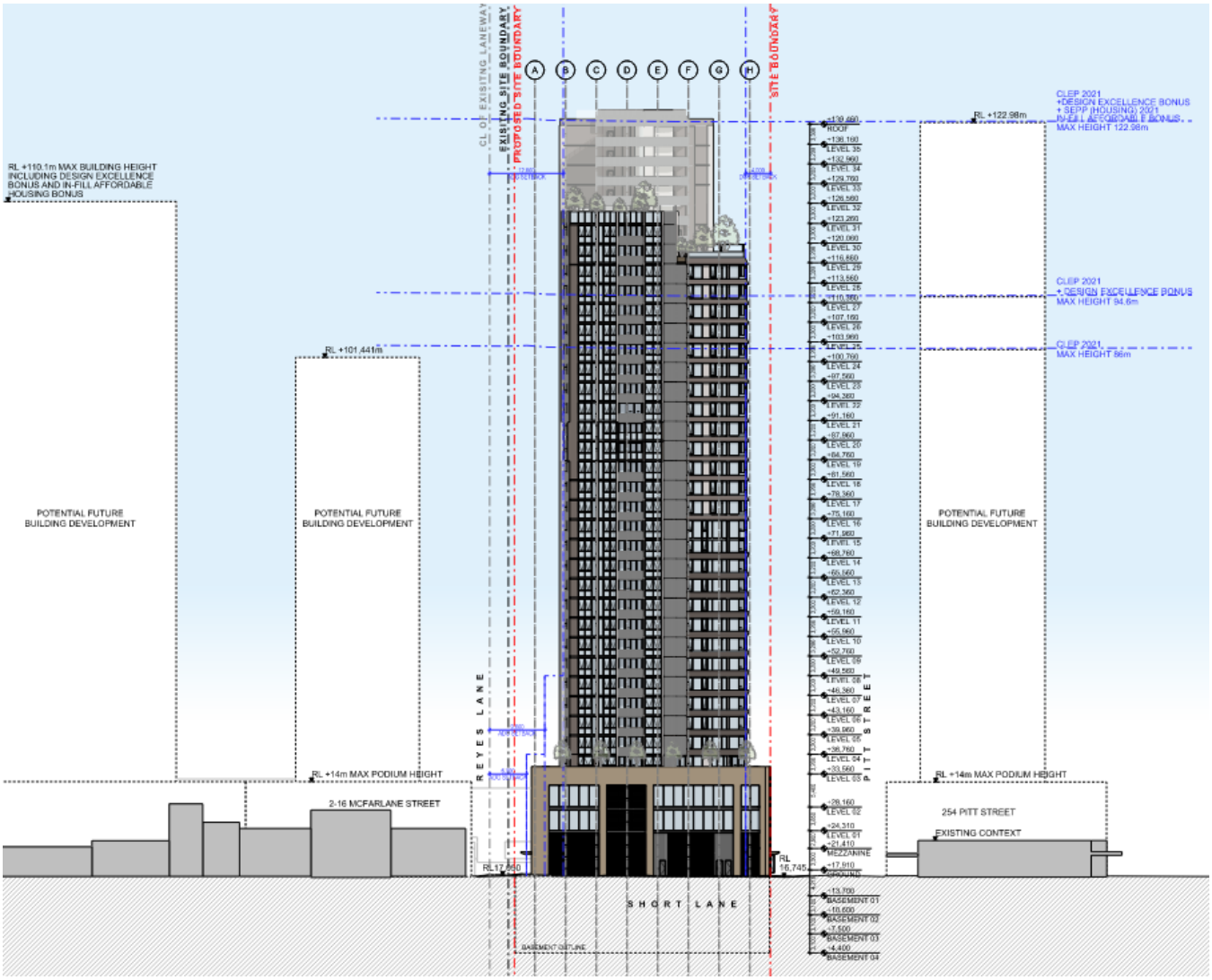


Figure 17: An extract of the proposed southern elevation (Short Lane)
Source: Fuse Architects, 2026

3.5.2.2 Façade and materiality

The current facade palette draws inspiration from the richness of the area, the connection to country, the multi-cultural diversity and the history and heritage of the surrounding context.

As part of the design development, the colour palette for the building facade has been influenced by feedback from the Burramattagal Knowledge Holders and Elders who have helped refine the inspiration to have a more direct connection to country through a deeper understanding of the cultural heritage of the area, what is important to the traditional owners. Feedback from the State Design Review Panel (**SDRP**) has also been incorporated into material and colour selection.

A mineral silicate system is proposed for the building facades that will provide a high-performance, low-maintenance, and environmentally responsible coating ideal for precast concrete and deliver superior long-term value through exceptional durability, low lifecycle emissions, and minimal environmental impact.

Figure 18: Proposed façade and materiality
Source: Fuse Architects, 2025

3.5.3 Communal space

Level 3

The level 3 landscape design provides a wide range of spaces and places for resident amenity. It is designed to be a more active space that will support and encourage use by families by providing active spaces that encourage use by young and old and support activities such as running, walking and active play for health and wellbeing as well as an outdoor library and break out space for parents to watch their kids playing.

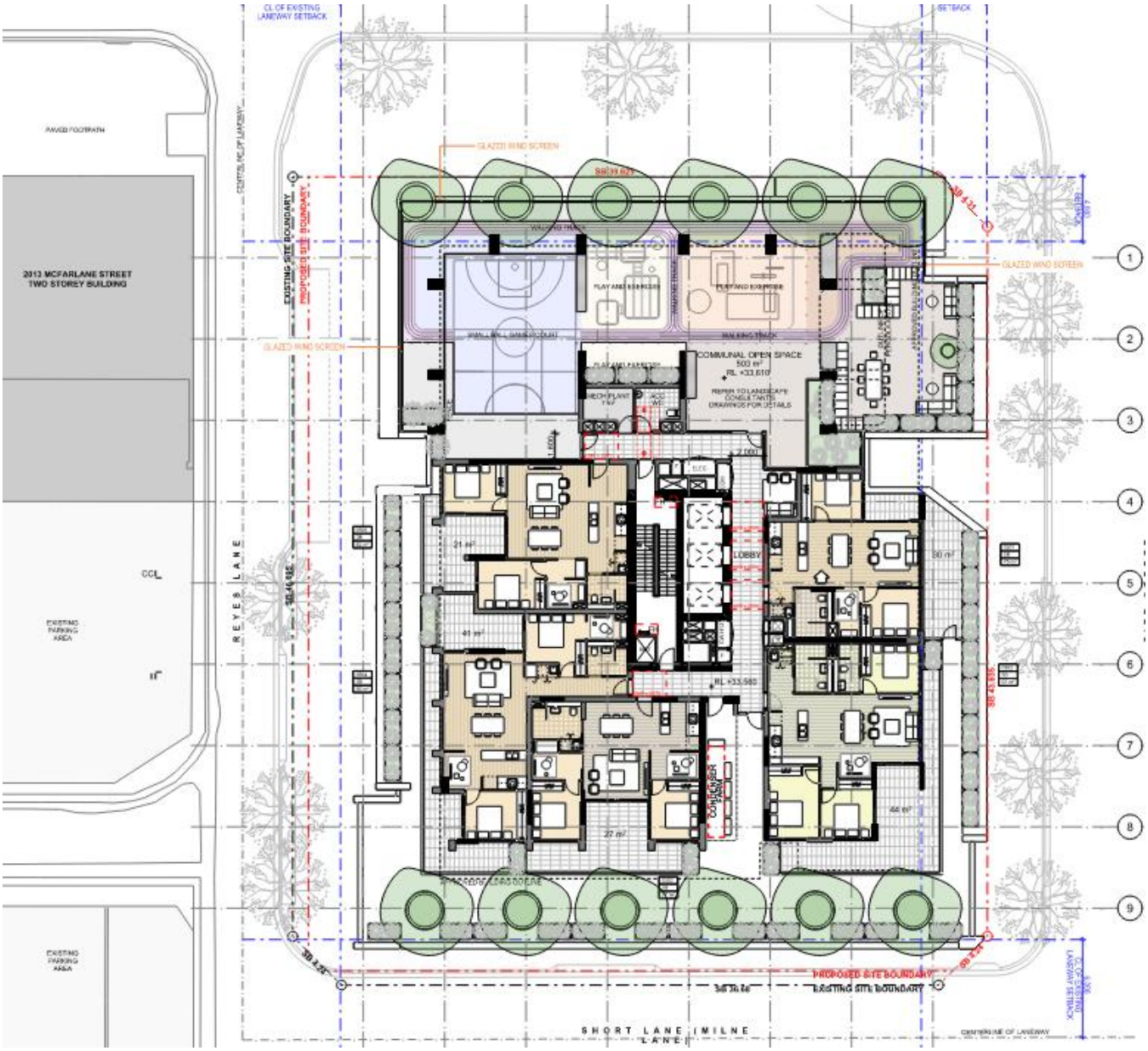


Figure 19: An extract of the Level 3 communal open space
Source: Fuse Architects, 2026

Levels 6 to 28

Communal spaces for gathering face lifts at each level provides opportunities for informal social interaction and gatherings that encourages and will help build a sense of community across the development.

Level 29

The rooftop communal open space on level 29 is designed to take advantage of the outlook towards Parramatta CBD to the north and provide landscaped open space amenity for residents. Landscaped edges with tree and shrub planting provide separation and privacy between different uses.

The communal open space on level 29 provides uses that will encourage a sense of community for residents, with communal dining opportunities and a community garden and orchard to give the opportunity for residents to grow and have access to fresh vegetables and fruit. Shaded and protected areas also support more passive activities and work from home opportunities.

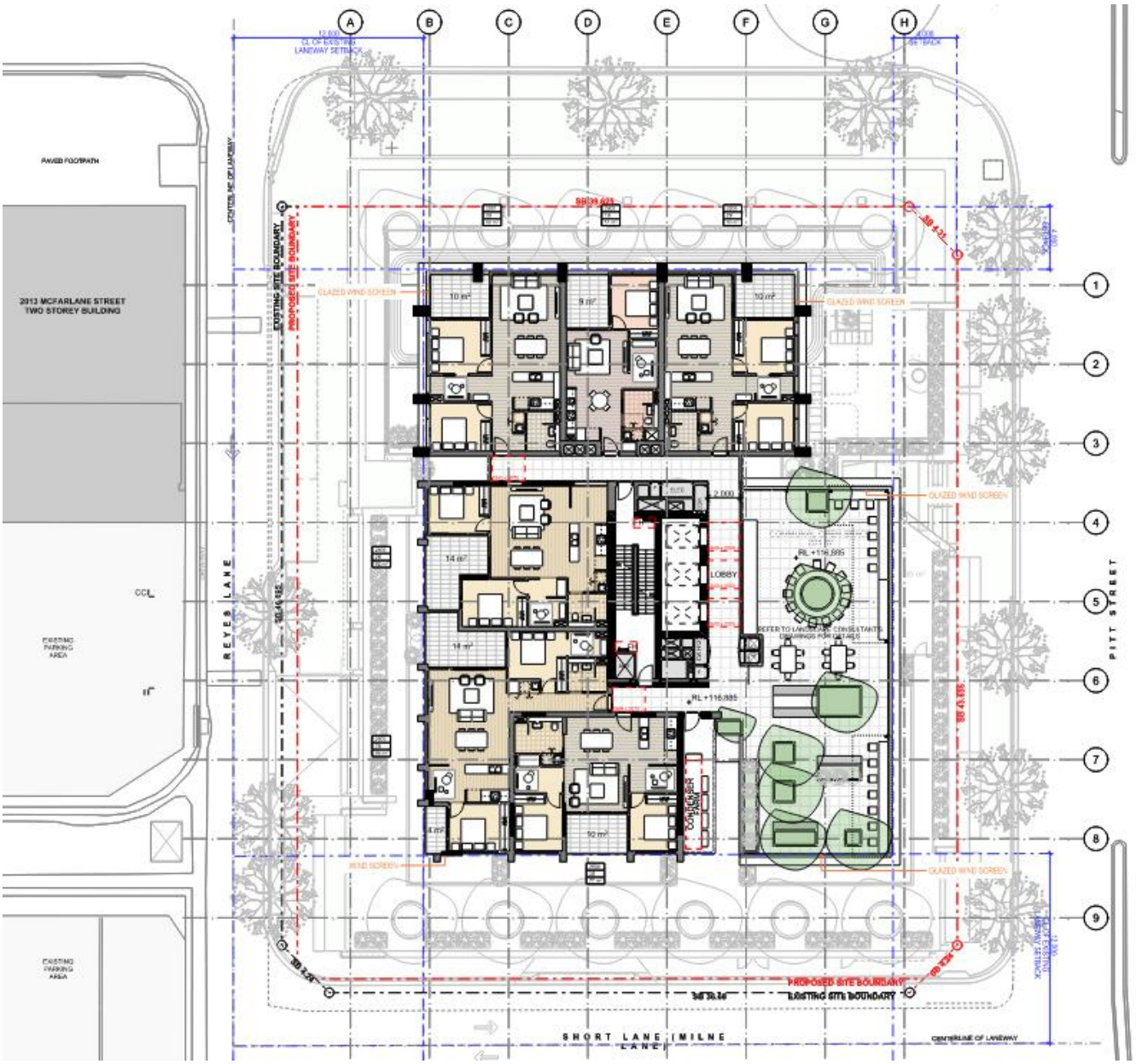


Figure 20: An extract of the Level 29 communal open space
Source: Fuse Architects, 2026

Level 33 communal open space

The provision of family friendly units on the upper tower levels offers opportunity for families to live close to open space amenity with larger apartments that supports inter-generational living.

Like the rooftop communal open space on level 31, communal areas on this level are designed to take advantage of the green outlook over the landscaped communal open space on level 29 below as well as the views to Parramatta CBD to the north and provide landscaped open space amenity for residents.

Landscaped edges with tree and shrub planting provide separation and privacy between different uses.

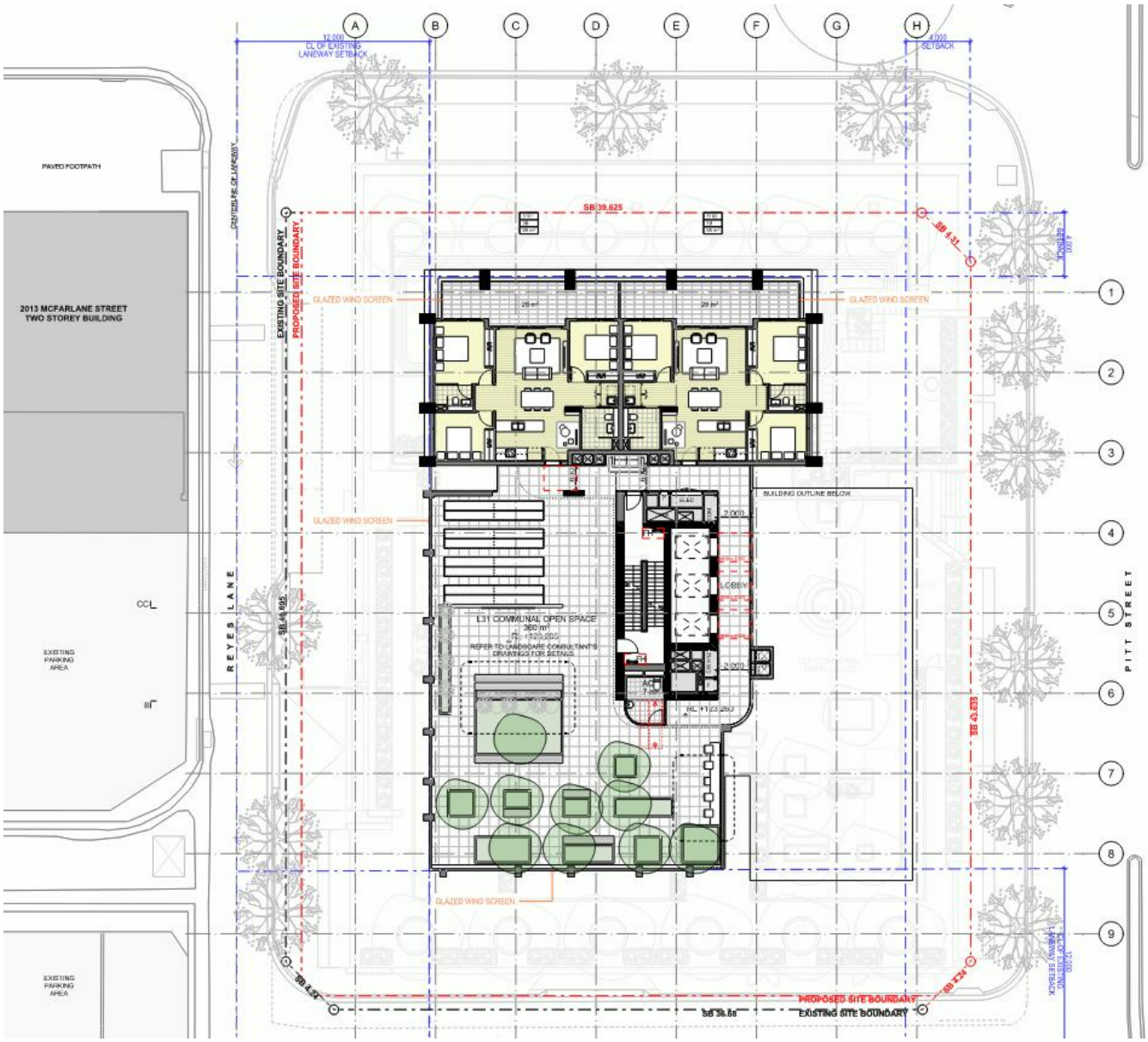


Figure 21: An extract of the Level 31 communal open space
Source: Fuse Architects, 2026

3.5.4 Internal layout and apartment typology

Apartment layouts proposed consist of 1-bedroom, 2-bedroom, and 3-bedroom units. All apartments have private balconies that are directly accessible from living areas, providing opportunity for outdoor living in an urban environment.

Where possible, utility rooms are incorporated within apartment layouts. These rooms are extensions of living spaces, and can be adapted and utilised to suit residents' needs, as a study corner, children's play area, etc.

The typical floor plans are shown in **Figures 22** to **26** below.

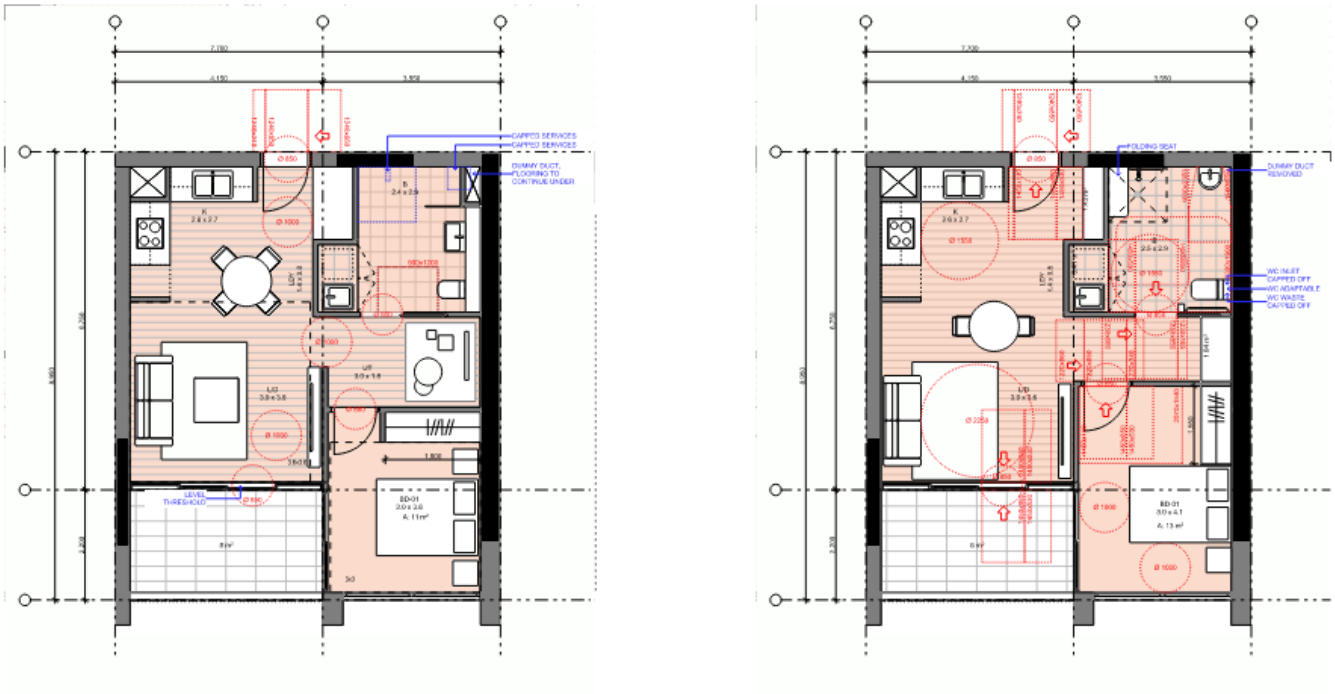


Figure 22: Examples of apartment typologies for apartments containing one bedroom
Source: Fuse Architects, 2026

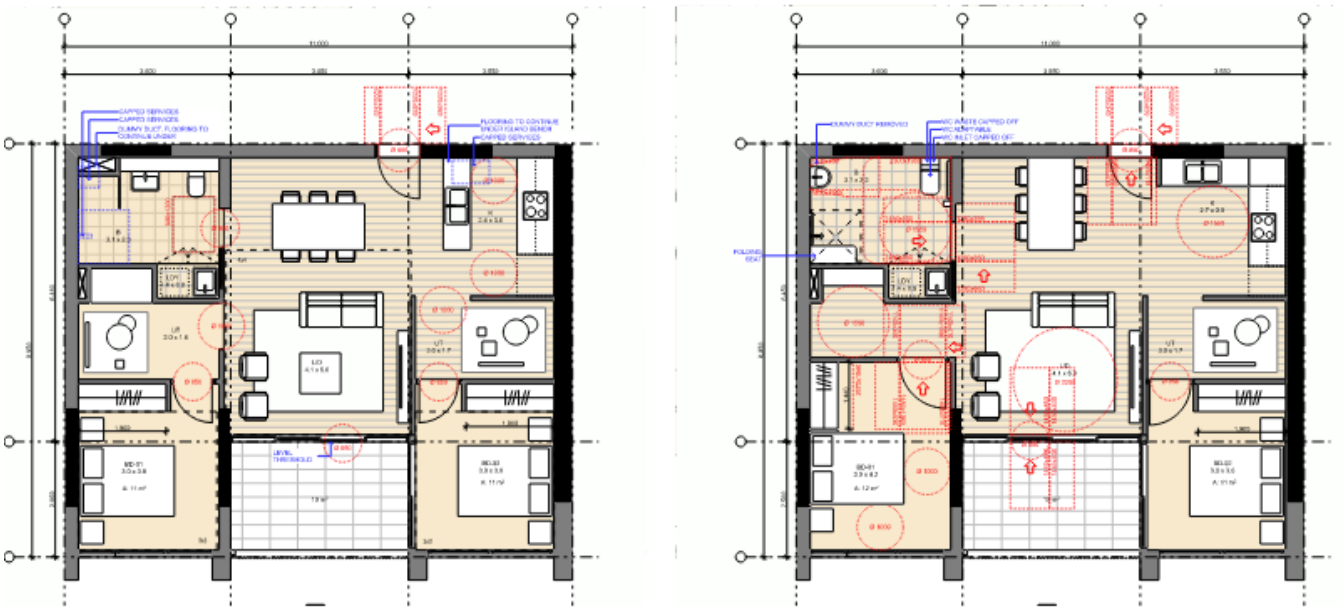


Figure 23: Examples of apartment typologies for apartments containing two bedrooms
Source: Fuse Architects, 2026

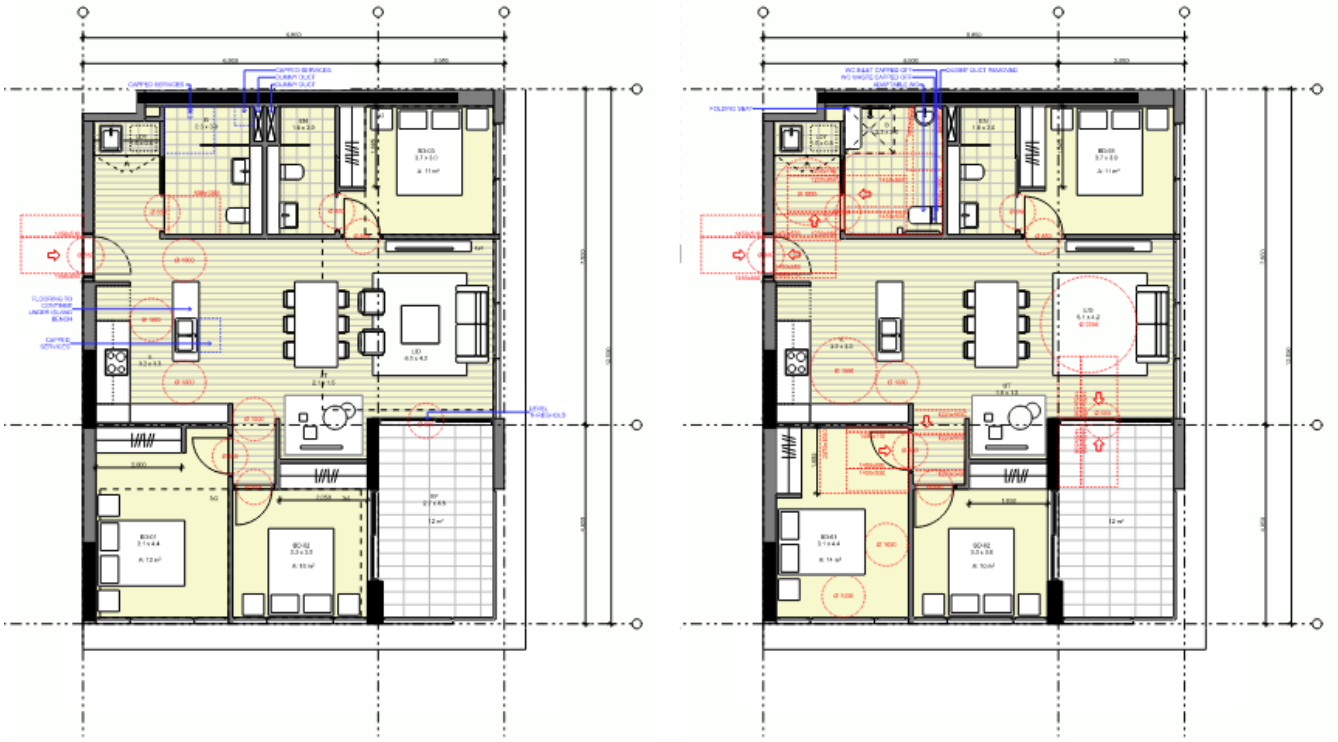


Figure 24: Examples of apartment typologies for apartments containing three bedrooms
Source: Fuse Architects, 2026

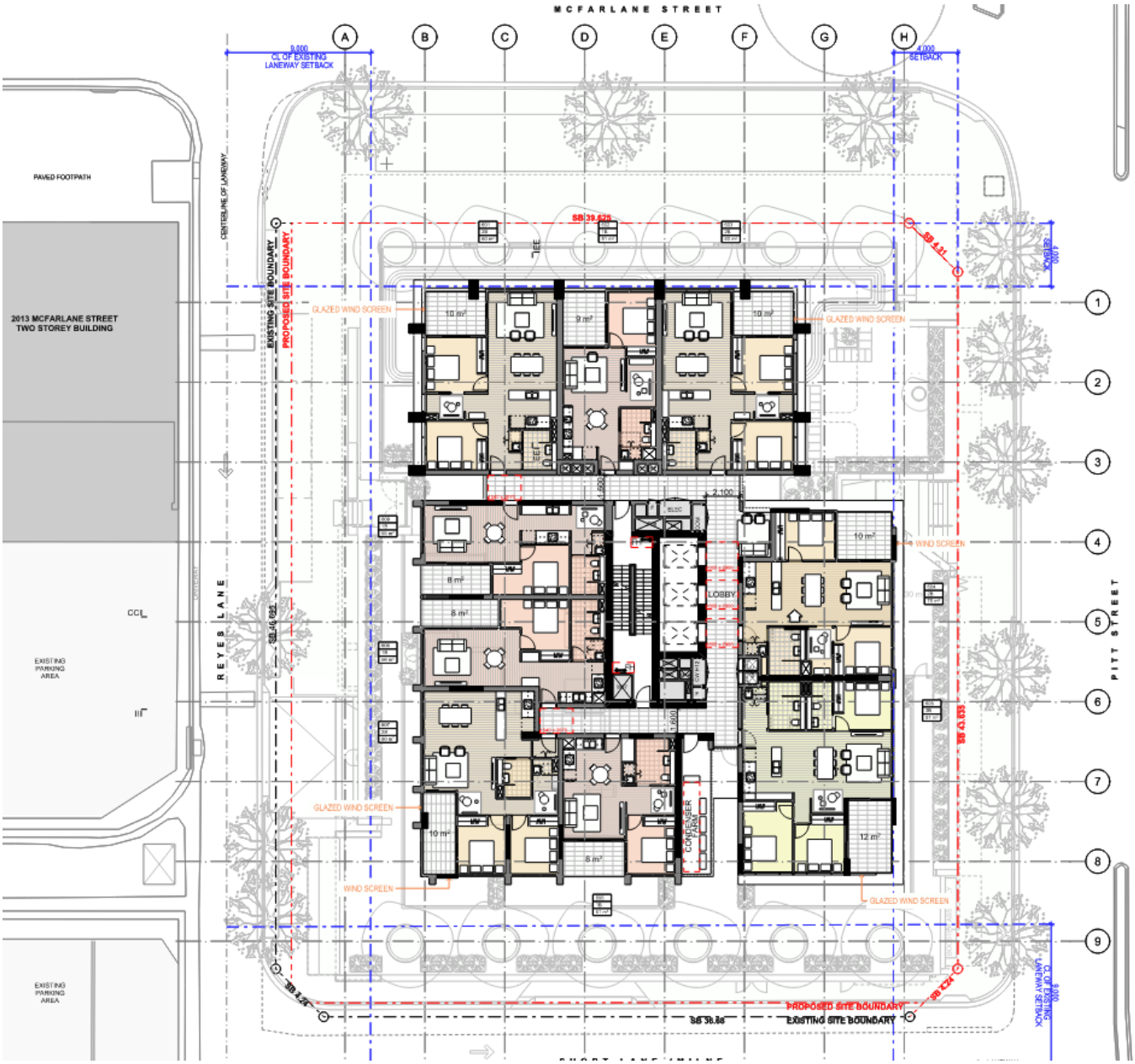


Figure 25: An extract of the Level 6 to 20 internal layout plans
Source: Fuse Architects, 2026

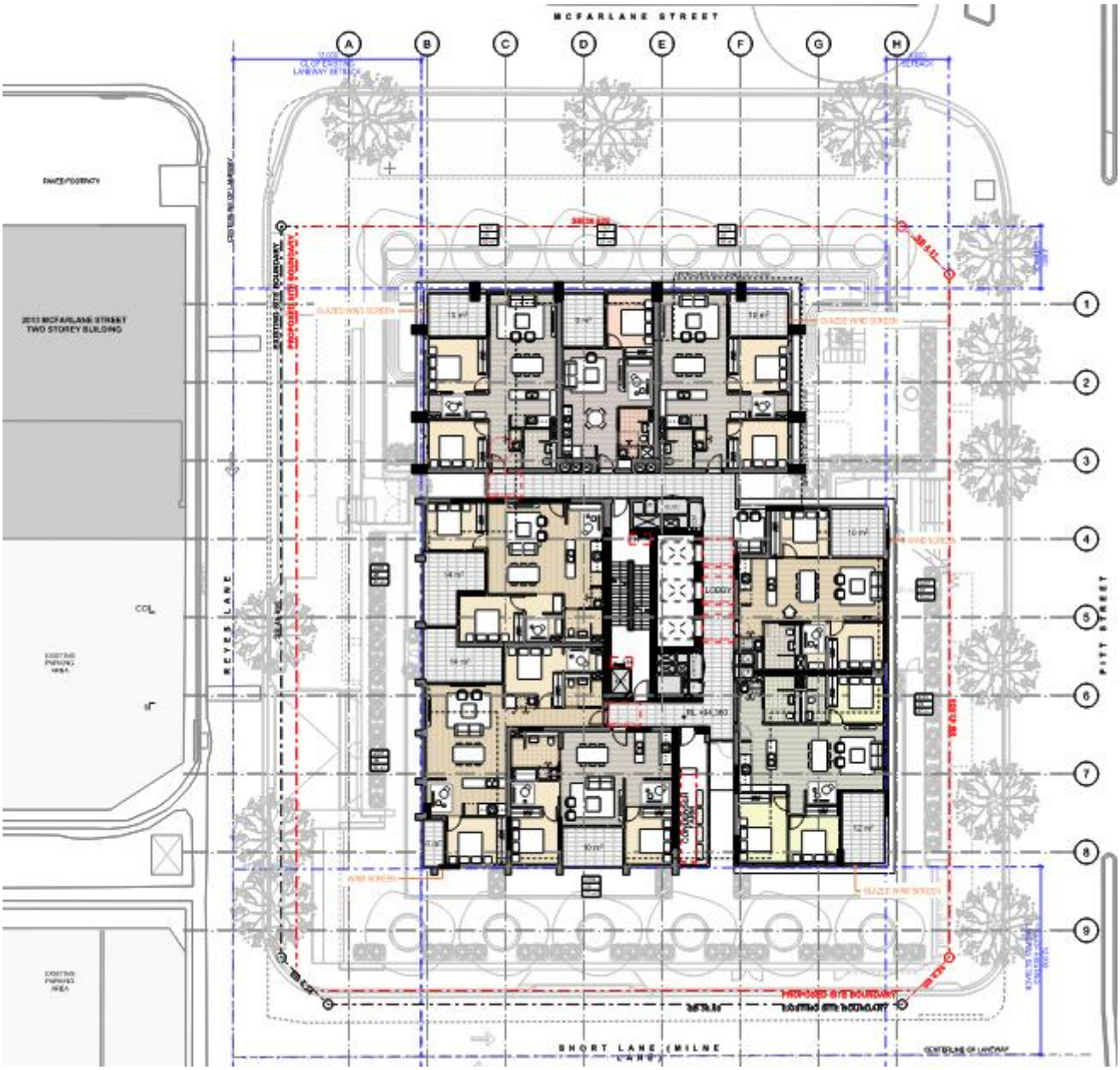


Figure 26: An extract of the Level 22 to 28 internal layout plans
Source: Fuse Architects, 2026

3.5.5 Basement

A four-level basement is proposed, which will provide 185 car spaces, 195 bicycle spaces and 9 motorcycle parking spaces for the residential and non-residential components.

Vehicular access to the development is separated from pedestrian access to provide clear and legible access to the site. A consolidated carpark entry/exit point from Reyes Lane provides internal access to the basement parking. Separate access to the ground level loading, waste and service area is provided from Milner Lane.

Proposed parking:

- 185 car parking spaces, including
    - 129 residential spaces
    - 10 retail spaces
    - 46 commercial spaces,

- 195 bicycle parking spaces, including:
    - 159 resident spaces (80 resident spaces and 79 visitor spaces)
    - 36 commercial spaces, including:
        - 31 tenant spaces, and
        - 5 resident spaces

Other facilities within the basement levels will include residential storage, a bulky waste storage area, car wash bay, residential access areas and services.

3.6 Landscaping and Public Domain

3.6.1 Landscaping

The Landscape Plan for the proposed development has been prepared by Taylor Brammer Landscape Architects (**Appendix I**). The design focuses on creating high quality communal and public open spaces that enhance amenity, improve microclimate conditions and strengthen connections with the surrounding urban environment.

Communal open space is provided on Levels 3, 29 and 31, complemented by landscaped areas at street level with deep soil planting to support trees, habitat and biodiversity. The design incorporates play, cultural interpretation and native species to strengthen the green network and a more resilient environment.

Additionally, rainwater harvesting, orchards and communal gardens enhance resource efficiency and urban food production. A mix of gathering areas supports social interaction and community connection. Street-level landscaping, including new trees along Reyes Lane, McFarlane Street and Pitt Street, improves the microclimate and pedestrian amenity.

Examples of rooftop landscape designs is provided below at **Figures 27**, **28** and **29**.

Figure 27: An extract of the Level 3 landscape plan
Source: Taylor Brammer Landscape Architects, 2025

Figure 28: An extract of the Level 29 landscape plan
Source: Taylor Brammer Landscape Architects, 2025

Figure 29: An extract of the Level 31 landscape plan
Source: Taylor Brammer Landscape Architects, 2025

3.6.2 Public domain

The building has been designed to provide ground floor retail tenancies addressing McFarlane Street, Pitt Street and Reyes Lane. Together with the through site link and commercial and residential lobbies accessed from the through site link, these will encourage interaction between the inside of the building and the adjoining external public domain areas. The building does not propose residential accommodation or services apartments at ground level and does not provide car parking at ground level.

The ground plane creates a seamless integration of the public domain through emphasis on street activation and permeability. While addressing practical considerations for flood resilience, free board levels are recessed, to activate and enliven retail frontage and enhance cultural vibrancy along the street scape.

Additionally, upgraded covered outdoor dining and seating spaces along McFarlane Street strengthens Council's intention for an 'Eat Street', paying homage to community culture, fostering gatherings for cultural activities and practices that activate the streetscape. The retail tenancies fronting the street have been designed to open up and provide an interstitial space adjacent to the street that will support outdoor dining opportunities. An intermediate datum line has been established at seating height (approximately 500mm high) with the provision of bleacher seating to create a more permeable relationship to the street as shown below in **Figure 30**.

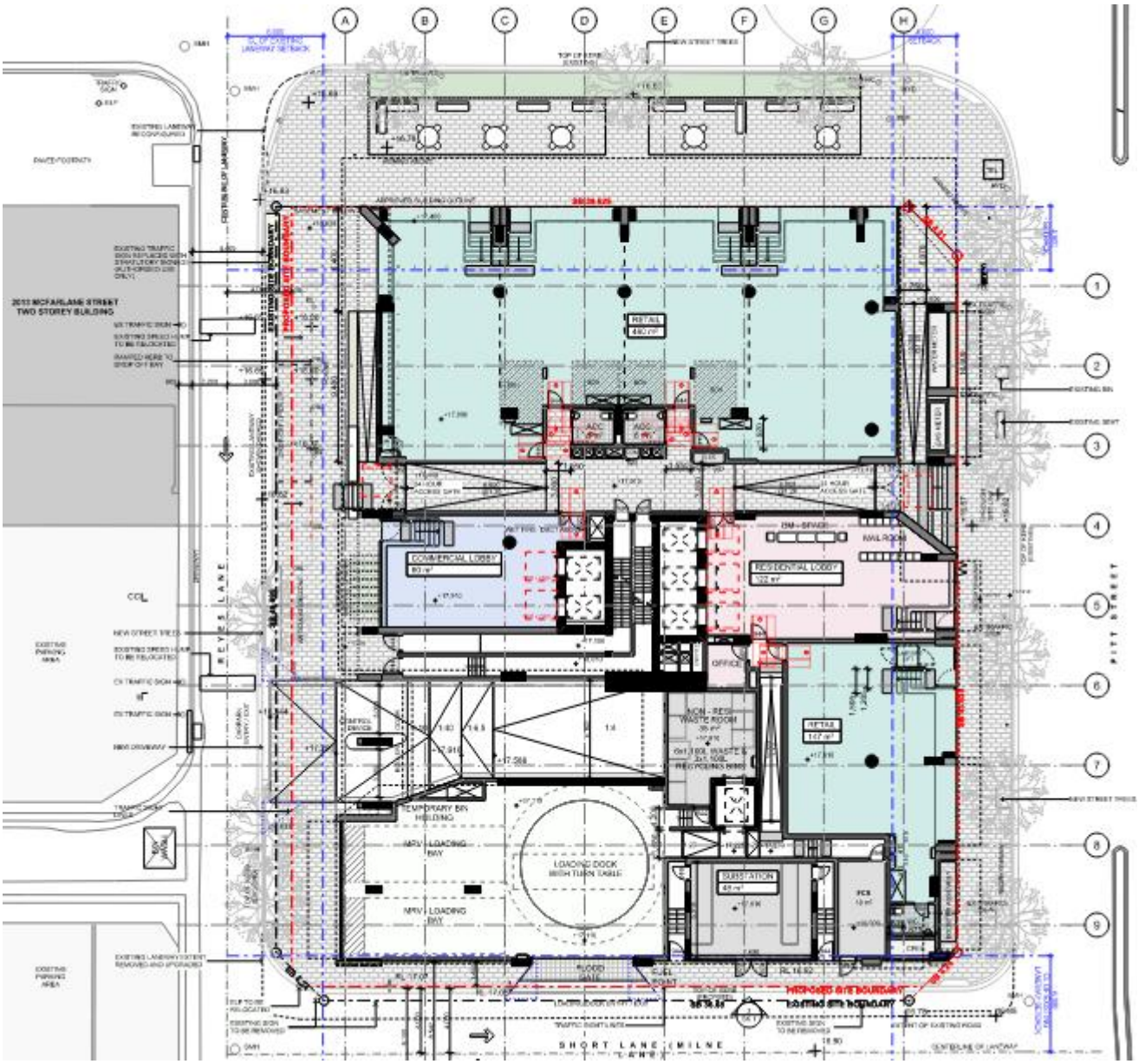


Figure 30: Extract of proposed ground level floor plan and details
Source: Fuse Architects, 2026

3.7 Stormwater management

A range of proposed stormwater management practices are detailed in the Stormwater Management Plans at **Appendix S**. A summary of the key stormwater management works is provided below.

3.7.1 Stormwater drainage

As shown on the Stormwater Management Plans (**Appendix K**), stormwater will be managed through a new pit and pipe network designed to convey runoff by gravity to Council's existing inlet pit located on McFarlane Street to the north. The proposed building, which occupies the majority of the site footprint, will drain via a system of downpipes connected to an on-site detention (**OSD**) tank and a rainwater reuse tank.

Together, these measures will ensure stormwater is managed efficiently, consistent with Council's specifications and relevant water management guidelines.

3.7.2 On site detention

The site is in close proximity to A'Becketts Creek, which forms part of the Duck River catchment. The proposed development is subject to the Upper Parramatta River Catchment Trust (**UPRCT**) on-site detention design requirements.

To satisfy site storage requirements and permissible site discharge, an OSD system has been incorporated into the design, providing a total storage volume of 122.1 m^3, with an effective depth of 1.85 m and a surface area of 66 m^2. The outlet orifice has been designed at 77 mm in accordance with the UPRCT drainage design standards.

The system will ensure that post-development flows do not exceed pre-development conditions and that there is no increase in flood discharges within the catchment for all storm durations. The OSD layout is detailed in the Civil Engineering Plans prepared by EI Australia (**Appendix K**).

3.7.3 On site retention rainwater tank

A 10,000 L rainwater tank has been proposed for the development. The rainwater tank will capture runoff from non-trafficable roof areas in accordance with BASIX and hydraulic engineering requirements. Refer to the hydraulic engineer drawings within the Civil Engineering Plans (**Appendix K**) for details regarding reuse.

3.8 Waste

Garbage chutes are provided within the centralised core serving and each resident is responsible for transferring their household waste to the chutes. The chute room is located on the mezzanine level where consolidated waste holding areas for residential waste has been provided to service the development. A dedicated room for FOGO (Food Organics and Garden Organics) bins is also provided for resident use, accessed via the 3 residential lifts.

These areas will be designed to prevent unauthorized access, to contain any spilt materials and will have signage to remind residents of the correct separation of waste and recyclables. In keeping with the best practices for sustainable design, all waste areas and waste/recycling bins will be clearly differentiated through appropriate signage and colour coding to Australian Standards. Each stream will be located in a designated area as shown below in **Figure 31**.

A separate and dedicated waste room has been provided for retail and commercial waste, located adjacent to the ground level loading dock. A dedicated bin hoist lift has been provided to move the waste bins to the loading dock.

Direct access for residential, commercial and retail loading is via the ground level, where two dedicated service bays have been provided, with direct access to the residential lobby as well as the retail tenancy on Pitt Street.

Refer to the Operational Waste Management Plan (**Appendix AB**) for more details.

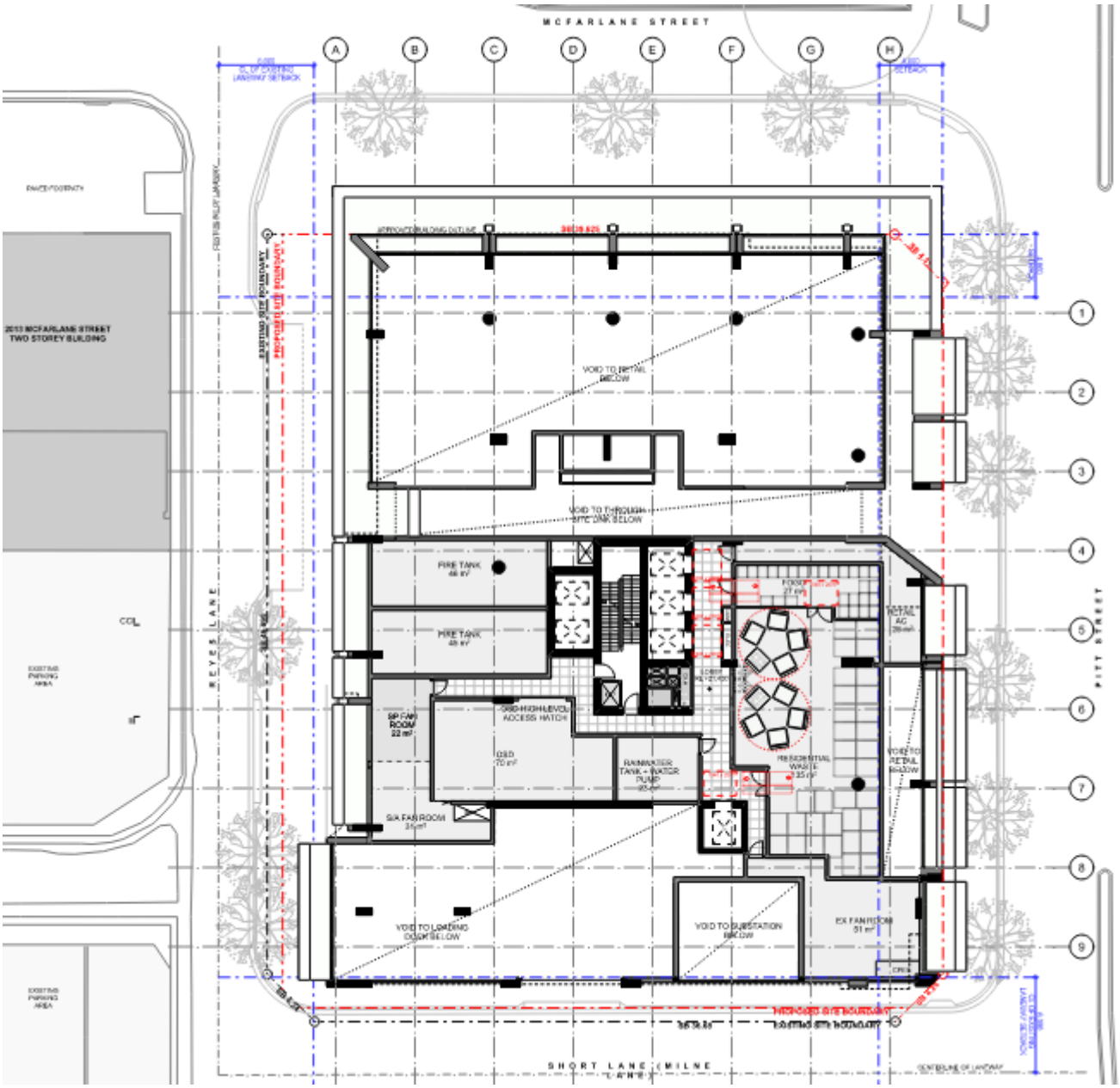


Figure 31: An extract of the proposed mezzanine level, detailing the proposed waste room and associated services
Source: Fuse Architects, 2026

3.9 Ecologically Sustainable Development

As reflected within the submitted BASIX certificate (**Appendix AJ**), Measures included within the proposed development to provide for Environmentally Sustainable Development (**ESD**) are as follows:

Energy

- High performance fabric and glazing to reduce air conditioning energy use and occupant comfort.
- 50kW (approx.) Photo Voltaic (**PV**) system.
- LED lights and improved artificial lighting and control.
- High efficiency air conditioning systems to National Construction Code (**NCC**) Section J requirements as a minimum.
- Central system electric heat pump hot water to reduce reliance on gas.
- Efficient lift systems.

Water

- Water efficient fittings, fixtures and appliances (such as showers, toilets, kitchen taps and hand wash basins).
- Rainwater tank with a Conservation Programs, Heritage & Regulation Division capacity of 10,000L.

Stormwater

- MUSIC modelling result exceeds CDCP 2021 targets.

Indoor Environment Quality

- Design for daylight access to reduce energy use for lighting and improve occupant wellbeing.
- Adequate winter sunlight to reduce energy use for heating and improve occupant wellbeing.
- Air Quality through low Volatile Organic Compounds to improve occupant health and wellbeing.

Waste Management to minimise the impact of the environment

- Waste Management Plan
- Operational Waste Management Plan
- Maximise re-use and recycling of materials

3.9.1 Construction timing, stages and sequencing

The indicative stages and sequencing of the overall redevelopment of the site are provided within **Table 10:**

Table 10: Proposed construction stages

Stage	Indicative timing / duration	Status
Stage 1: Demolition, site preparation	Approximately nine weeks (i.e. two to three months)	Anticipated to commence May 2027, following granting of development consent.
Stage 2: Site Remediation and Bulk Excavation	Approximately 52 weeks (i.e. one year)	Anticipated to commence December 2027.
Stage 3: Structure and main works • Basement excavation • Super structure • Services provision • External building works • Internal building works • Landscaping	Approximately 78 weeks (i.e. 18 months)	Anticipated to commence April 2028.
Stage 4: Building fitout and finishes	Approximately 52 weeks (i.e. one year)	Anticipated to commence March 2030(note overlap with proposed Stage 3 works)

Statutory Context

4.1 Key Statutory Requirements

This section of the EIS describes the statutory planning requirements for the proposed development and identifies relevant State and local legislation and planning instruments which apply to the SSDA.

The relevant Federal, State and local statutes; environmental planning instruments; and development control plans that apply to the site and the proposal include:

- *Commonwealth Environmental Protection and Biodiversity Act 1999* (**EPBC Act**)
- *Environmental Planning and Assessment Act 1979* (**EP&A Act**)
- Environmental Planning and Assessment Regulation 2021 (**EP&A Regulation**)
- *State Environmental Planning Policy (Planning Systems) 2021* (**Planning Systems SEPP**);
- *State Environmental Planning Policy (Resilience and Hazards) 2021* (**R&H SEPP**);
- *State Environmental Planning Policy (Biodiversity and Conservation) 2021* (**B&C SEPP**);
- *State Environmental Planning Policy (Transport and Infrastructure) 2021* (**T&I SEPP**); and
- *State Environmental Planning Policy (Resilience and Hazards) 2021* (**R&H SEPP**);
- *State Environmental Planning Policy (Housing) 2021* (**Housing SEPP**);
- *State Environmental Planning Policy (Sustainable Buildings) 2022* (**Sustainable Buildings SEPP**);
- *Cumberland Local Environmental Plan 2021* (**CLEP 2021**).
- Cumberland Development Control Plan 2021 (**CDCP 2021**)

4.2 Power to Grant Approval

Division 4.7 of the EP&A Act describes the circumstances under which a development can be classified as SSD. The legal pathway under which consent is sought is described in **Table 11**.

Table 11: Power to grant approval

Statutory Reference	Pathway Description
EP&A Act Section 4.5(a)	Pursuant to Section 4.5(a) of the EP&A Act the Minister is the consent authority for SSD, or the Minister's Delegate. Division 4.7 of the EP&A Act establishes the framework under which projects can be classed as SSD. Section 4.36(2) of the EP&A Act states that: (2) *A State Environmental Planning Policy may declare any development, or any class or description of development to be State Significant development.* The proposed development is declared to be SSD under Schedule 1 Clause 26A of the Planning Systems SEPP, as described below.
Planning Systems SEPP Schedule 1 Clause 26A	Section 26A of Schedule 1 states that: *26A In-fill affordable housing* *(1) Development to which State Environmental Planning Policy (Housing) 2021, Chapter 2, Part 2, Division 1 applies if—* *(a) the part of the development that is residential development has an estimated development cost of—* *(i) for development on land in the Eastern Harbour City, Central River City or Western Parkland City in the Six Cities Region—more than $75 million, or Note— The Act, Schedule*

Statutory Reference	Pathway Description
	9 sets out the local government areas in each city in the Six Cities Region. *(ii) for development on other land—more than $30 million, and* *(b) the development does not involve development prohibited under an environmental planning instrument applying to the land.* The proposal located in the Central River City has a residential component with an estimated development cost of more than $75 million and does not involve development that is prohibited under an EPI (see **Section 4.3** below). Therefore, the proposal constitutes as SSD.

4.3 Permissibility

The site is zoned E2 Commercial Centre under the CLEP 2021 (see **figure 32**). The proposed development is defined as a mixed-use development that comprises of commercial premises and shop top housing, which is permissible with consent with the E2 zone under CLEP 2021. Further, provisions of chapter 2, Part 2, Division 1 of the Housing SEPP apply to the development pursuant to 15C(1) of the Housing SEPP.

Figure 32: Extract of the CLEP 2021 land use zoning map
Source: Mecone Mosaic, 2025

4.4 Other approvals

This section outlines other legislative approvals that are required to carry out the project under Division 4.7 of the EP&A Act.

Table 12: Other Approvals

Approval Category	Description
Consistent approvals: approvals that cannot be refused if the project is approved and must be substantially consistent with the approval	Section 4.42 of the EP&A Act identifies authorisations cannot be refused if they are necessary for carrying out State Significant Development. The following lists legislative approvals under Section 4.42, which due to the nature of the project, are not required. *Fisheries Management Act 1994* Not required *Coal Mine Subsidence Compensation Act 2017* Not required *Mining Act 1992* Not required *Petroleum (Onshore) Act 1991* Not required *Protection of the Environment Operations Act 1997* Not required *Roads Act 1993* Not required *Pipelines Act 1967* Not required
EPBC Act approval, and whether the bilateral agreement applies	The *Environmental Protection and Biodiversity Act 1999* (**EPBC Act**) provides a legal framework to protect and manage matters of national environmental significance (**MNES**), which include nationally and internationally important flora, fauna, ecological communities, and heritage places. If the proposal is likely to impact a MNES it must be referred to the Federal Department of the Climate Change, Energy, the Environment and Water to determine if it constitutes a 'controlled action' requiring EPBC approval. A bilateral agreement allows the Commonwealth Minister for the Environment to rely on the NSW environmental assessment process for a controlled action under the EPBC Act. As confirmed in the BDAR waiver request (**Appendix AM**), the project is not located in any heritage place and will not impact significant flora and fauna or ecological communities. The proposal is therefore unlikely to impact any MNES and does not require referral to the Federal Department of the Climate Change, Energy, the Environment and Water to determine if it constitutes a controlled action and the bilateral agreement applies.
Other approvals: approvals that are not expressly integrated into the SSD assessment under the EP&A Act (e.g. water access licences under the *Water Management Act 2000*, leases under the *National Parks and Wildlife Act 1974*).	Section 4.41 of the EP&A Act states certain approvals that are not required for SSD. The following identifies whether other legislative approvals would otherwise be required if the Project was not SSD. *Fisheries Management Act 1994* Not required *Heritage Act 1977* Not required *National Parks and Wildlife Act 1974* Not required *Rural Fires Act 1997* Not required *Water Management Act 2000* (other than an aquifer interference approval under section 91(3)) Not required Section 4.46 (integrated development) of the EP&A Act states that integrated

Approval Category	Description
	development does not apply to SSD. Therefore, the proposal does not comprise integrated development.

4.5 Pre-conditions to exercising power to grant approval

Table 13 outlines the pre-conditions to exercising the power to grant consent which are relevant to the project and the section where these matters are addressed within the EIS. These are conditions that must be satisfied before the approval authority may grant development consent.

Table 13: Pre-conditions

Statutory Reference	Pre-condition	Relevance	Section in EIS
B&C Act	Clause 7.9 of the BC Act requires applications to be accompanied by a BDAR unless it is determined the proposal is not likely to have any significant impact on biodiversity values.	The proposed development is located within in an urban area and will not result in any significant impact on biodiversity values. A waiver for the requirement to prepare a BDAR was granted on 28 February 2025 and is provided at **Appendix AN**.	**Section 6.10**
Biodiversity and Conservation SEPP	Clause 2.6 within Chapter 2, Part 2.2 of the SEPP requires that consent be obtained for removal of vegetation within non-rural areas.	Consent is sought for the removal of one tree (an *Ulmus parvifolia* (Chinese Elm)). An Arboricultural Impact Assessment (**AIA**) has been prepared in support of the application (**Appendix AP**), which supports the removal of the tree, in addition to protection measures to protect and retain other trees around the site. Noting the tree is located within an adjoining road reserve, its removal can also be the subject of a future S138 approvals process.	**Section 6.10**
Resilience and Hazards SEPP	Chapter 4, Clause 7 of the Resilience and Hazards SEPP requires that a consent authority be satisfied that the land is suitable in its contaminated state or will be suitable, after remediation for the purpose for which the development is proposed to be carried out.	A PSI and have been undertaken at the site and find that there may be potential for contamination at the site (**Appendix X**), however this is subject to further investigation and the preparation of a RAP. The findings of the investigations are assessed under **Section 6** of this report.	**Section 6.16**
T&I SEPP	Division 15, Subdivision 2 Section 2.100 requires that for development for residential accommodation on land in or adjacent to a rail corridor that the consent authority take into consideration any guidelines that are issued by the Planning Secretary and published in a Gazette and not grant consent unless satisfied that appropriate	The site is not located in immediate proximity to a rail corridor, however the proposal has considered railway noise in the design process and as required by this section. The NVIA (**Appendix AE**) has considered the internal noise level criteria under the NSW Department of Planning document *Development Near Rail Corridors and Busy Roads*	**Section 6.13**

Statutory Reference	Pre-condition	Relevance	Section in EIS
	measures will be taken to ensure that the following LAeq levels are not exceeded— (a) in any bedroom in the residential accommodation—35 dB(A) at any time between 10.00 pm and 7.00 am, (b) anywhere else in the residential accommodation (other than a garage, kitchen, bathroom or hallway)—40 dB(A) at any time.	– *Interim Guideline* and provides recommendations for the design of the development to ensure compliance with the specified LAeq levels.	
	r, Subdivision 1 Section 2.45 related to notification of certain substation development that may be carried out without consent.	A substation forms part of the proposed development. Notification of the proposal will be provided during the public exhibition period which will last 28 days. Notification of the public exhibition will be provided to Cumberland Council and adjoining landowners. The proponent will then take into consideration any response that is received within that period.	**Section 3.3.1**
	Under Schedule 3 development is classified as traffic-generating if there are: • 200 or more car parking spaces (whether or not ancillary to other development).	The proposal includes 238 dwellings and 185 car parking spaces, which does not exceed parking thresholds. Accordingly, the development is not classified as traffic-generating development and does not require a formal referral to Transport for NSW pursuant to clause 2.122. A TPA (**Appendix P**) has however been prepared to accompany the application, and any feedback from TfNSW will be considered during the assessment process.	**Section 6.6**
Sustainable Buildings SEPP	Chapter 2, Section 2.1 of the Sustainable Buildings SEPP requires that a consent authority is not to consent to carrying out development unless the consent authority is satisfied the embodied emissions attributable to the development have been quantified.	An assessment against the relevant provisions of the Sustainable Buildings SEPP is provided within the ESD Report (**Appendix AK)**. Refer also to the BASIX Certificate (**Appendix AJ**), the Embodied Emissions Report Form (**Appendix AL**) and the BCA Assessment report (**Appendix AH**).	**Section 6.17**

Statutory Reference	Pre-condition	Relevance	Section in EIS
Housing SEPP	Part 2, Division 1, Section 21 requires that the consent authority be satisfied prior to granting development consent that the development will include an affordable housing component to be managed by a registered CHP for a period of at least 15 years.	The development proposes 100% of residential floor space as affordable housing for a period of 15 years. A CHP has been selected, and Anglican Community Services will manage the affordable housing component as identified at **Appendix AR**.	**Section 6.4**
	Chapter 4, Section 147 requires that the consent authority considers the design principles under Schedule 9, the Apartment Design Guide (**ADG**) and any advice received from a design review panel.	Compliance with the design principles and ADG is demonstrated within the Design Verification Report.	**Appendix H**
	Chapter 5, Section 156 requires that the consent authority be satisfied prior to granting development consent that the development will include an affordable housing component to be managed by a registered CHP in perpetuity.	The development proposes 100% of dwellings to be provided as affordable housing for at least 15 years in accordance with the requirements of Chapter 2 of the Housing SEPP. A CHP has been selected to manage the affordable housing component as identified at **Appendix AR**.	**Section 6.4**
CLEP 2021	Clause 6.13, references ground floor development in zones E1, E2 and MU1. Development must not be granted for a mixed-use development unless the consent authority is satisfied the ground floor of the building: • Will not be used for residential accommodation or serviced apartments • Will not be used for a car park or to provide ancillary car parking spaces*, and • Will provide for uses and building that encourage the interaction between the inside of the building and the external public area adjoining the building. *Note: this requirement does not apply to a site that is greater than 60m in depth from all street frontages or has a gradient steeper than 15%	The proposed development entails- • 2927 sqm commercial floor space on Level 1 and 2 • 633 sqm retail GFA at the ground floor with active frontages to Macfarlane Street, Pitt Street and Reyes Lane. Lobby entrances to the Independent Living Units and commercial tenancies on Level 1 and 2 are provided at ground level from Pitt Street and Reyes Lane. Parking will be provided within four basement levels.	**Appendix B**

Statutory Reference	Pre-condition	Relevance	Section in EIS
	measured from boundary to boundary.		
	Clause 6.14, references design excellence. The site is eligible for an additional 10% height and 0.5 FSR bonus, subject to development being endorsed by the Cumberland Design Excellence Panel (**CDEP**). Approval of the bonus provisions would: • Increase the base FSR from 8:1 up to 8.5:1, and • Increase the base maximum building height from 86m to 94.6m (8.6m increase).	Alternate SEPP Standard adopted. The proposal is eligible for 30% bonus height and FSR under SEPP Housing 2021 in addition to the design excellence bonus.	**Section 6.1**

4.6 Mandatory considerations

Table 14 below outlines the relevant mandatory considerations that must be considered in determining this SSDA under the EP&A Act and the sections where these matters are addressed within the EIS.

Table 14: Mandatory matters for consideration under the EP&A Act and Regulations

Statutory Reference	Mandatory Consideration	Section in EIS
Section 1.3	Relevant objects of the EP&A Act • To promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources • To facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment • To promote the orderly and economic use and development of land • To protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats	**Section 7.3** **Appendix B**
Section 4.15	Relevant EPIs • Planning Systems SEPP • Housing SEPP • Resilience and Hazards SEPP • Transport and Infrastructure SEPP • Sustainable Buildings SEPP • Biodiversity and Conservation SEPP • CLEP 2021	

Statutory Reference	Mandatory Consideration	Section in EIS
	Relevant draft EPIs	
	Relevant planning agreement or draft planning agreement *Not relevant to the proposed development.*	**N/A**
	Development Control Plan • Cumberland Development Control Plan 2021 (**CDCP 2021**)	**Appendix B**
	The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality.	**Section 6**
	The suitability of the site for the development	**Section 7**
	The public interest	**Section 7**
Mandatory relevant considerations under EPIs		
Biodiversity and Conservation SEPP	An assessment against the relevant provisions of the Biodiversity and Conservation SEPP is provided at **Appendix B.**	**Appendix B**
Resilience and Hazards SEPP	An assessment against the relevant provisions of the Housing SEPP is provided at **Appendix B.**	**Appendix B**
Housing SEPP	The proposal seeks consent for the provision of in-fill affordable housing under Chapter 2 Division 1 of the Housing SEPP. An assessment against the relevant provisions of the Housing SEPP is provided at **Appendix B.**	**Appendix B**
Sustainable Buildings SEPP	An assessment against the relevant provisions of the Sustainable Buildings SEPP is provided within the Environmentally Sustainable Development Report at **Appendix B.**	**Appendix B**
CLEP 2021	An assessment against the relevant provisions of the CLEP 2021 is provided at **Appendix B.**	**Appendix B**
Consideration under other legislation		
EPBC Act	The proposed development is located within in an urban area and will not result in any significant impact on biodiversity values. A waiver for the requirement to prepare a BDAR was granted on 28 February 2025 and is provided at **Appendix AM**.	**Appendix AM**
BC Act	The proposed development is located within in an urban area and will not result in any significant impact on biodiversity values.	**Appendix AN**

Statutory Reference	Mandatory Consideration	Section in EIS
	A waiver for the requirement to prepare a BDAR was granted on 28 February 2025 and is provided at **Appendix AN**.	
Development Control Plans		
CDCP	Section 2.10 of the Planning Systems SEPP provides that development control plans (whether made before or after the commencement of this Policy) do not apply to SSDAs. As such, there is no requirement for assessment of the proposal against the CDCP 2021 for this SSDA. Nevertheless, consideration has been given to the following provisions in CDCP 2021: • Part A Introduction and General Controls • Part C Development in Business Zones • Part E Other Land Use Based Development Controls • Part F2 Business Site Specific • Part G Miscellaneous Development Controls	**Appendix B**
Development Contributions Plan		
Housing Productivity Contributions (**HPC**)	The HPC came into effect on 1 October 2023 and is a broad-based charge on development within the state's high-growth areas that will help fund the delivery of state and regional infrastructure. For the commercial development, the contribution rate (which is subject to indexation) is $30 per m^2 of new GFA. As 100% of the dwellings to be constructed are to be affordable housing that is being provided on the behalf of a social housing provider, pursuant to clause 1(b) within Schedule 2 of the *Environmental Planning and Assessment (Housing and Productivity Contributions) Order 2024*, the residential component of the development is to be exempted from housing and productivity contributions. Affordable housing that is required to be managed by a registered CHP as a condition of development consent and dwellings required to be dedicated, free of cost, for the purpose of providing affordable housing under section 7.32 of the EP&A Act are exempt from the HPC.	
Cumberland Contributions Plan 2020	The Cumberland Local Infrastructure Contributions Plan 2020 applies to the Cumberland LGA and requires a contribution under section 7.11 of the EP&A Act and applies to all development that creates a demand for the infrastructure in the plan, including residential development that creates additional dwellings. In the event of approval, a condition will be applied to the consent.	

Engagement

This section of the EIS outlines the engagement undertaken during the preparation of the EIS with the community. The Community & Stakeholder Engagement Report prepared by Mecone (**Appendix N**) provides full details of the consultation outcomes with the community and agencies, as well as how the Applicant has responded to those matters raised during public consultation.

5.1 Engagement carried out

5.1.1 Overview

Direct engagement and consultation was undertaken with the following parties:

- Community (individuals, existing tenants, groups and organisations)
- Aboriginal Stakeholders
- Cumberland City Council (**Council**)
- Government Architect NSW (**GANSW**)
- Department of Planning, Housing and Infrastructure (**DPHI**)
- Relevant Agencies

The stakeholder engagement tools were utilised to inform stakeholders of the project and seek feedback are identified in **Table 15**.

Table 15: Stakeholder engagement activities

Activity	Target Stakeholder	Detail
Project Information Sheet	All interested local community members	A project information sheet was distributed outlining key features of the development and inviting recipients to provide feedback. A copy of the project information sheet can be found with the Engagement Report.
Letterbox drop	Surrounding landowners, occupiers and shop owners	The project information sheet was distributed through a letterbox drop on 6 March 2025, reaching approximately 498 addresses in Merrylands and business owners on site. A copy of the register of the mail out and letterbox drop, and a copy of the distribution catchment can be found in the Engagement Report.
Online community survey	Surrounding landowners, occupiers and shop owners	As part of the SIA prepared for the SSDA, an online community survey questionnaire was prepared. The link to this survey was included as part of the mail out and letterbox drop activities. Further detail on the survey is provided in the provided SIA.
Doorknocking	Existing tenants	Mecone doorknocked existing tenants of the project site, distributing the notification letter and inviting on-the-spot feedback and

Activity	Target Stakeholder	Detail
		attendance at an information session for existing tenants.
Project Information Session	Existing tenants	As part of the community engagement program undertaken for this SSDA, a project information session was organised with the existing tenants. The project information session occurred at the Merrylands RSL on 1 April 2025, attended by the Mecone Planning and Social teams as well as a representative of Anglicare. Existing retail tenants were consulted on the proposal and how that would affect the operation of the site in the medium to long-term.

This engagement was consistent with the community participation objectives in the *Undertaking Engagement Guidelines for State Significant Projects* and complied with the community engagement requirements in the SEARs for this proposal.

In accordance with the Regulations, the EIS will be placed on formal exhibition once DPHI has reviewed the EIS and deemed it 'adequate' for this purpose. Following this exhibition period, the Applicant will respond to any matters raised by notified parties.

5.1.2 Government agency engagement

Engagement with a variety of government agencies was undertaken through the EIS preparation stage. Responses received were generally for minor clarifications and updated drawings, all of which actions and will be issued to the relevant agencies, refer to **Table 16**.

Table 16: Government agency engagement

Stakeholder	Matter discussed / raised	Project response
DPHI	DPHI issued SEARs on 10 February 2025.	The EIS and appendices have comprehensively responded to the requirements outlined in the SEARs.
Government Architect NSW (GANSW)	The proposal was subject to the SDRP, of which a summary of advice and recommendations arising from the design review session was issued. The GANSW considered the proposal as capable of achieving design excellence in line with the requirements of the Cumberland LEP. The following elements of the proposal were supported and were to remain: • The ongoing relationships with and expressions of Country, • Introduction of an accessible ramp on the western side of the building to ensure equitable access through the 'arcade' • Changes to the internal layout that ensure natural light to all internal corridors	The proposal retains the elements identified as contributing to design excellence and design refinements following GANSW feedback have been incorporated. The Applicant will continue to engage and consult with GANSW as plans progress as required.

	• Relocating the communal 'sitting areas' on each floor to a location closer to the windows and lifts • Changes to retail to increase flexibility for smaller tenants • Adaptions to apartment layouts to meet family friendly apartments guidelines • Improvements to landscape design of the seated area on McFarlane Street, including introduction of permeable paving. The GANSW provided the feedback on the following: • Site strategy and landscape, • Architecture, and • Sustainability and climate change.	
Cumberland Shire Council	A formal pre-Development Application (**pre-DA**) meeting was undertaken with Council on 18 December 2024, noting that Council acknowledged the application would be lodged as an SSDA. A copy of the minutes from that meeting (dated 20 December 2024) are attached to this report as **Appendix AU**. While reference is made to that appendix, Council did not adopt an opinion of the proposal, noting that the minutes advised of matters requiring consideration as part of the SSDA. While this proposal has responded to the issued SEARs, the preparation of such documentation has broadly considered the matters raised within Council's minutes as part of necessary assessments. Further, and in response to Council minutes, contact was made with Council in late 2025/early 2026 to obtain landowner consent for encroachment of structures (such as the awning) over operational Council land to the north of the site (i.e. between the site and McFarlane Street). Noting that Council reviewed the plans for this proposal, it subsequently issued owner consent on 29 January 2026 for such encroachment (see **Appendix AT**). As of the writing of this report, further feedback or advice from Council has not been received, noting that Council will have further opportunity to provide feedback through the Exhibition phase of the SSDA assessment.	The Applicant will continue to engage and consult with Cumberland Shire Council as plans progress as required.
Sydney Water	As of the writing of this report, no written feedback or advice has been received. It is noted that this agency will have further opportunity to provide feedback through the Exhibition phase of the SSDA assessment	The Applicant will continue to engage and consult with Sydney Water as plans progress as required.
Endeavour Energy	A standard connection offer was received from Endeavour Energy on 15 September 2024. While that offer has since expired, noting the scale of approved development to which that offer related, it is not anticipated that that the	The Applicant will continue to engage and consult with Endeavour as plans progress as required.

	energy supply authority would raise objection to this proposal. Regardless, this agency will have further opportunity to provide feedback through the Exhibition phase of the SSDA assessment	
Transport for NSW (TfNSW)	As of the writing of this report, no written feedback or advice has been received. It is noted that this agency will have further opportunity to provide feedback through the Exhibition phase of the SSDA assessment	The Applicant will continue to engage and consult with TfNSW as plans progress as required.
Sydney Trains	As of the writing of this report, no written feedback or advice has been received. It is noted that this agency will have further opportunity to provide feedback through the Exhibition phase of the SSDA assessment	The Applicant will continue to engage and consult with Sydney Trains as plans progress as required.

5.1.3 Community views

The Community & Stakeholder Engagement Report outlines the responses received from the community and surrounding stakeholders. Four community members responded to the community survey distributed as part of the SIA for this SSDA. The feedback and questions received during the engagement activities prior to the lodgement of the SSDA include four written responses to the community survey distributed, and verbal feedback from existing retail tenants during the project information session.

The resident written responses related primarily to the increased shadowing on public and private domain, increased chance of a wind tunnel effect within Merrylands, the opportunity to improve the public domain as well as confusion around the definition of affordable housing. These concerns are addressed in the SIA as well as **Section 6** below.

Existing retail tenants on site expressed general interest in the proposal and its development. Some tenants, however, expressed concern about ongoing communication and displacement of their businesses from Merrylands. These concerns are addressed in the SIA.

5.2 Engagement to be carried out

Further community and stakeholder consultation will be undertaken during the exhibition and assessment of the application and if approved, following a determination. This will involve:

- Continuation of community engagement in relation to the project and any potential impacts that arise during the process.
- Ensuring the community can seek clarification on the proposals through communication channels.

Assessment of impacts

In accordance with section 192 of the EP&A Regulation, the Planning Secretary issued the SEARs for the preparation of this EIS on 10 February 2025.

This section of the EIS provides an assessment of the environmental impacts of the proposed development, responding to the matters for consideration outlined within the SEARs. A summary of the matters listed in the SEARs and where each requirement is addressed is provided in the schedule at **Appendix A**.

This assessment also considers cumulative impacts guided by the DPHI Cumulative Impact Assessment Guidelines for State Significant Projects, noting the construction and operational activities of developments in the surrounding area as defined in **Section 2.3** above.

Appended to the EIS is the following related information:

- SEARs compliance table identifying where each of the SEARs requirements have been addressed in the EIS (**Appendix A**);
- A compliance table identifying where the relevant statutory requirements and detailed guidance have been addressed (**Appendix B**);
- Proposed mitigation measures for the project (supplemental to the design of the project) (**Appendix C**); and
- An Engagement Outcomes Report identifying where agency and government advice, plus the submissions and comments raised by the community during engagement activities have been addressed (**Appendix N**)
    - The technical reports and documents prepared by specialists and appended to the EIS are referenced within the sections below.

The detailed technical reports and plans prepared by specialists and appended to the EIS are individually referenced within the ensuing sections. The detailed technical reports and plans prepared by specialists and appended to the EIS are individually referenced within the following sections.

6.1 Design excellence

Design excellence provisions apply to the site pursuant to clause 6.14(2)(b) of the CLEP 2021, as the development will be greater than 55 metres in height. Further, design excellence must be demonstrated in order for the proposed development to obtain the 10% height bonus prescribed by clause 6.14(5) of the CLEP 2021.

As detailed within the Architectural Design Report (**Appendix G**), an informal mini design competition was undertaken in July 2024. The design prepared by Fuse Architects was subsequently selected as having considered design excellence, noting its design response the objectives of the design brief and having shown the greatest consideration for site context and residential amenity.

In considering design excellence, two reviews have been undertaken with the SDRP in March and May 2025, with feedback considered and the design revised to respond to matters raised. The minutes of the second meeting (dated 2 June 2025) are appended to this EIS at **Appendix AV**, which indicate that, subject to refinements in accordance with advice provided by SDRP panel members, the proposed development is capable of demonstrating design excellence. In demonstrating design excellence, the Architectural Design Report (**Appendix G**) provides responses to the SDRP to demonstrate how the proposed design has responded to matters raised by the SDRP.

6.2 Built form and urban design

6.2.1 Building height

Clause 4.3(2) of the CLEP 2021 prescribes an 86-metre maximum building height development standard on the site. Pursuant to clause 6.14(5) of the CLEP 2021, an additional 10% height bonus can be attained for development demonstrating design excellence. Including the 10% bonus, the CLEP 2021 therefore permits a maximum building height of 94.6 metres.

Further, as 100% of the residential component will comprise of affordable housing, pursuant to clause 16(1) of the Housing SEPP the development qualifies for a 30% FSR bonus. Pursuant to clause 16(3) of the Housing SEPP the quantum of this bonus is required to not be more than the FSR bonus being sought; a further height bonus of 30% (based upon the 94.6 metre building height) is therefore proposed.

Based on the 30% (i.e. 28.38 metre) height bonus in addition to the 94.6 metre building height permitted by the CLEP 2021, the maximum permitted building height for the site is 122.98 metres.

Due to a small number of rooftop elements breaching the 122.98 metre building height development standard, the development proposes a small (i.e. maximum 1.82 metre (1.48%)) variation to that building height development standard. A written variation request (prepared pursuant to clause 4.6 of the CLEP 2021) is therefore provided at **Appendix D**. While reference is made to that appendix, to briefly summarise it finds that the proposed variations will be of minimal impact, are consistent with the objectives within the CLEP 2021 that relate to building and that there are numerous environmental planning grounds to support such a variation.

6.2.2 Gross floor area

Clause 4.4(2) of the CLEP 2021 prescribes an 8:1 FSR development standard on the site. Pursuant to clause 6.14(6) of the CLEP 2021, an additional 0.5:1 FSR bonus can be attained for development demonstrating design excellence. Including the 0.5:1 bonus, the CLEP 2021 therefore permits a maximum FSR of 8.5:1.

Further, as 100% of the residential component will comprise of affordable housing, pursuant to clause 16(1) of the Housing SEPP the development qualifies for a 30% FSR bonus.

Based on the 30% (i.e. a 2.55:1) FSR bonus in addition to the 8.5:1 FSR permitted by the CLEP 2021, the maximum permitted FSR for the site is 11.05:1.

The proposed development provides a maximum FSR 11.05:1, which complies with the bonus achieved under the Housing SEPP.

While reference is made to the architectural plans and architectural design report (**Appendices F** and **G**), to summarise the GFA and FSR calculations exclude both areas specified by the CLEP 2021 dictionary definition for GFA parts of common passageways and adjacent social areas within the residential tower element of the building.

Regarding the latter, such exclusions relate to the ends of passageways and social spaces (the latter of which is generally located towards the northeast of Levels 4-28 inclusive) up to two metres from the exterior of the building. All remaining parts of the internal corridors have however been included as GFA.

Such exclusions are due to the ends of the corridors comprising of ‘open’ features (such as palisade-style balustrades and louvres) that have been provided in response to SDRP feedback. Those openings result in adjacent areas (i.e. the ends of passageways and social spaces) being somewhat exposed to inclement weather conditions and are therefore not completely weatherproofed. The ends of the corridors and social spaces have therefore been excluded from GFA calculations in accordance with relevant LEC caselaw, which provides that where such areas are not weatherproofed, they are considered ‘external’ to the building and therefore excluded from GFA and FSR calculations.

Despite the above, the application proposes a technical variation to clause 4.4(2F) of the CLEP 2021, in that the maximum residential GFA and FSR exceeds the maximum 6.3:1 residential FSR prescribed by Clause 4.4(2F) of the CLEP 2021.

A written variation request (prepared pursuant to clause 4.6 of the CLEP 2021) is therefore provided at **Appendix E**. While reference is made to that appendix, to briefly summarise it finds that the proposed variations will not give rise to any additional impacts (noting that the development otherwise complies with the maximum permitted FSR under the Housing SEPP), and there are numerous environmental planning grounds to support such a variation.

6.2.3 Bulk and scale

6.2.3.1 Setbacks and street wall height

Being located within the Merrylands town centre, the centre-specific controls within Part F2-6 (Merrylands Town Centre) of the CDCP 2021 apply, providing site-specific setback provisions for new development.

A summary of the proposal setbacks and street wall height compliance with the CDCP 2021 is identified in **Table 17** below.

Table 17: Setback and street wall height summary

Frontage	Required (CDCP 2021)	Proposed	Compliance
McFarlane Street	Street wall (0-3 storeys): 0 metres	0 metres	**Complies**
	Above street wall (3+ storeys): 4-6 metres	4 metres	**Complies**
	4-8 storeys: 4 metres	4 metres	**Complies**
	9-12 storeys: 5 metres	4 metres	**Non-compliance**
	13-20 storeys: 6 metres	4 metres	**Non-compliance**
Pitt Street	Street wall (0-3 storeys): 0 metres (with awning)	0 metres (with awning)	**Complies**
	Above street wall (3+ storeys): 4-6 metres	4 metres	**Complies**
	4-8 storeys: 4 metres	4 metres	**Complies**
	9-12 storeys: 5 metres	4 metres	**Non-compliance**
	13-20 storeys: 6 metres	4 metres	**Non-compliance**
Reyes Lane	Street wall (0-3 storeys): 0 metres	2.7 metres	**Complies**
	Above street wall (3+ storeys): 3-6 metres	7 metres	**Complies**
Milne Lane	Street wall (0-3 storeys): 0 metres	1.5 metres	**Complies**
	Above street wall (3+ storeys): 3-6 metres	8.4 metres	**Complies**
Podium height	11-14 metres	17.6-17.9 metres	**Non-compliance**

McFarlane and Pitt Street setbacks

While the podium setbacks to all frontages comply with the CDCP 2021 controls for the Merrylands town centre, the development will provide four metre upper level (i.e. Levels 9-20) wall setbacks to the McFarlane and Pitt Street

frontages. Such setbacks provide minor non-compliances with the Merrylands centre specific DCP, provides five and six metre setbacks for areas between 9-12 storeys and 13-20 storeys respectively.

Despite such variations, the proposal remains consistent with building separation requirements within Part 3F of the ADG, and as such will not result in adverse visual privacy outcomes between this development and likely future developments on surrounding sites. Further, the variations will not affect the company setbacks of the lower (i.e. podium) levels, noting that such setbacks will increase the size of publicly accessible areas adjacent to/within the McFarlane Street frontage to the north of the site.

The proposed setbacks will also still provide increased tower setbacks above the podium levels to provide a clear definition of the building's podium form with street-walls framing the development at eye level, whilst also providing a slender tower form above to provide height diversity.

Further, the objectives underpinning the setback controls will still be met through the following:

- The setbacks and built form will retain street edges (particularly on McFarlane Street), and by providing enhanced streetscape activation, will continue to provide for the uses and likely future character of the Merrylands town centre,
- The upper-level setbacks will not affect the placement of shopfronts adjacent to areas of high pedestrian activity,
- Continued provision of a pleasant street environment and streetscape amenity, noting that the wide streetscape frontage to McFarlane Street will be retained,
- Enhancement of existing and likely future streetscape character through the provision of continuous street setbacks and facades, and
- Continued maintenance of streetscape character, which (as demonstrated by the Architectural Plans (**Appendix F**) and Pedestrian Wind Environment Assessment (**Appendix AC**) will maintain streetscape amenity through the maintenance of solar access and minimisation of wind impacts at street level.

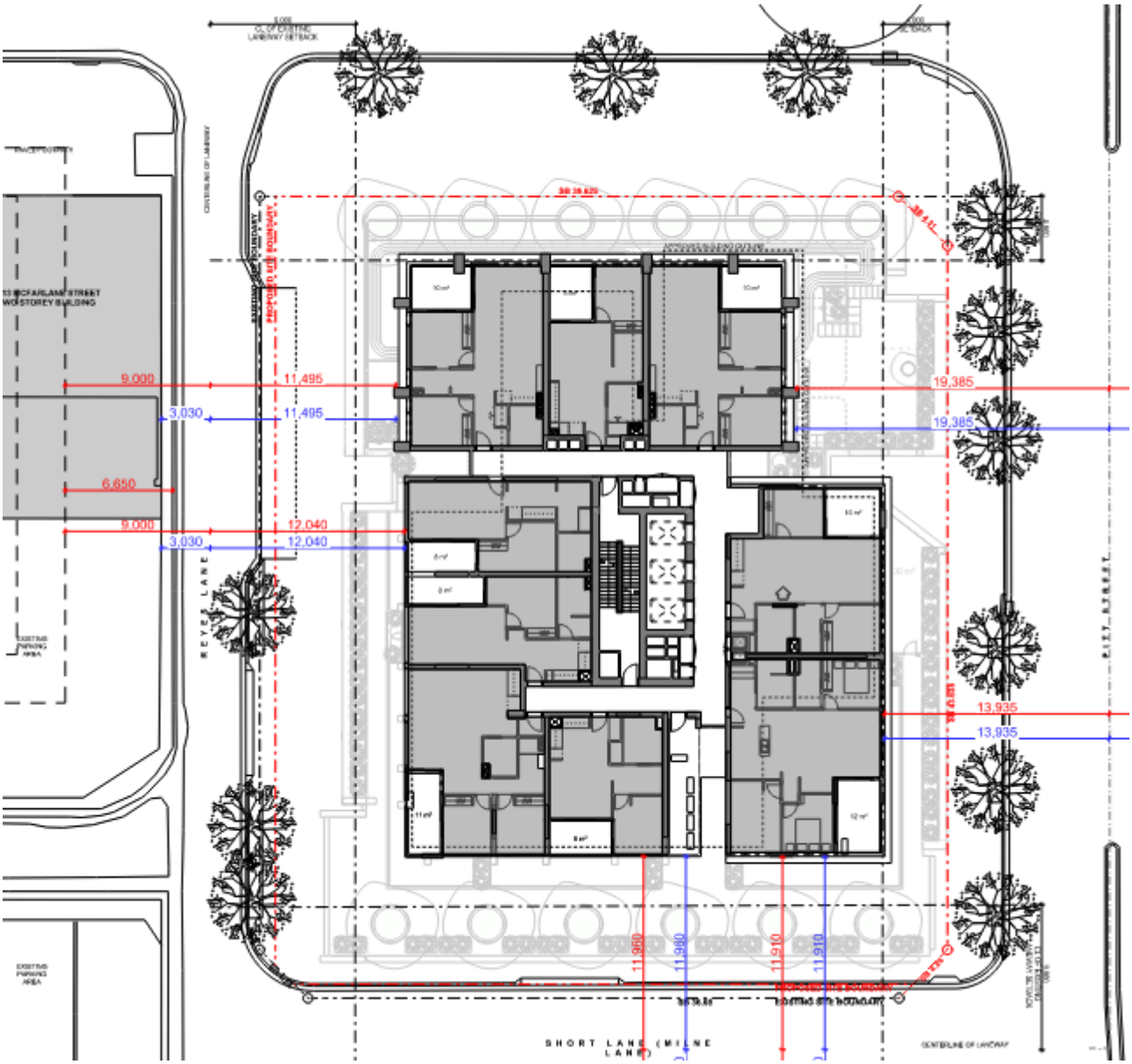


Figure 33: Extract of the proposed building separation plan (tower part of the building (i.e. above Level 3)
Source: Fuse Architects, 2026

Street wall heights

While the podium levels present as three storeys to surrounding road frontage (noting that the mezzanine level is internalised within the upper parts of the ground floor and is not visible/apparent from the public domain), the heights of 17.6-17.9 metres vary to the maximum height controls of 11-14 metres. The variation arises from the need to provide higher habitable floor levels to account for the flooding hazard that affects the site and surrounding area, and the placement of building services within a centralised mezzanine level above the ground floor (with the intention of avoiding unauthorised access and providing suitable access to ground level loading dock facilities).

The design will provide lower levels that will present as a suitably proportioned podium feature to the surrounding public domain, noting that the podium levels and their height have not been raised as an issue by the CDCP 2021. The proposed design also includes architectural detailing, façade designs and external colours and materials that will notably differentiate the lower podium levels from residential areas above, to facilitate a suitable streetscape presentation.

Further, the objectives underpinning the setback controls will still be met with regard to the following:

- The setbacks and built form will retain street edges (particularly on McFarlane Street), and will continue to provide for the uses and character of the Merrylands town centre,
- The design will provide for a pleasant street environment and streetscape amenity, noting that the wide streetscape frontage to McFarlane Street will be retained,
- Encourage the activation of Reyes Lane,
- Building design provide for appropriately designed and proportioned lower levels that will provide appropriate streetscape scale, and
- As demonstrated by the Architectural Plans (**Appendix F**) and Pedestrian Wind Environment Assessment (**Appendix AC**), the design of the building will maintain streetscape amenity through the maintenance of solar access and minimisation of wind impacts at street level.

6.2.4 Building façades and materiality

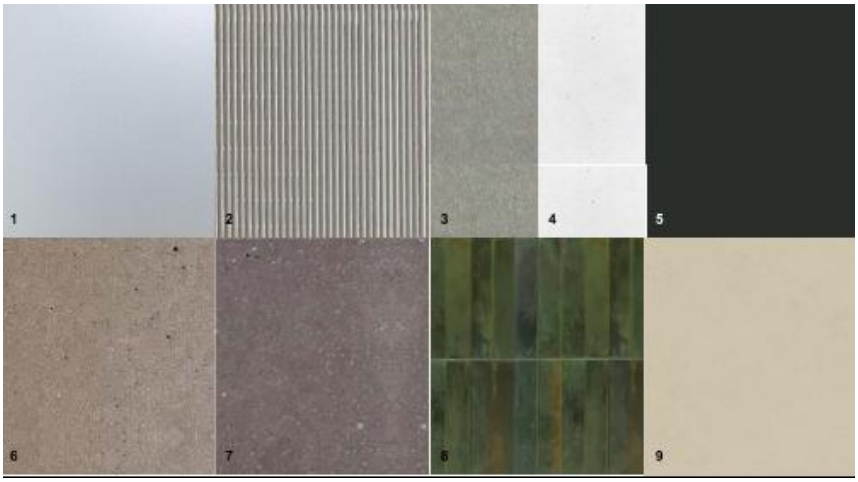
The proposed building will provide a distinctive facade design based around the principal concept of a wider building podium accommodating non-residential uses, services and communal areas) with a more slenderer tower design above.

Such a design provides contrasts in facade design, materiality and form to create differentiation between levels of the building, the facilitation of residential amenity and aesthetics, while also creating a façade that offers a high degree of privacy, solidity, and environmental performance.

Following feedback from the SDRP, greater consideration has been given to refining building elements presenting to surrounding streetscapes, in particular built form element addressing the intersection of Pitt and McFarlane Streets. Such detailing is shown within the submitted elevations and assists with the legibility of the grid pattern whilst also providing a common architectural language between the podium and the tower.

The choice of materials contains a palette of natural colours at lower levels, lighter (i.e. white and off-white) tones on residential levels, with accents delineated by a variety of colours (e.g. monument grey and China white). The contrasting tones of the podium and residential tower levels accentuates the building's varying forms. Such a colour palette has also been informed by feedback from the Burramadagal Knowledge Holders and Elders who have helped refine the colour selections to have a more direct connection to country.

The materiality of the built from is shown in **Figure 34** below.



01 | WINDOWS & BALUSTRADES: CLEAR GLAZING
02 | SCREENS, FENCES & GATES: FIXED ALUMINIUM LOUVRES / BATTENS / POWDERCOAT FINISH, DARK GREY AND/OR SURFMIST OR SIMILAR
03 | TOWER HORIZONTAL ELEMENTS, PRECAST, MID GREY
04 | TOWER VERTICAL ELEMENTS, PRECAST, LIGHT GREY
05 | WINDOWS & BALUSTRADES: POWDERCOAT FINISH, DARK GREY/MONUMENT OR SIMILAR
06 | PODIUM INFILL: PRECAST CONCRETE, LIGHT BROWN
07 | PODIUM FRAME: PRECAST CONCRETE, MID/DARK BROWN
08 | STREET LEVEL FACADE: VERTICALLY STACKED GLAZED GREEN TILES
09 | WALLS, SLAB SOFFITS: CONCRETE, FINE TEXTURED PAINT FINISH, DULUX CHINA WHITE OR SIMILAR

Figure 34: Extract of the external colour and material plan
Source: Fuse Architects, 2025

Podium façades

The podium façades have been designed specifically to have direct relationships with their immediate environments and orientations, which will facilitate the provision of:

- Streetscape activation including both indoor and outdoor retail/commercial activities,
- Suitable solar shading and a comfortable working environment within retail and commercial areas on Levels 1 and 2,
- Location of vehicular access facilities, access to lobbies and services on Laneway frontages (particularly on Milne Lane to the south of the site, where solar access and streetscape amenity is limited), and
- A variety of microclimates to facilitate suitable amenity and year-round use of the Level 3 (i.e. podium) communal outdoor areas.

The podium design reflects its non-residential (i.e. commercial and retail) uses within. Raised ceiling heights, (particularly at the northern end of Ground Level) and large windows are divided by large vertical features that will create a structured rhythm across the lower facades that clearly delineate building entrances and softening the building's corners, particularly on the corner addressing the intersection of McFarlane and Pitt Streets.

Such an approach is also supported through the co-location of active uses with a fine grain through-site link to increase street-level activity and site permeability. Such an approach is achieved through the provision of places for people to meet and spend time, limiting blank facades and active social corners to encourage pedestrian activity, active use of street levels and promoting a safe and vibrant local day to night economy.

Residential façades

The design for the tower floor plate consists of 3 small floor plates organised around a central core, like the petals of a flower, with each floor plate referencing and responding to different opportunities of the site. The façade design of the tower expresses vertical elements which forms a frame capture to tie together the horizontal balustrades; this enables each petal to be read independently, while concurrently presenting as a cohesive cluster with the other 'petals'.

Further, the facades provide shading for eastern, western and northern orientations has been designed to maximise solar access and respond to differing privacy and noise intrusion considerations on those elevations.

The proposed development is of a high-quality and responsive to the conditions of the site and local context. This section of the EIS addresses the matters raised relating to built form and urban design within the SEARs.

6.2.5 Building envelope

Height of building

The proposal provides a maximum building height of 123.57m which is in exceedance to the maximum height limit of 122.98m. As a result, a Clause 4.6 variation (refer to **Appendix D**) to height has been submitted alongside this EIS.

The proposed variation to the building height development standard is justified as the development does not give any rise to any unreasonable impacts relating to overshadowing, solar access and residential amenities of the surrounding buildings. The proposal, including the building height variation sought, does not adversely impact the solar access of surrounding buildings as a result of the design and orientation of the proposed development (Refer to Section 6.3) nor does it create a significant visual impact to surrounding developments as a result of the topography and landscaping around the site (Refer to **Section 6.10**).

The development delivers a well-designed mixed-use building with appropriate height, bulk and scale that aligns with the desired future character of the area, while also providing good amenity and liveability both within the site and for the surrounding neighbourhood.

Importantly, the proposed building height variation does not compromise compliance with other key controls, such as gross floor area or landscaping. Overall, the height variation enables a higher-quality architectural outcome and facilitates the intended scale transition, without resulting in any adverse or unreasonable impacts.

6.3 Site isolation

The subject site is not one that is subject to Merrylands centre-specific controls within the CDCP 2021 regarding site isolation. Regardless, the subject site is an 'island' site, being encompassed on all sites by road reserves (i.e. Pitt Street, McFarlane Street, Reyes Land and Milne Lane). This proposal will therefore not result in the isolation of allotments both on the site and within the Merrylands town centre more broadly.

6.4 Affordable housing

All (i.e. 100%) of the apartments within the proposed development are to comprise of affordable housing dwellings. Pursuant to Section 21(1)(a) of the Housing SEPP, the dwellings will be provided as affordable housing for at least 15 years from the issue of the relevant Occupation Certificate.

As detailed within this EIS, due to the proportion of residential accommodation to be provided as affordable housing to be provided, pursuant to Section 16 of the Housing SEPP, the development therefore qualifies for 30% building height and FSR bonuses.

Noting that Section 21(1)(b) requires that the affordable housing be operate by a registered CHP; Anglican Community Services is currently registered as a Tier 2 CHP (Registration no. R6400160414), and as such will manage affordable housing on the site (refer to the letter attached at **Appendix AR**).

Noting that the site is located within the Merrylands town centre, its proximity to public transport and a wide range of local services, it is located within an 'accessible area' and as such is well suited for the development.

Further, noting that the development is subject to design excellence provisions has been designed in accordance with applicable EPIs and the ADG, it will provide a mix of affordable dwellings that will be subject to high levels of amenity and accessibility.

6.5 Residential amenity

6.5.1 Building separation

As detailed within the Architectural Design Report (**Appendix G**), the architectural design has responded to the feedback provided by the SDRG in maximising the separation of residential components of the building, in particular upper levels (i.e. Level 5 and above) away from surrounding sites and the likely footprints of future high-density development on those surrounding sites. For reference, the separation requirements for habitable rooms and balconies as provided by Part 3F-1 of the ADG are detailed in **Table 18** below.

Table 18: Building separation distances - Objective 3F-1 of ADG

Building Height	Habitable Rooms and Balconies	Non-Habitable Rooms
Up to 12m (4 storeys)	6m	3m
Up to 25m (5-8 storeys)	9m	4.5m
Over 25m (9+ storeys)	12m	6m

Design measures applied to the upper levels of the development (i.e. Level 3 and above) to provide for such separation distances include situating the residential tower component of the building towards the northeast of the site, so that separation will be provided by southern and western setbacks and surrounding road reserves.

Such elements will maximise spatial separation to surrounding sites, noting that future high-density development on surrounding sites is likely to provide for similar built form outcomes. Such a design will provide the following separation distances above Level 3 to adjoining road centrelines:

- North: Approximately 18.6 metres to the centre of McFarlane Street,
- East: Minimum 13.935 metres to the centre of Pitt Street,
- West: Minimum 12.04 metres to the centre of Reyes Lane, and
- South: West: Minimum 11.91 metres to the centre of Milne Lane.

Assuming that future development on surrounding sites provide built forms with boundary/road centreline separation distances consistent with that prescribed by Part 3F of the ADG, then the likely separations between he proposed development and nearby future development will be sufficient to provide suitable visual privacy outcomes.

Regarding internal separation, the proposed development comprises of a single building, therefore separation distances between structures on the site do not apply. Noting that the design provides for recessed areas between the building's 'petals' on the upper levels of the building, the design has avoided wall openings (i.e. windows) to the recesses, so as to avoid visual privacy impacts.

Regarding separation to buildings on surrounding sites, the design of the residential tower provides sufficient setbacks to site boundaries and laneway centrelines to provide adequate separation to likely future development on those surrounding sites, particularly to the west and south of the site.

6.5.2 Solar access and natural ventilation

Solar access

Section 19(d) of the Housing SEPP requires that *'living rooms and private open spaces in at least 70% of the dwellings receive at least 3 hours of direct solar access between 9am and 3pm at mid-winter'.*

The proposed development results in 169 (i.e. 71%) of all apartments receiving a minimum of two hours of direct sunlight to private open space and living areas during mid-winter. 28 (i.e. 11.7%) of south-facing apartments will not receive no direct sunlight, while the remaining apartments (i.e. those generally facing southeast and southwest) will receive less than two hours of direct sunlight to private open space and living areas during mid-winter.

Figure 35: Extracts of the submitted solar access plans for residential levels.
Source: Fuse Architects, 2026

Apartments that will receive at least two hours of direct solar access between 9:00am and 3:00pm on June 21 are denoted by yellow shadowing. Reference is made to the architectural plans for details regarding solar access availability to all levels, however given the similarity of solar access across all residential levels, the above extract shows the following:

- Top image: Levels 3-6 inclusive
- Middle image: Levels 14-17 inclusive
- Bottom image: Levels 25-28 inclusive

The proposed development therefore satisfies provisions relating to internal solar access. Further, the design will provide varying amounts of solar access to communal open space areas on June 21, with at least 50% of principal opens space areas (i.e. areas on Level 3) attaining more than 50% direct solar access between 9:00am and 3:00pm on June 21 (refer to the architectural plans within **Appendix F**).

Natural Ventilation

Objective 4B-3 of the ADG requires that *'At least 60% of apartments are naturally cross ventilated in the first nine storeys of the building. Apartments at ten storeys or greater are deemed to be cross ventilated only if any enclosure of the balconies at these levels allows adequate natural ventilation and cannot be fully enclosed'.*

The proposed apartments have mostly been designed with integrated operable windows and/or multiple aspects to facilitate natural ventilation where possible. The design resultantly enables:

- 27 (i.e. 61.4%) of the apartments within the first nine levels of the building to be naturally ventilated, and
- 224 (i.e. 90.12%) of all apartments within the residential tower to be naturally ventilated.

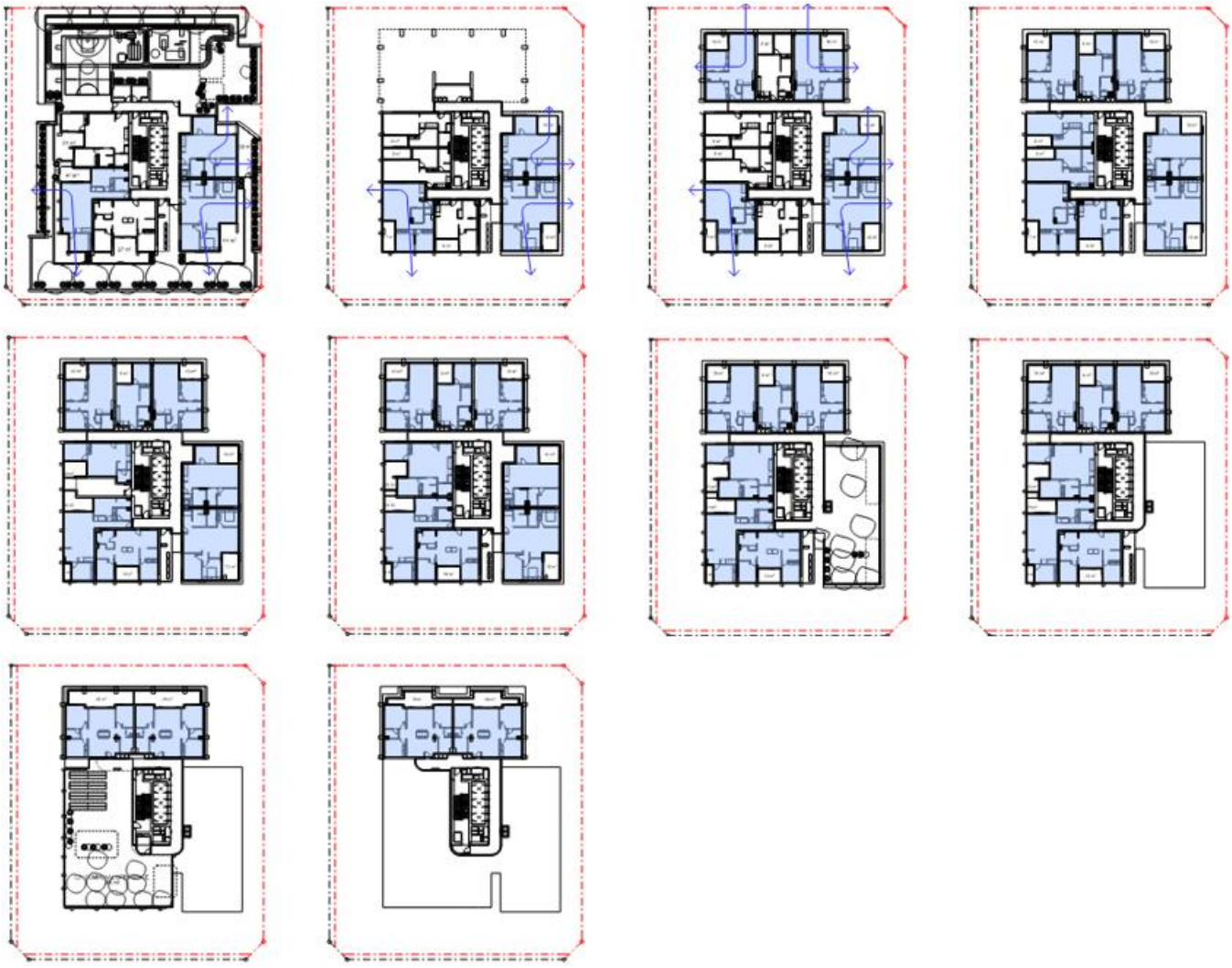


Figure 36: An extract of the submitted natural ventilation plans for residential levels.
Source: Fuse Architects, 2025

Apartments that are capable of being natural ventilated are denoted by blue shadowing. Reference is made to the architectural plans for details regarding natural ventilation of all residential levels, however, the above extract shows the following:

- Top image: Levels 3-20 inclusive
- Middle level: Levels 21-30 inclusive
- Bottom image: Levels 31-35 inclusive

A Natural Ventilation Statement prepared by Windtech (**Appendix AD**), confirms that more than 60% of the apartments within the first nine storeys of the building are capable of being naturally ventilated.

6.6 Environmental amenity

6.6.1 Overshadowing

Detailed solar access and shadow analyses have been undertaken Fuse Architects, and reference is made to the architectural plans (**Appendix F**) for further detail. The overall building envelope, height and massing were established by a proponent-led design excellence competition process, with further refinements made following advice from the SDRP, noting that the SDRP minutes did not raise any concerns regarding solar access.

Due to the local road network and resultant north/northeast to south/southwest orientation of the site and surrounding sites within the Merrylands town centre, some degree of overshadowing of sites to the southeast, south and southwest of the site are unavoidable during mid-winter. Sites in proximity to the site to the southeast, south and southwest have yet to be redeveloped to higher-density forms of development, therefore potential overshadowing impacts on those sites are conceptual.

The solar analyses assumes that surrounding sites would be amalgamated and developed for the purposes of high density and mixed-use developments including shop-top housing. Based upon such analysis, the site to be most likely affected by overshadowing from the proposed development would be located immediately to the south (i.e. opposite Milne Lane at 153-159 Merrylands Road).

In response to such constraints, the design of the tower has sought to minimise overshadowing impacts where possible. Two particular elements employed to minimise such impacts (particularly to the south of the site) includes locating the residential tower closer to the northern end of the site, while the top six levels (i.e. Levels 29-35) have been designed with a 'T' shape, with the southern end of those levels being narrower than areas to the north to minimise overshadowing impacts to the south.

As demonstrated by **Appendix F** and **Figures 37** to **38** below, the resultant shadows to be cast in mid-winter will swing quickly from the southwest to the southeast throughout the day in mid-winter. Whilst the development will resultantly cast shadows on likely future development 153-159 Merrylands Road, it is likely that majority of future development on that site will still obtain direct solar access prior to 10:00am and after 1:00pm on June 21. The solar analyses also demonstrates that other surrounding sites within the broader locality will be affected to a lesser degree on June 21.

Figure 37: An extract of proposed shadow diagrams (9-11am on June 21). Note: Blue shading denotes likely shadows to be cast by future building envelopes.
Source: Fuse Architects, 2026

Figure 38: An extract of proposed shadow diagrams (12-2pm on June 21). Note: Blue shading denotes likely shadows to be cast by future building envelopes.
Source: Fuse Architects, 2026

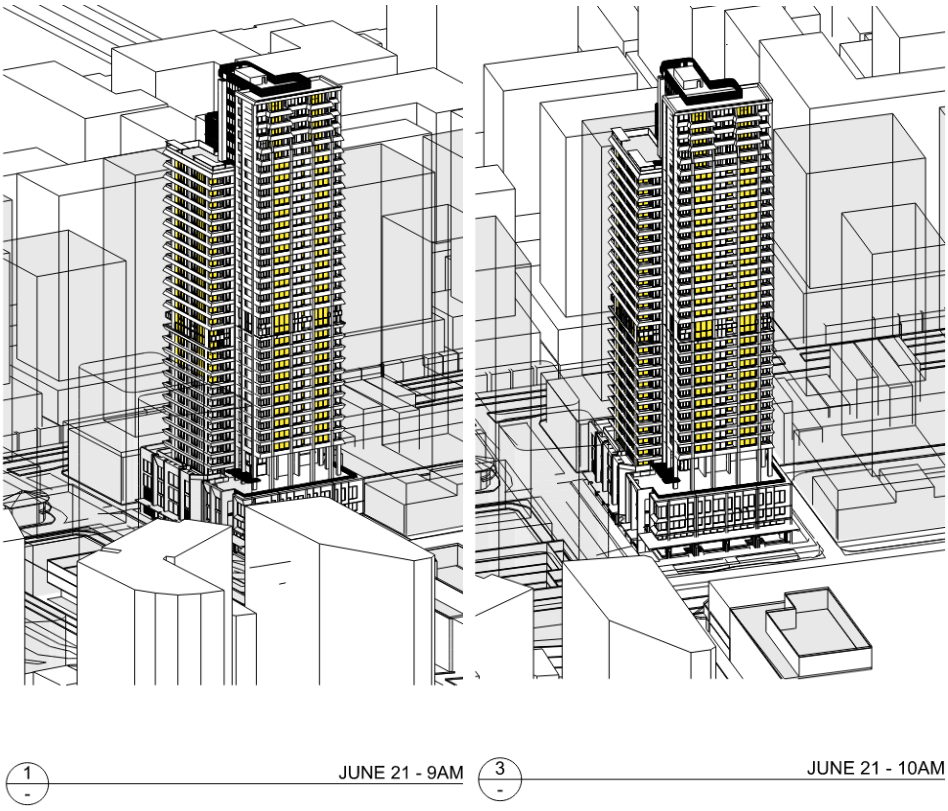


Figure 39: An extract of the 3D solar analysis (9-10am on June 21). Note: Surrounding building envelopes assume future building envelopes based on the amalgamation of surrounding sites.
Source: Fuse Architects, 2026

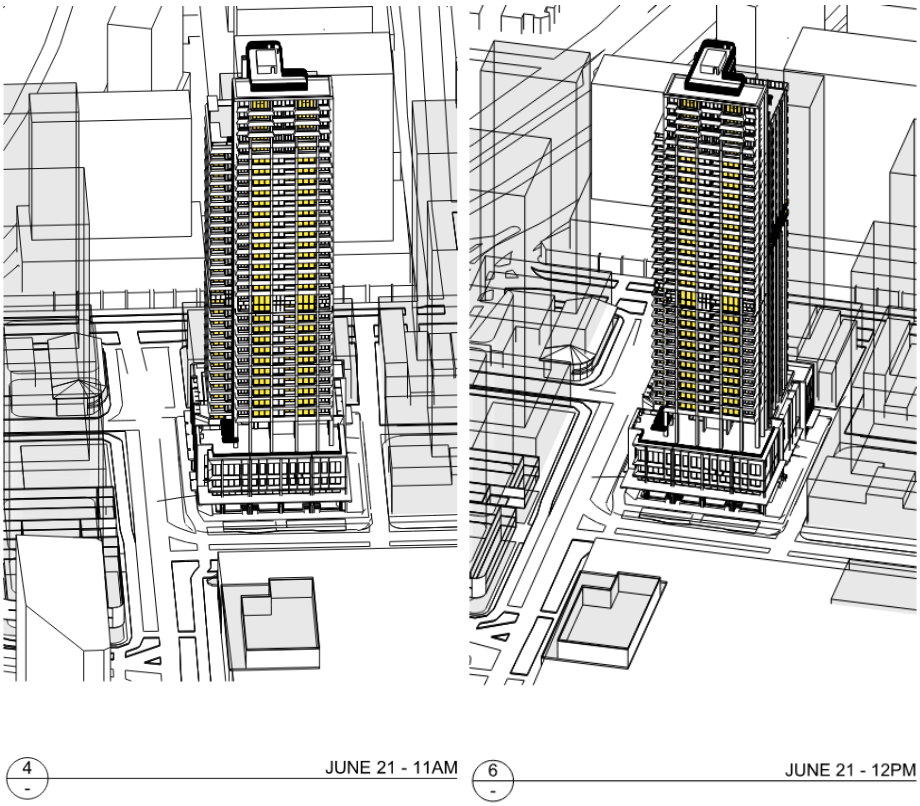


Figure 40: An extract of the 3D solar analysis (11am-12pm on June 21). Note: Surrounding building envelopes assume future building envelopes based on the amalgamation of surrounding sites.
Source: Fuse Architects, 2026

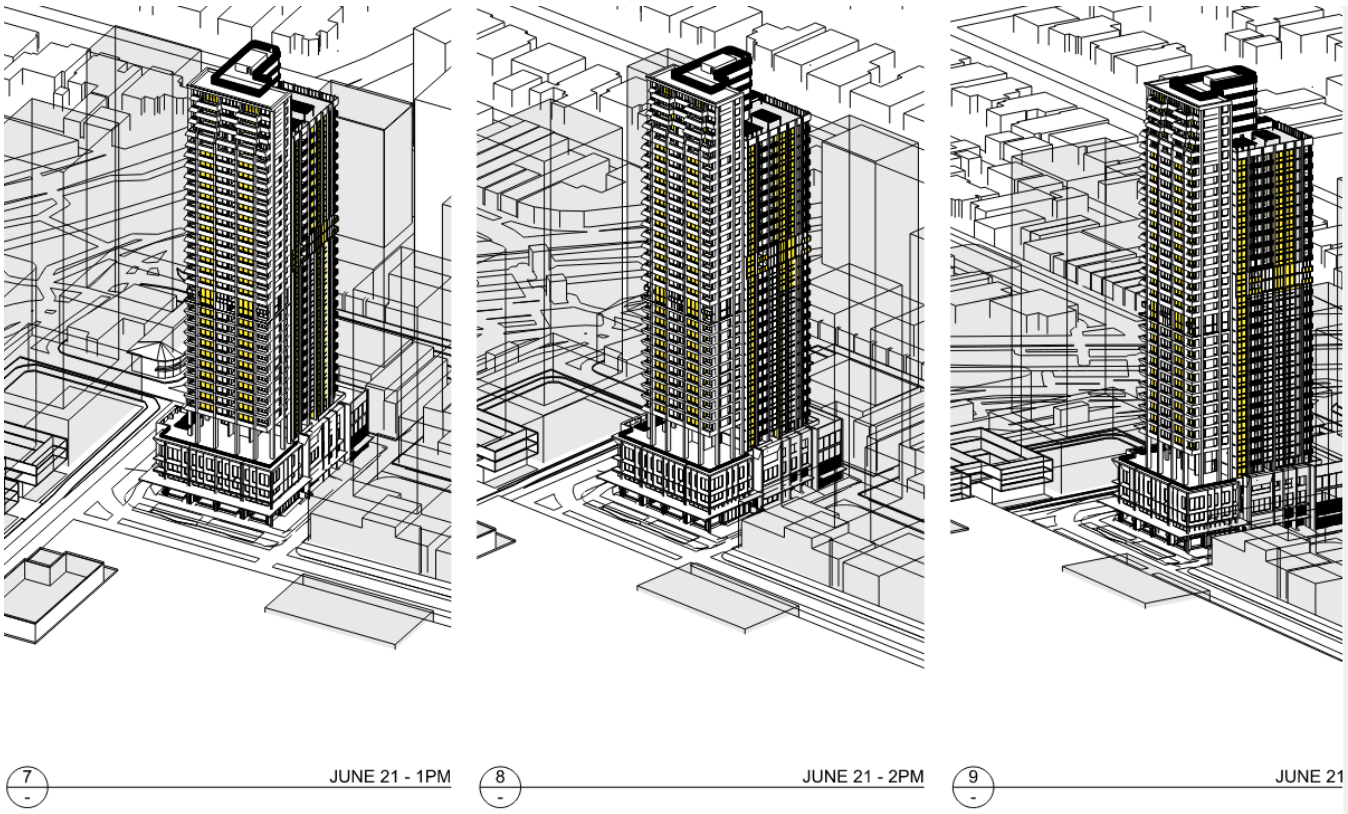


Figure 41: An extract of the 3D solar analysis (1-3pm on June 21). Note: Surrounding building envelopes assume future building envelopes based on the amalgamation of surrounding sites.
Source: Fuse Architects, 2026

6.6.2 Pedestrian wind environment

A Pedestrian Wind Environment Assessment has been prepared by Windtech (**Appendix AC**), which:

- Provides a study of the local wind environment at the critical outdoor areas within and around the site, and
- Assesses the three predominant wind directions for the region, being those from the northeast, south to southeast and west.

The critical outdoor trafficable areas associated with the proposed development, which are the focus of the assessment, are:

- Ground level trafficable areas,
- Communal open space areas on Levels 3, 29 and 31, and
- Private open space areas (i.e. balconies and courtyards) on Levels 3-35.

The following mitigation measures are recommended within **Table 19** below and have been included within the architectural and landscape designs to manage wind impacts and will ensure that the proposed development has acceptable wind impacts.

Table 19: Recommended mitigation measures for pedestrian wind amenity

Building level	Mitigation measure

Ground Level	• Provision of an impermeable awning above outdoor dining areas within the McFarlane Street road reserve to the north of the site,
	• Provision of street trees on:
	  ○ The northern side of the aforementioned awning,
	  ○ Along the Pitt Street frontage, and
	  ○ Along the Reyes Lane frontage (where vehicular access is not proposed),
	with species selection to comprise of evergreen species capable of growing to heights of between five to eight metres, and
	• Provision of street trees adjacent to the northwest and southwest corners of the site (i.e. adjacent to the intersections of McFarlane Street and Reyes Lane and Reyes and Milne Lanes respective), with species selection to comprise of densely foliating evergreen trees capable of growing to heights of between five to eight metres.

Level 3	• Provision of planter boxes around private open space areas (i.e. on the eastern, western and southern sides of Level 3), with landscaping within the planters to comprise of densely foliating evergreen trees capable of growing to a height of 1.8 metres, • Provision of 1.5-metre-tall impervious balustrades around the eastern, western and northern sides of the communal open space area at the northern end of this level, and • Provision of two-metre-tall impervious balustrades on the southern sides of the communal open space area at the northern end of this level.
Levels 4 and 5	• Provision of full-height pervious end screens on at least one aspect of the private open space area on the northeast and southwest corners of these levels, • Provision of full-height pervious screens on the northern, northeast and northwest sides of access corridors on the north side of these levels.
Levels 6 to 20	• Provision of full-height pervious end screens on at least one aspect of the private open space area on the northeast-, northwest and southwest corners of these levels.
Levels 21-28	• Provision of full-height pervious end screens on at least one aspect of the private open space area on the northeast-, northwest and southwest corners of these levels.
Level 29	• Provision of full-height pervious end screens on at least one aspect of the private open space area on the northeast-, northwest and southwest corners of this level, • Provision of 1.5-metre-tall impervious balustrades around the periphery of the communal open space area, and

Building level	Mitigation measure
	• Provision of two trees on the northeast corner of the communal open space area, comprising of densely foliating evergreen trees capable of growing to heights of three to five metres.
Level 30	• Provision of full-height pervious end screens on at least one aspect of the private open space area on the northeast-, northwest and southwest corners of this level, and • Provision of a two-metre-tall porous louvre screen around the eastern side of the internal common passageway.

Level 31	• Provision of full-height pervious end screens on:
	  ○ The eastern end of the eastern apartment's private open space area, and
	  ○ The western end of the western apartment's private open space area, and
	• Provision of 1.5-metre-tall impervious balustrades around the periphery of the communal open space area, and
	• Provision of a two-metre-tall porous louvre screen around the eastern side of the internal common passageway.

Level 32	• Provision of full-height pervious end screens on:
	  ○ The eastern end of the eastern apartment's private open space area, and
	  ○ The western end of the western apartment's private open space area, and
	• Provision of a two-metre-tall porous louvre screen around the eastern side of the internal common passageway.

Level 33-35	• Provision of full-height pervious end screens on:
	  ○ The eastern end of the eastern apartment's private open space area, and
	  ○ The western end of the western apartment's private open space area, and
	• Provision of a two-metre-tall porous louvre screen around the eastern side of the internal common passageway.

6.7 Visual Impact

A VIA has been prepared by Fuse Architects and Archimages 3D (**Appendix M**), to analyse the visual effects of the built form associated with the proposal.

In accordance with the Guidelines for landscape character and visual impact assessment and the key public viewpoints map (**Figure 42**), the specific locations that were considered for visual impact are as follows

- Viewpoint 1: 27 Merrylands Road, looking west,
- Viewpoint 2: 45 Merrylands Street, looking west,
- Viewpoint 3: The intersection of Loftus and Smythe Streets, looking west,
- Viewpoint 3a: 34 Smythe Street, looking west
- Viewpoint 4: The intersection of Pitt Street and Merrylands road, looking north,
- Viewpoint 5: The western end of Major Road, looking southeast,
- Viewpoint 5a: 4 Major Road, looking east,
- Viewpoint 5b: 1090 McFarlane Road, looking east,
- Viewpoint 6: Pitt Street (to the north of the intersection with Dressler Court), looking southwest,
- Viewpoint 6a: 129 Pitt Street, looking southwest, and
- Viewpoint 6b: 212 Pitt Street, looking southwest.

Figure 42: A map of the key viewpoint locations (looking over Merrylands from the northwest looking southwest) Note: Locations found by the VIA to be of low impact and requiring further assessment are denoted by blue and red markings respectively.
Source: Fuse Architects, 2025

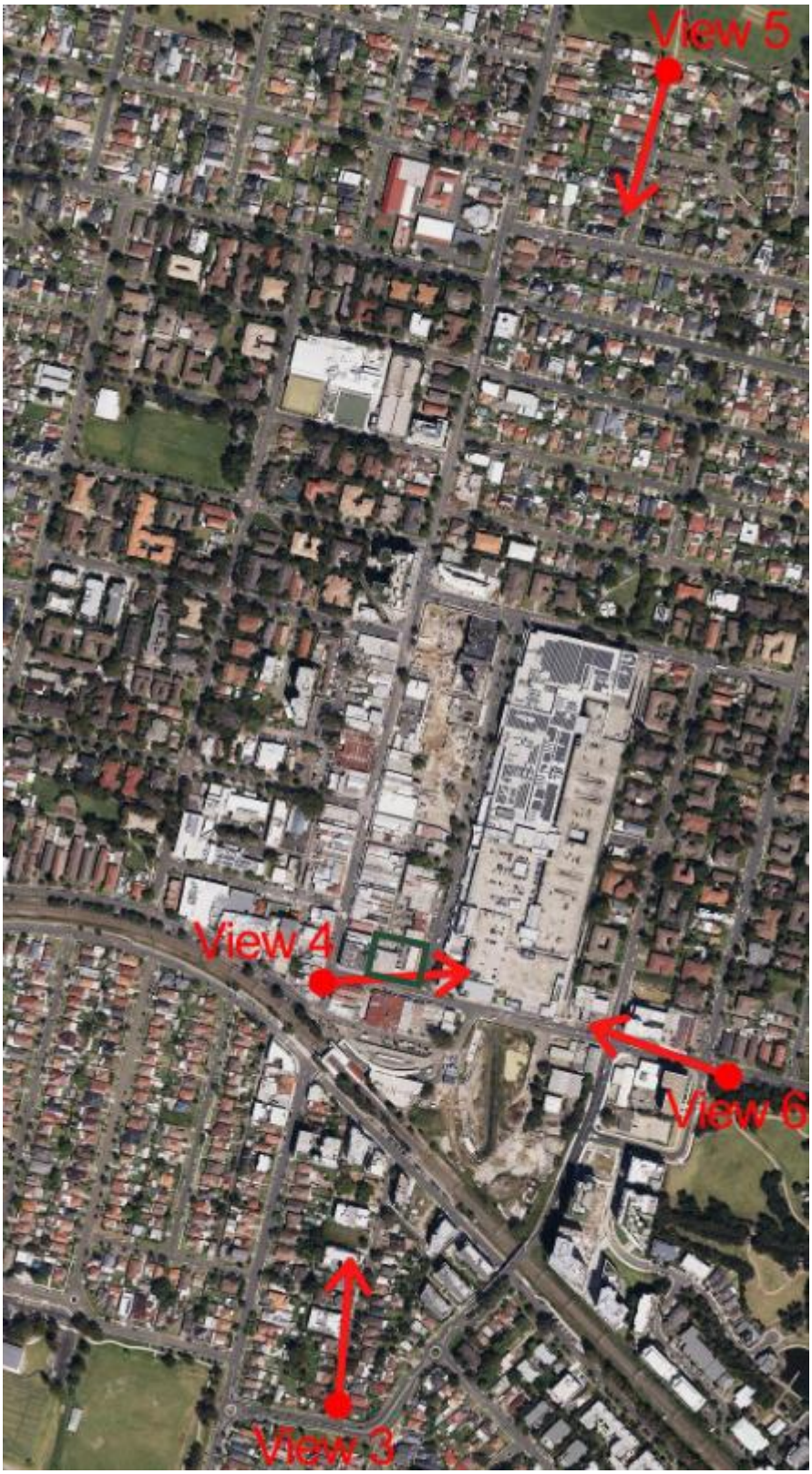


Figure 43: Local context map, with the locations of assessed views and their directions denoted by the red dots and arrows respectively. The subject site is denoted by the dark green border.
Source: Archimages 3D, 2025

Figure 44: Viewpoint 3 – Corner of Loftus and Smythe Streets, looking west
Source: Archimages 3D, 2025

Figure 45: Viewpoint 4 - Corner of Pitt Street and Merrylands road, looking north
Source: Archimages 3D, 2025

Figure 46: Viewpoint 5 - Major Road, looking southeast
Source: Archimages 3D, 2025

Figure 47: Viewpoint 6 - Pitt Street, looking southwest
Source: Archimages 3D, 2025

Proposed Impacts

The VIA found a varying level of impact, depending on the length of time and the perspective of the view. At greater distances (i.e. Viewpoints 3 and 5), visual impacts were found to be low in the short to long term, while views closer to the development (i.e. Viewpoints 4 and 6 within the Merrylands town centre) were assessed as severe in the short term and moderate in the longer term. The reason for such change is the likely future transition of sites within the Merrylands town centre to higher-density forms of development, noting that the development is likely to be consistent with likely future development within that part of the Merrylands town centre.

The summary of the public viewpoints and the extent of the impact are summarised in **Table 20** below.

Table 20: Summary of key viewpoints and extent of impacts

Viewpoint	Location and Level	Target	Extent of Impacts
3	Northwest corner of Loftus and Smythe Streets, looking west towards the site	The site	Short term: Low Long term: Low
4	Southeast corner of Pitt Street and Merrylands Road, looking north towards the site	The site	Short term: Severe Long term: Moderate
5	Western end of Major Road, looking southeast towards the site	The site	Short term: Low Long term: Low
6	Pitt Street (North of the intersection with Dressler Court), looking southwest towards the site	The site	Short term: Severe Long term: Moderate

At greater distances (i.e. Viewpoints 3 and 5), visual impacts were found to be low in the short to long term, while views closer to the development (i.e. Viewpoints 4 and 6 within the Merrylands town centre) were assessed as severe in the short term and moderate in the longer term. The reason for the differing levels of impact is that:

- Development of the scale being proposed will contrast significantly to existing and lower-density forms of development on surrounding sites, noting that development within the surrounding area has not yet transitioned to higher-density forms of development as envisioned by the CLEP 2021 and CDCP 2021 for the Merrylands town centre. As such, the development will have a greater level of impact in the shorter term.
- Once development on surrounding sites transitions to contemporary and high-density forms of development (as envisioned by the CLEP 2021 and CDCP 2021), then the scale of such development is likely to be more similar to that proposed on the subject site (particularly when viewed from within the town centre). As such, the visual impacts of the proposed development will be progressively reduced.

For these reasons, the VVIA considers it unnecessary for further fundamental or otherwise large-scale amendments to be made to the proposal, which in its current form satisfactorily manages visual impact.

Visual Impact Summary

The Architectural Design Report (**Appendix G**) provides that the 'three petal' design, combined varying colouration provides a distinct visual form with suitable form articulation and variation at street level that provides a visual relation between the base and tower elements of the building. Noting this and the future visual appearance of the development, the VVIA finds that it is not considered necessary to make further fundamental or otherwise large-scale amendments to the proposal – which in its current form satisfactorily manages visual impact.

6.8 Construction impacts

6.8.1 Construction traffic

A Construction Traffic Management Plan (**CTMP**) has been prepared by MLA Transport Planning, and is appended to this EIS as **Appendix R**. The CTMP details how traffic associated with development activities will be managed during the demolition and construction phases of the development, and how any impacts on the surrounding road network will be mitigated.

The CTMP anticipates that:

- Proposed demolition and construction works will take approximately 44 months,
- That works would occur between 7:00am and 5:00pm, Monday to Saturday,
- The following numbers of workers would be onsite:
    - Stage 1 (demolition): 20

    - Stage 2 (site remediation and bulk excavation): 30
    - Stage 3 (structure works): 100
    - Stage 4 (fitout and finishes): 200
- A maximum of 200 workers would be onsite at any time during works, with:
    - 100% of workers being onsite by 7:00am,
    - 65% of workers having departed the site by 4:00pm, and
    - 85% of workers having departed the site by 5:00pm.

On-stie parking for construction workers is not proposed due to the site's proximity to Merrylands railway station and associated bus interchange. Measures (such as onsite tool storage and drop-off facilities) will assist workers in utilising public transport to access the site.

A summary of construction vehicle types and volumes of traffic movements as anticipated by the CTMP are outlined within **Table 21** below.

Table 21: Construction traffic generation

Development Stage	Type of vehicles to be used	Maximum daily and hourly heavy vehicle traffic generation (two-way movements)	
		Daily	Hourly
Stage 1	• 12.5m long HRVs • 8.8m long Medium Rigid Vehicles (**MRVs**)	20	2
Stage 2	• 19m truck and dog combinations • 12.5m long Heavy Rigid Vehicles (**HRVs**)	60	6
Stage 3	• Varying rigid vehicle sizes up to/including 12.5m long HRVs	80	8
Stage 4	• Varying rigid vehicle sizes up to/including 12.5m long HRVs	60	6

Vehicular access will be via Reyes and Lane and Pitt Street (with the former limited to 6.4-metre-long Small Rigid Vehicles (**SRVs**), with construction management to ensure that vehicular entrance and egress:

- Occurs in a forward direction, and
- Is controlled by accredited traffic controllers.

Further, the site's proximity to main road thoroughfares is such that heavy vehicles will not require significant reliance on local roads, as such can utilise:

- Pitt Street to access the Great Western Highway, and
- Pitt, Neil and Mombri Streets and Merrylands Road to access Woodville Road and the M4 Motorway.

While local road closures are not proposed, separate applications will be submitted to Council should temporary closures be required for specific activities (such as tower crane erection and dismantling, which (in addition to the operation of the cranes) will be subject of a separate application(s) as required).

A temporary works zone is also proposed within Pitt Street on the site's eastern side to enable the unloading of deliveries from that zone using two tower cranes, and two materials handling areas will be located adjacent to Reys Lane on the western side of the site. Hoarding and construction fencing will also be used to prevent unauthorised site access and to protect pedestrians, noting that footpaths are also proposed to be closed on Pitt Street during works.

The CTMP recommends numerous mitigation measures to be developed as the project progresses. These are detailed within the CTMP, and also form part of the mitigation measures provided within **Appendix C**.

6.8.2 Construction noise and vibration

An NVIA has been prepared by Renzo Tonin & Associates and is included at **Appendix AE**. In addition to assessments of post-occupation noise impacts and internal design considerations (refer to **Section 6.12**) this assessment considered post-construction and operational impacts of the proposed development.

The locations of noise and vibration sensitive receivers considered by the NVIA are detailed in **Figure 48** below.

Figure 48: Identified noise and vibration receivers (attended and unattended)
Source: Renzo Tonin & Associates, 2026

6.8.2.1 Construction noise

The Interim Construction Noise Guideline (**ICNG**) provides guidelines for the assessment of noise impacts during the construction phase of developments. With regard to noise management levels at noise sensitive receivers, NVOIA the relevant noise construction management levels are detailed within **Table 22** below.

Table 22: Project noise trigger levels

Receiver Type	Project noise trigger levels (dB(A) $L_{eq(15\ mins)}$)		
	Day	Evening	Night
Residential (Pitt Street frontage)	58	53	48
Commercial	63	63	63

Should the project noise trigger levels be exceeded during works, then noise mitigation measures will be required.

Noting the Project noise trigger levels within **Table 22** above, the predicted noise level ranges at the closest and furthest ranges of the receivers are detailed within **Table 23** below.

Table 23: Construction noise emission assessment

Noise Criteria	Time	Project Noise Management Levels (dB(A) $L_{eq(15\ mins)}$						
		Residential and Commercial Receivers						
EPA Interim Construction noise Guideline	7am-6pm (Standard Hours)	70						
Work item	**Location / Plant Description**	**Predicted Construction Noise Levels (dB(A) $L_{eq(15mins)}$)**						
		Residential receivers		**Commercial receivers**				
		R1	**R2**	**C1**	**C2**	**C3**	**C4**	**C5**
Demolition & Excavation Phase	**Excavator (with hammer)**	68-72	74-87	74-83	76-98	76-96	74-87	74-87
	Excavator (with bucket)	53-57	59-72	59-68	61-83	61-81	59-72	59-72
	Truck	56-60	62-75	62-71	64-86	64-84	62-75	62-75
	Piling rig (bored)	50-54	56-69	56-65	58-80	58-78	56-69	56-69
Construction Phase	**Tower crane (diesel)**	45-55	62-64	61-65	66-71	66-71	62-64	62-65
	Concrete truck/pump	46-50	52-65	52-61	54-76	54-74	52-65	52-65
	Vibrator / finishing	38-42	44-57	44-53	46-68	46-66	44-57	44-57
	Powered hand tools	51-55	57-70	57-66	59-81	59-79	57-70	57-70

As demonstrated by **Table 23**, the noise levels indicate that:

- It is not anticipated that there would be exceedance of the 75dB(A) highly noise affected goal at nearby residential receivers,
- There would be some exceedances of Noise Management Levels at the R1 and R2 residential receivers in the event that use of hydraulic hammers were required as part of demolition works of the ground slab,
- There would be some exceedances of Noise Management Levels at the C1, C2, C3 and C4 commercial development receivers when using excavators near the site's boundaries.

Mitigation measures

As a result of the above, the NVIA anticipates that some reasonable and feasible noise mitigation will be required, the details of which would be addressed by a Construction Noise and Vibration Management Plan (**NVVMP**) that would be prepared at the Construction Certificate stage. General noise management mitigation measures are however outlined as follows:

- The location of cranes, concrete trucks and material pick up/drop off areas away from the western boundary of the site where possible,

- The use of electric (as opposed to diesel) cranes and bored (as opposed to vibrated) piling when feasible,
- The use of excavators (instead of hydraulic hammers) with buckets or similar as part of ground slab demolition and excavation whenever possible.
- Where possible, intermittently using, or throttling/shutting down plant equipment when not in use,
- The person selected to liaise with the community must be adequately trained and experienced in such matters, and
- Establishing management procedures to address any noise complaints associated with construction activities. Such procedures would need to investigate, and where necessary apply appropriate noise amelioration measures to mitigate future occurrences, where the noise in question is in excess of allowable limits.

6.8.2.2 Construction vibration

Regarding vibration, the recommended minimum working distances for vibration intensive plant equipment is outlined within **Table 24** below.

Table 24: Minimum recommended distances for vibration intensive equipment

Plant item	Minimum working distances (metres)					
	Cosmetic Damage			Human Disturbance		
	Commercial buildings	Dwellings and similar structures	Sensitive structures	Residences (day (7am-10pm))	Offices	Workshops
Minimum distance (metres)	5	5	10	20	15	10

Based on the location of neighbouring premises surrounding the site along with the excavation required for the construction of the proposed development, vibration monitoring may be required during the excavation and construction period. Human disturbance is also likely to impact the closest residential receivers.

Noting the site's distance from the nearest rail corridor, acceptable vibration impact on rail infrastructure would typically be indicated by Sydney Trains at the approval stage. Whilst to be confirmed, this is commonly approximately 15mm/s Peak Particle Velocity (**PPV**). This is necessary to determine whether safe working distances or vibration monitoring would be required.

Mitigation measures

Whilst specific mitigation measures contained within **Appendix C**, an outline of such measures are as follows:

- The undertaking of vibration measurements at necessary receivers where plant and equipment are likely to operate close to or within specified minimum working distances, to establish if adjustments to working distance are required,
- Dilapidation surveys at receivers C2 and C3 (as shown within **Figure 48** above) to inform whether required vibration criteria are different to that referenced in the NVIA,
- Notification of properties within 100 metres of the site,
- The implementation of procedures to manage any complaints,
- The implementation of management procedures should vibration be identified as excessive, with appropriate mitigation measures put in place to address any future occurrences, and
- The undertaking of additional vibration assessments (in accordance with any requirements of relevant service providers), should electrical cables and telecommunication services be encountered during construction. Mitigation measures may need to include modifications of construction methods (e.g. using smaller equipment, establishment of safe buffer zones as mentioned above, and if necessary, time

restrictions for the most excessive vibration activities (with any such time restrictions to be negotiated with affected receivers).

6.9 Biodiversity

Section 7.9 of the BC Act requires preparation of a BDADR for SSDAs that are assessed under Part 4 of the EP&A Act. However, section 7.9(2) of the BC Act 2016 allows for exemption from the requirement where the development is not likely to have any significant impact on biodiversity values.

The proposed development is located within a highly developed urban centre, and within an area that does not contain elevated biodiversity values. A BDAR waiver request was therefore prepared by Narla Environmental (**Appendix AM**), with a BDAR waiver being granted on 26 February 2025 (**Appendices AN** and **AO**).

6.10 Tree removal and retention and landscaping

6.10.1 Tree removal

While the site does not contain any trees, there are four trees in proximity to the site, that are all located within the McFarlane Street road reserve. One (1) of those trees (located adjacent to the intersection of Pitt and Macfarlane Streets) will require removal. The tree to be removed (a *Ulmus parvifolia* (Chinese Elm)) will however be replaced as part of public domain works towards the northern end of the site.

Figure 49: Existing trees, as viewed from McFarlane Street to the northwest of the site. The tree to the left of image is the tree proposed to be removed.
Source: Google, 2024

Noting that the BDAR Waiver Report (**Appendix AM**) provides that the site does not contain significant biodiversity or landscape values, the submitted AIA (**Appendix AP**) and their removal is required to accommodate new public domain works including outdoor dining areas and associated awnings.

Noting that its removal is required due to likely major impacts during demolition and construction works, the AIA found that the tree to be removed is not of high landscape or retention value, and that its removal is supportable. Further, the AIA provides recommendations for the retention and protection of three other street trees (two other Chinese Elms and a Lonon Plane Tree) within the McFarlane Street road reserve in proximity to the site. Provided that such recommendations are adhered with, works associated with the proposed development will not affect those trees.

6.10.2 Landscaping

As detailed by the landscape plans prepared by Taylor Brammer (**Appendix I**), the proposed development will provide ground level and on-building landscaping, with such landscaped treatments to be provided within planters of varying size.

6.10.2.1 Ground level landscaping

The ground level landscaping is to comprise of planters adjacent to outdoor dining areas on the northern side of the site, and the planting of 13 trees within the surrounding road reserves, comprising of:

- One tree within the McFarlane Street frontage (noting that two existing trees are to be retained),
- Six trees within the Pitt Street frontage, and
- Four trees within the Reyes Lane frontage.

While the proposed development will provide soil depths and dimensions that will be suitable for the planting of such trees and vegetation, it will not provide any deep soil space as specified by the ADG. Relevant Design Guidance within Part 3E (Deep Soil Zones) provides however that achieving the design criteria is not possible on some sites, in particular those where:

- The location and building typology have limited or no space for deep soil at ground level (e.g. such as high-density areas and town centres), and
- There is 100% site coverage or non-residential uses at ground floor level.

Tree species selection will be consistent with the recommendations of the Pedestrian Wind Environment Assessment (**Appendix AC**), as detailed in **Section 6.6.2** above. The proposed tree species selection and placement in addition to suitably selected paving will complement the building's materiality and will improve the amenity of the surrounding streetscape.

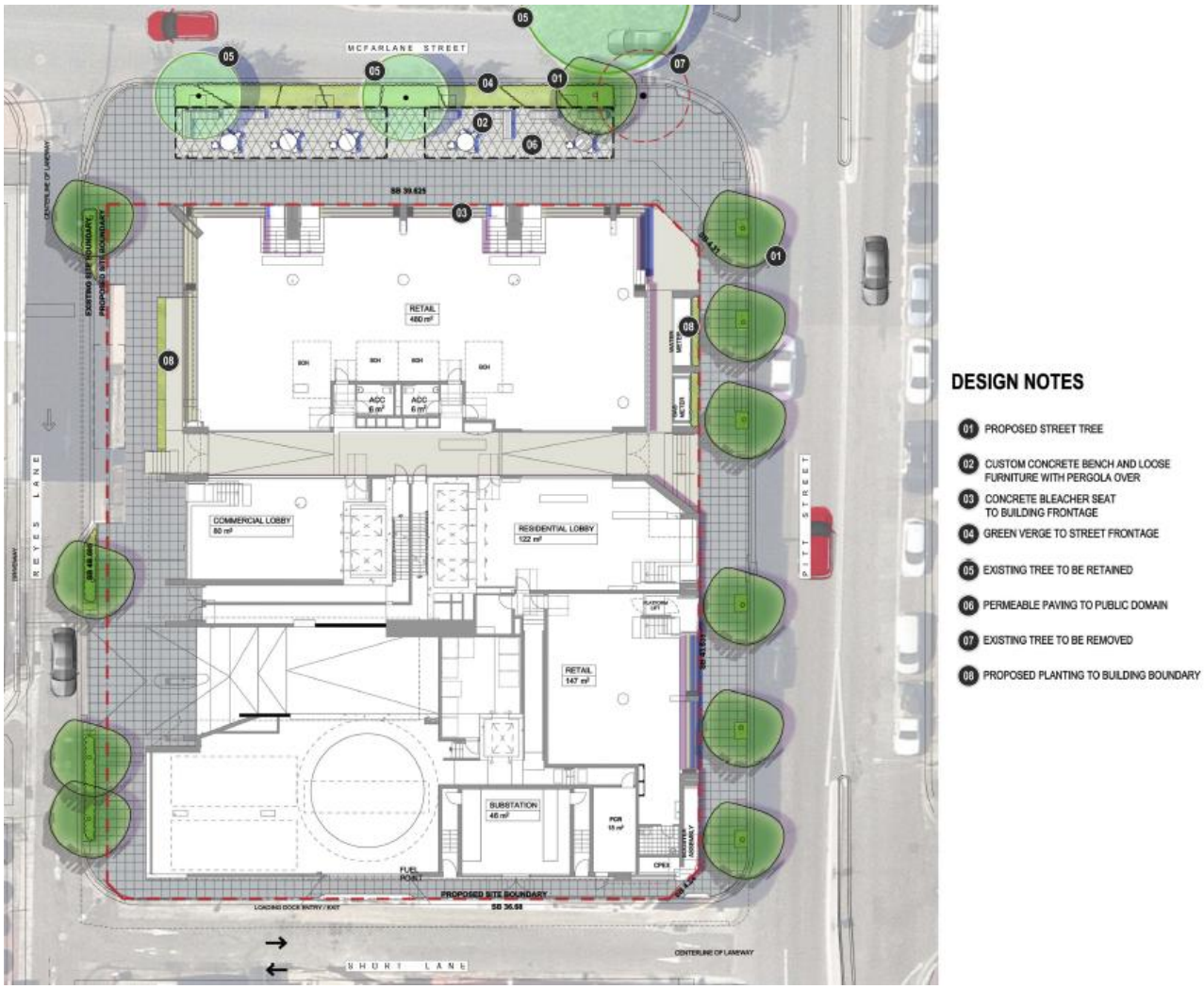


Figure 50: Proposed public space landscape plan
Source: Taylor Brammer Landscape Architects, 2026

6.10.2.2 On building landscaping

On-building landscaped areas are proposed within the following parts of the building:

- Landscape planters on Level 2,
- Podium communal open space and private courtyard areas on Level 3,
- Podium communal open space areas on Levels 29 and 31.

All planters within the aforementioned areas will provide sufficient planter dimensions and depths for proposed landscaping treatments, which will include a variety of groundcovers, shrubs and trees of varying sizes. A community garden (growing a variety of fruits, vegetables and herbs) will also be provided as part of communal open space areas on Level 31.

In addition to enhancing the appearance of the building, podium landscaping will facilitate residential amenity and variable shading, which will assist in providing various microclimates within communal areas top encourage year-round use. Further, in following the recommendations of the Pedestrian Wind Environment Assessment (**Appendix AC**), proposed landscaping will also assist in mitigating potential wind impacts associated with the development.

Such landscaping is also complemented by high quality materials, comfortable and flexible elements and a variety of communal facilities within/in proximity to landscaping features. Such amenities include a small game ball court, play and exercise areas, outdoor eating facilities, a community garden and outdoor cinema, which is in line with providing a collection of spaces and activities for people of all ages and backgrounds.

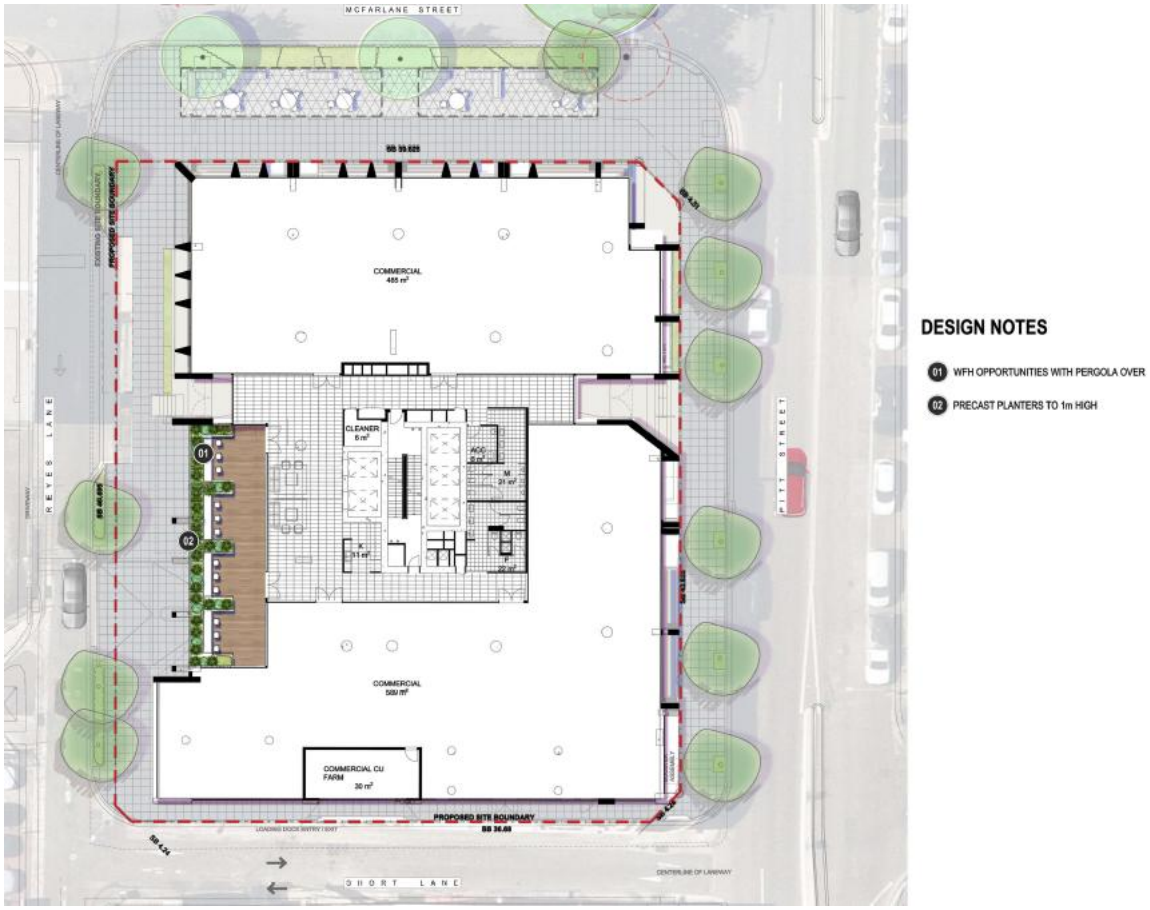


Figure 51: An extract of the proposed Level 2 landscape plan
Source: Taylor Brammer Landscape Architects, 2025

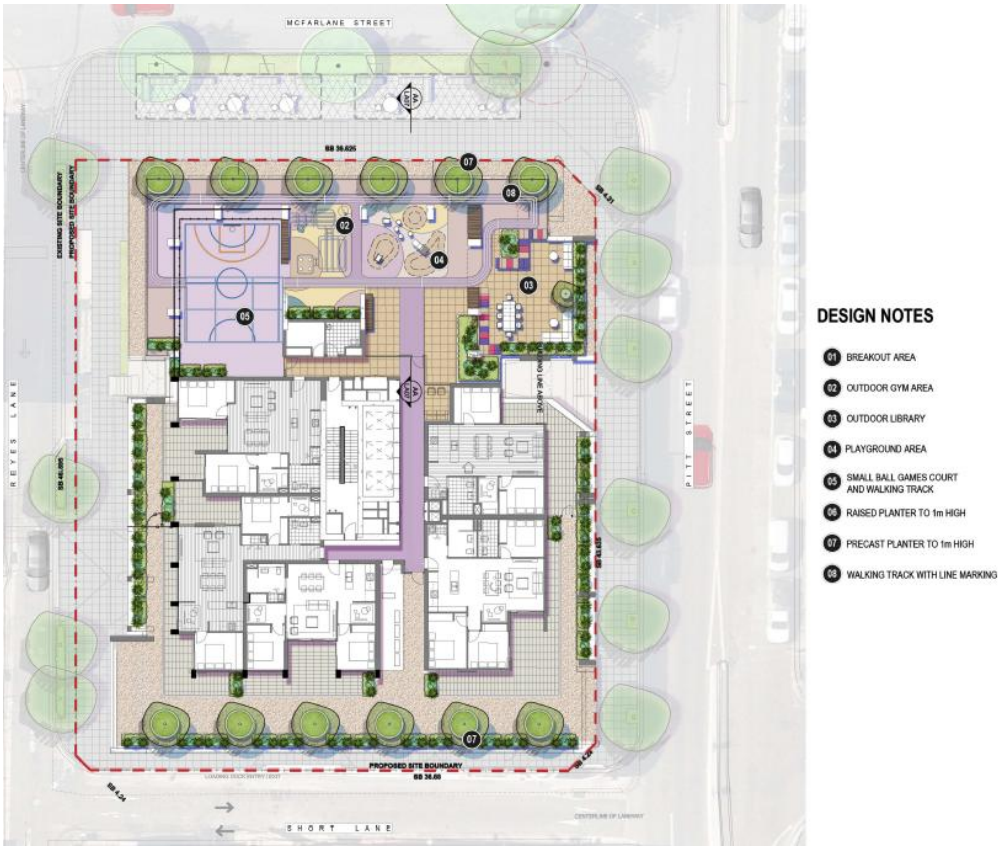


Figure 52: An extract of the proposed Level 3 landscape plan
Source: Taylor Brammer Landscape Architects, 2025

Figure 53: An extract of the proposed Level 29 landscape plan
Source: Taylor Brammer Landscape Architects, 2025

Figure 54: An extract of the proposed Level 31 landscape plan
Source: Taylor Brammer Landscape Architects, 2025

6.11 Parking

6.11.1.1 Required car and bicycle parking rates

Required car and bicycle parking rates (as prescribed by the Housing SEPP for residential parking and the CDCP 2021 for non-residential parking) are provided within **Table 25** below.

Table 25: Required car and bicycle parking rates

Proposed land use	No. of dwellings / floor area (m^2)	Parking rates	Required parking	Proposed parking
CAR PARKING				
Residential (note: 100% affordable, based on Housing SEPP rates)				
1 bedroom dwelling	77	0.4 spaces/dwelling	30.8	129
2-bedroom dwelling	125	0.5 spaces/dwelling	62.5	
3-bedroom dwelling	36	1 space/dwelling	36	
TOTAL			**129.3**	**129**
Non-residential (note: based on TfNSW GTIA rates)				
Retail	623m^2	1.6 spaces/100m^2 GFA	10	10
Commercial	2,848m^2	1.6 spaces/100m^2 GFA	45.6	46

TOTAL			**55.6**	**56**
COMBINED TOTAL			**184.9**	**185**
BICYCLE PARKING				
Residential (note: based on CDCP 2021 rates)				
Residential apartments	238	1 space/3 dwellings	79.3	80
Visitor	238	1 space/3 dwellings	79.3	79
TOTAL			**158.6**	**159**
Non-residential				
Retail (staff)	623m^2	1 space/10 employees (assumed 10 staff)	1	31
Commercial (staff)	2,848m^2	1 space/10 employees (assumed 135 staff)	14	
Retail (visitor)	623m^2	1 space / 750m^2 for tenancies >1,000m^2	0	5
Commercial (visitor)	2,848m^2	1 space / 750m^2 for tenancies >1,000m^2	3	
TOTAL			**18**	**36**
COMBINED TOTAL			**176.6**	**195**

6.11.1.2 Residential car parking

The proposed development will provide 129 residential car parking spaces on Basement Levels 2,3, and 4, including 46 accessible parking spaces. A car wash bay will also be provided on Basement Level 4.

Reference is made to **Table 25**, which demonstrates that the proposed resident parking rates comply with Section 19(2)(e) of the Housing SEPP, which for reference (and noting that 100% of the dwellings are to comprise of affordable housing) provides the following parking rates:

(e) For dwellings used for affordable housing

- *For each dwelling containing 1 bedroom – at least 0.4 parking spaces*
- *For each dwelling containing 2 bedrooms – at least 0.5 parking spaces*
- *For each dwelling containing at least 3 bedrooms – at least 1 parking space*

No resident visitor car parking spaces are provided, noting that the Housing SEPP does not prescribe visitor parking rates. The TPA provides that not providing visitor car parking spaces in the circumstances of this particular proposal is satisfactory for the following reasons:

- The site is very well serviced by public transport services (providing direct and high frequency services to centres across Sydney), being located:
  - within 100 metres walking distance from Merrylands railway station, and
  - both the Merrylands station bus interchange and other local bus stops throughout the Merrylands town centre that,
- The site and its surroundings are well serviced by active (i.e. pedestrian and cycling based) transport infrastructure (noting that the site will provide onsite bicycle paring rates that are in excess of CDCP 2021 requirements (see **Section 6.11.1.4** below),

- The site is in proximity to Stockland Merrylands shopping centre, which provides > 2,000 car parking spaces in addition to numerous onsite services and amenities. It is therefore expected that visitors could efficiently combine a trip to visit a resident within the development with a shopping/errand trip, which would likely utilise parking facilities at Stockland rather than at the site, and
- A GTP has been prepared (refer to Section **6.11.5** below), which provides strategies to encourage travel to/from the site via means other than private vehicle.

6.11.1.3 Non-residential car parking

The proposed development will provide 10 car parking spaces to the retail land uses and 46 car parking spaces for commercial land use activities. These will be mostly provided on Basement Level 1, with some (i.e. 15) spaces to be provided on Basement Level 2.

The TPA provides that the CDCP 2021 prescribed rates for non-residential car parking are excessive and are inconsistent with the NSW Government's broader transport policy objectives of encouraging more sustainable travel methods and reducing reliance on private vehicles. Proposed non-residential car-parking rates are therefore based upon the TfNSW GTIA, which applies to development applications prepare after November 2024.

Noting the site's proximity to public transport facilities and active transport infrastructure, the site's proximity to Stockland Merrylands, the provision of onsite bicycle parking and the implementation of a GTP, the TPA therefore provides that the proposed non-residential parking rates will be sufficient.

6.11.1.4 Bicycle and motorcycle parking

The proposed development will provide 195 onsite bicycle parking spaces across all basement levels. Such parking will comprise of:

- 80 resident spaces
- 79 resident visitor spaces
- 31 retail and commercial spaces (for staff)
- 5 retail and commercial spaces (for visitors)

Such bicycle parking rates are consistent with CDCP 2021 residential parking rates and exceeds minimum commercial rates by a considerable margin. The provision of such bicycle parking facilities are reflective of the highly accessible nature of the site and cycling infrastructure, both within the Merrylands town centre and the Cumberland LGA more broadly. Further, the GTP (**Appendix P**) includes recommendations to encourage cycling use; while detailed further within **Section 6.11.5**, such recommendations include onsite cycleway maps and consideration of measures including bicycle maintenance toolkits and promotion of events such as 'ride to work days'.

While the CDCP 2021 does not prescribe a motorcycle parking rate, nine motorcycle parking spaces are to be provided on Basement Level 1.

6.11.2 Access Arrangements and Servicing

Two vehicular access points are to be provided to the site, which will comprise of the following:

- A two-way crossover and internal driveway that will provide access to basement levels (which is located towards the southern end of the on the western side of the Ground Level), and is accessed via Reyes Lane, and
- An access point that will provide service vehicle access and egress to the site (which is located towards the western end of the on the southern side of the Ground Level) and is accessed via Milne Lane.

The basement access driveway provides two-way travel to the basement levels, while the service access point will provide for one-way travel. Both vehicular access points have been designed in accordance with the design requirements set out in the relevant Australian Standards, primarily AS2890.1:2004 and AS2890.2:2018.

The design of the basement access driveway has also been designed to provide a crest beyond the crossover to provide levels that will prevent floodwater ingress up to and including a 1:100-year ARI event (also refer to Section **6.11.5**). The vehicular access point to the loading facilities will be protected by a flood gate.

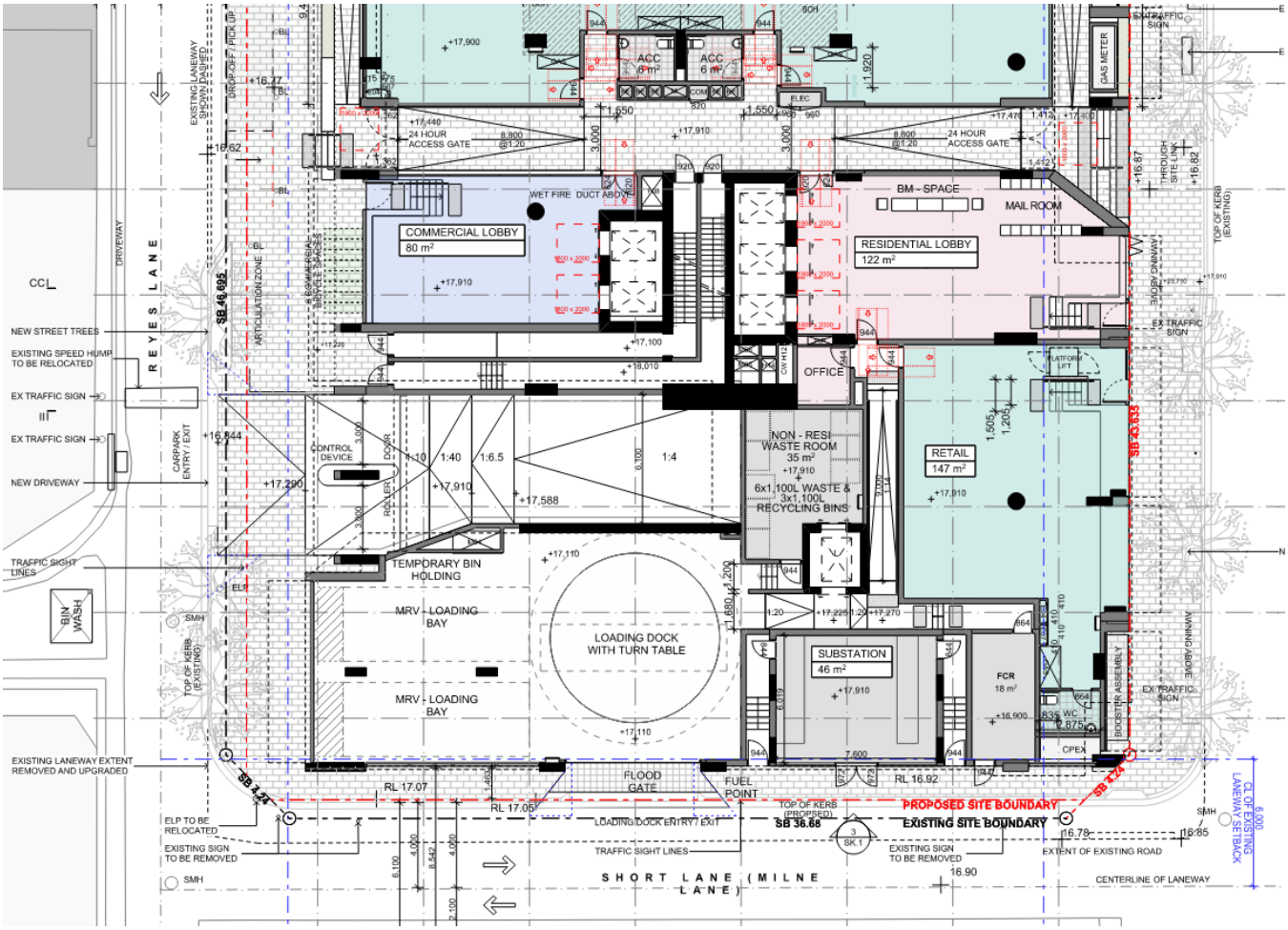


Figure 55: An extract of the proposed ground level plan, with the loading facilities and both vehicular access points located to the southwest of this level (i.e. lower left of the image).
Source: Fuse Architects, 2026

Swept path analyses within the TPA (**Appendix P**) indicate that such facilities facilitate entrance and egress of a B99 (5.2 metre long) vehicle as the design vehicle as prescribed by the Australian Standards and will enable forward vehicular access and egress to and from the site.

All commercial and retail vehicular parking will be located on Basement Levels 1 and 2; with residential parking spaces to be located on Basement Levels 2, 3 and 4. Noting that they will not be accessed by services vehicles, the layouts of each basement level will provide vehicular circulation around outer areas with most vehicular parking to be provided around the periphery of each basement level. The centre of each basement level will generally contain the access ramps between levels (to be located to the southern side of each central area), pedestrian lobbies and circulation cores, motorcycle and some bicycle parking, vertical risers and other facilities such as the bulky waste storage room and the car wash bay.

The design of the loading bay has been designed to accommodate vehicles up to and including a 5.8-metre-long Medium Rigid Vehicle (**MRV**). In addition to providing a minimum 4.5 metre head clearance, the loading area will contain a vehicle turntable that will enable service vehicles to access the loading bays, and both enter and leave the site in a forward direction. Swept path analyses within the TPA (**Appendix P**) indicate that the design of the loading facilities will provide space and facilities to both enable sufficient onsite manoeuvring and forward entry and egress by MRVs as prescribed by the Australian Standards.

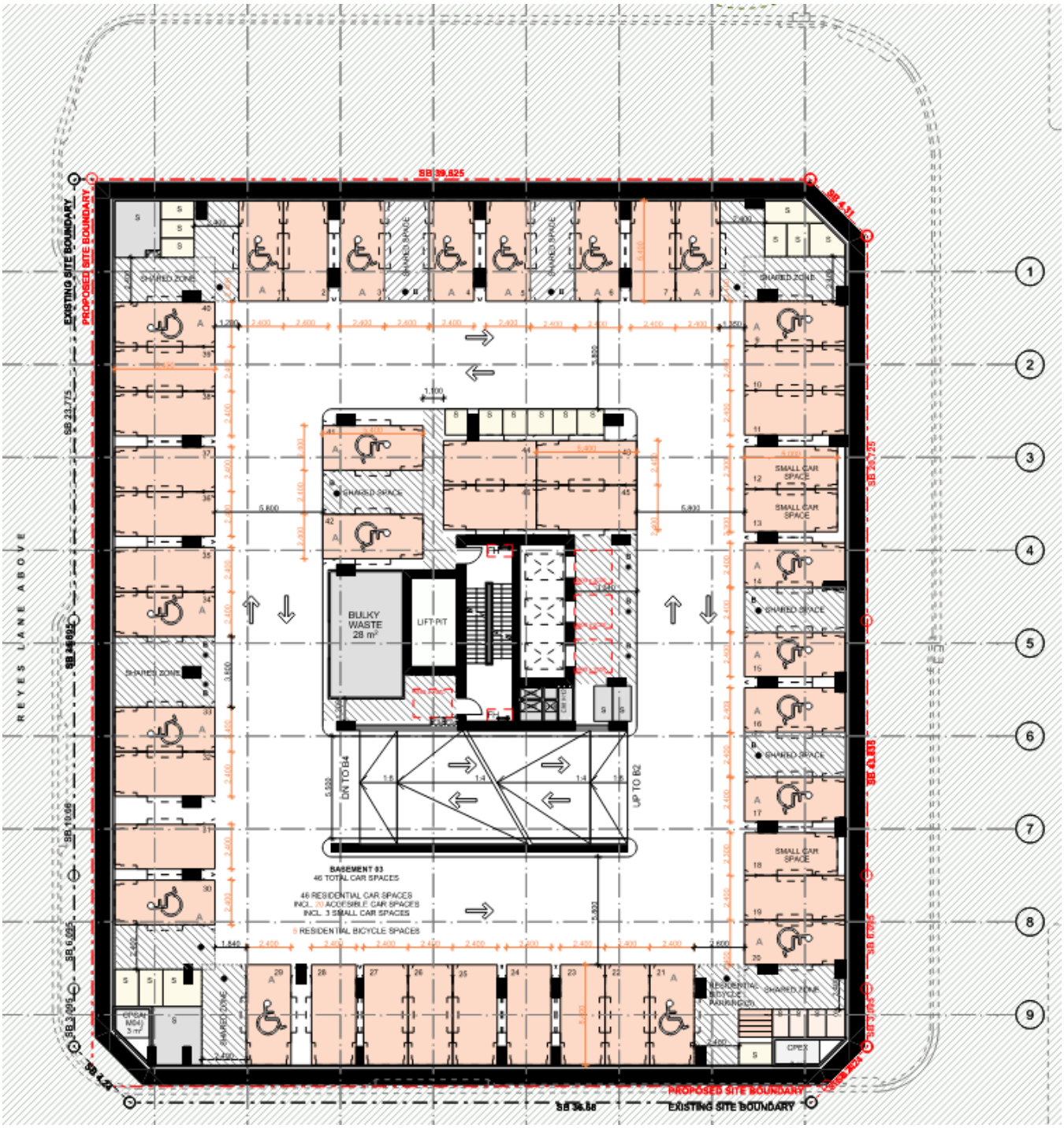


Figure 56: An extract of the proposed Basement Level 3 plan. While the specific designs of each basement level differ, the overall layout of all basement levels are generally reflective of this layout.
Source: Fuse Architects, 2026

6.11.3 Loading

The proposal includes an on-site loading dock on the Ground Level (refer to **Figure 55**) which can accommodate two 8.5 metre MRVs at one time. The 4.5 metre headroom clearance will be sufficient to meet the requirements of necessary vehicles (including waste collection vehicles) that will service the site.

As detailed in **Section 6.11.3**, the provision of a vehicle turntable will provide service vehicles with the ability to enter and exit the loading facilities site in a forward direction. This loading provision is considered suitable to accommodate the needs of the site based on the proposal, as well as being consistent with relevant standards.

Vehicle swept paths contained within the TPA demonstrate the suitability of the design to accommodate the movement of MRVs within the loading facilities.

6.11.4 Traffic Generation

The TIA has estimated the traffic generation that may result from the proposed development, based upon rates within the TFNSW GTIA. **Table 26** below provides a summary of the estimated traffic generation of the proposed development.

Table 26: Estimated development traffic generation

Land use	Yield	Morning peak traffic generation rate	Evening peak traffic generation rate	AM peak period (vehicle trips her hour)	PM peak period (vehicle trips her hour)
Residential	238 dwellings	0.19 / peak hour per apartment	0.15 / peak hour per apartment	45	36
Retail	623m^2	1.6 peak hour trips / 100m^2	1.2 peak hour trips / 100m^2	10	7
Commercial	2,848m^2	1.6 peak hour trips / 100m^2	1.2 peak hour trips / 100m^2	46	34
Total:				**101**	**77**

Table 26 demonstrates that the development would generate up to 101 vehicular trips per hour during the morning peak period and 77 vehicular trips per hour during the evening peak period.

Further, the TPA provides a SIDRA intersection analysis to assess the performance of surrounding intersections under both current and future (i.e. 2035) development scenarios to ensure that there is sufficient local network performance accommodate additional trips anticipated to be generated by the proposed development.

Such analysis found that under current conditions, all considered intersections had acceptable levels of performance. While future scenarios found that there would be some modest delays and queuing during peak periods, such reductions in service would generally be associated with background development, and impacts associated with additional traffic generated by the proposal would not be discernible

As such, the TPA finds that the proposed development is not expected to create any adverse traffic impacts within the surrounding road network, and assessed intersections would continue to operate efficiently following the completion of the proposed development both under current and future traffic conditions.

6.11.5 Green Travel Plan

A GTP has been prepared by MLA Transport Planning to supplement the TIA at **Appendix Q**. The aim of the GTP is to outline how the development intends to make travel to and from the site safer and more sustainable for residents, employees and visitors. The GTP sets the following mode share targets, as outlined in the table below.

The GTP identifies a range of measures to promote the use of sustainable transport modes. This includes:

- Sufficient provision of onsite parking facilities.
- Separate sale of apartments and onsite ca parking spaces (i.e. apartments are to be marketed and sold without parking, with any parking space to be sold separately or as an optional extra), in addition to strata by laws that would prohibit the sale or rental of parking spaces to non-residents.

- The prohibition of residents applying for local residential parking permits.
- Providing measures to promote active transport methods such as carpooling, walking and cycling.
- Measures to be provided within the building to make residents aware of public transport options, in addition to providing new residents with pre-loaded $100 Opal cards.
- Signage, maps and information (such as a Transport Access Guide) to direct residents end employees to active and public transport options.
- Ongoing review of the recommendations of the GTP.

6.12 Operational Noise and vibration

Note: Section 6.8.2 of this EIS addresses matters associated with demolition and construction noise.

Site background and ambient noise levels were the subject of attended and unattended surveying, which was undertaken on 25 March 2025 and from 25 March 2025 to 2 April 2025 respectively. The locations of the loggers are detailed within **Figure 48**. Noting that ambient noise levels from attended noise monitoring recorded a representative ambient noise level of 65dBA (L_{Aeq}), measured background from unattended surveying are summarised within **Table 27** below.

Table 27: Background and ambient noise levels

Unattended noise monitoring			
Noise descriptor	**Representative noise levels**		
	Day (7am-6pm)	**Evening (6-10pm)**	**Night (10pm-7am)**
L_{90} Background noise levels	60	62	43
L_{Aeq} Ambient noise levels	65	65	61
Attended noise monitoring			
Noise descriptor	**(Location ST1 (see figure 48) Representative L_{Aeq} dB(A))**		
Noise generation from McFarlane Street (L_{eq} noise levels)	65		

6.12.1 Building design

Noting that noise and vibration associated with demolition and construction works have been addressed within **Sections 6.8.2** and **6.8.3** above, an NVIA has been prepared by Renzo Tonin & Associates and is included at **Appendix AE**. In addition to its consideration of demolition and construction noise and vibration impacts, the NIVA has considered design mitigation measures for noise intrusion and potential noise associated with the post-construction occupation of the development.

Regarding internal residential amenity and noise intrusion, target internal noise levels for residences near busy roads and railway lines (as established by Section 2.120(3) of the Transport infrastructure SEPP) are outlined within **Table 28** below; where window open targets are not achieved, then it is recommended that supplementary ventilation requirements be provided to enable ventilation in the event that doors and windows are closed.

Table 28: Target internal noise levels

Area of dwellings	**Window condition**	**Target internal noise levels (dB(A) $L_{eq(15\ mins)}$)**	
		Day	**Night**
Bedroom	Open	-	35
	Closed	-	45
Open plan living areas	Open	40	40
	Closed	50	40

The NVIA recommends that to achieve such targets:

- Glazed surfaces are to comprise of specified thicknesses,
- Windows and doors be designed in such a manner to enable acoustic sealing as required, and
- The perimeter of doors and windows be sealed airtight as required.

Where constructed of masonry and/or concrete, external walls will not require upgrade to satisfy prescribed internal noise targets. Further, as roof elements are to be constructed from concrete, they will not require upgrades to satisfy prescribed internal noise targets; should materiality of the roofs change however, then this may require review at the detailed design stage.

Regarding supplementary ventilation, the NVIA found that such measures would be required for bedrooms on the eastern side of apartments on levels 4-6, however supplementary ventilation will not be required for other apartments elsewhere in the development.

6.12.2 Operational noise

6.12.2.1 Target noise

Based on unattended noise monitoring (refer to **Figure 48** for monitoring locations), Project Noise Trigger Levels for the development are detailed in **Table 29** below.

Table 29: Project noise trigger levels

Receiver Type	Project noise trigger levels (dB(A) $L_{eq(15\ mins)}$		
	Day	Evening	Night
Residential (Pitt Street frontage)	58	53	48
Commercial	63	63	63

The CDCP 2021 does not provide noise emission requirements, therefore the EPA's Noise Policy for Industry (**NPfI**) has been adopted for the assessment of noise guidelines.

Based on the background noise monitoring results (see **Table 27**), the intrusiveness noise levels for residential receivers are outlined in **Table 30**, which are based on the rating background level, plus 5dB(A).

Table 30: Project intrusiveness noise levels

Receivers/noise logger	Intrusiveness noise levels ($L_{Aeq,\ 15\ min}$)		
	Day	Evening	Night
LTA (Representative of R1 and R2 noise receivers)	6560	67	48

Based upon guidance within the NPfI, project amenity noise levels for nearby receivers (Based on 15-minute assessment periods and levels based on day, evening and night-time assessment periods) and project amenity project trigger levels (i.e. the lower/more stringent value of the project intrusiveness noise level), are outlined in **Table 31** below.

Table 31: Project amenity noise levels

Period	Recommended Amenity Noise Level ($L_{Aeq\ Period}$)	Project Amenity Noise Level ($L_{Aeq\ Period}$)	Project Amenity Project Trigger Noise Level ($L_{Aeq\ 15min}$)
Residential receivers			
Day	60	55	58
Evening	50	45	53
Night	45	40	48
Commercial receivers			
Commercial receivers	65	60	63

6.12.2.2 Traffic noise

Assessment of noise impacts from potential traffic increases on surrounding road network due to the development's construction and operational activities have been assessed in accordance with the NSW Road Noise Policy (RNP). As the local road network comprises of sub-arterial and arterial roads and not local roads, higher assessment criterion applies (i.e. 60dB(A) and 55dB(A) for day and night-time periods respectively). The NVIA found that as predicted increases in road noise levels will be no greater than 2 dB(A) (i.e. an increase that is barely perceptible to average persons), road noise associated with the proposal does not require further assessment or mitigation.

6.12.2.3 Plant and equipment noise

While plant and equipment selection and design have yet to be finalised (noting that this would be done at the detailed design stage), due to:

- The proposed locations of major plant and equipment items in basements and areas subject to acoustic attenuation treatments (such as screens, etc.),
- The relatively high ambient noise levels at the site, and
- The proximity of the development to surrounding sites,

the placement and operation of plant equipment is unlikely to adversely affect the acoustic amenity of residences within the site and surrounding buildings. General mitigation measures to maintain acoustic amenity are likely to generally comprise of:

- Providing induct acoustic treatment (i.e. lined ducting and acoustic attenuators) between fan and external intake/discharge for utility and major fans (e.g. car park ventilation),
- Provision of approximate three metres zones for induct work between the fan and any external grilles to ensure sufficient space for acoustic treatment,
- Careful placement of rooftop plant systems, including the maximisation of distances between such equipment and nearby apartment windows, and
- Use of equipment that employs night quiet modes.

6.12.2.4 Commercial tenancy noise

Specific commercial uses do not form part of this proposal and would be subject to separate consent(s). Noting however that the design of the commercial tenancies will include provision of outdoor dining areas at ground level, the NVIA has considered potential future noise associated with the lower level (i.e. Ground Level and Levels 1 and 2) commercial activities.

Based on an assumed outdoor seating for up to 120 patrons, the NVIA recommends that for the operation of any ground level tenancies:

- Trading is to cease by 12:00am,
- Limit the playing of indoor music to specified sound pressure levels,
- That there be no disposal of glass in external areas after 10:00pm, and
- That separate consent be obtained if music (other than background music) is played:
    - After 10:00pm in external areas, and
    - After 12:00am in internal areas.

If operated as such, then any businesses operating on the ground floor would not foreseeably exceed noise levels in the nearest residence (i.e. those proposed on Level 6 (noting that apartments on Levels 3, 4 and 5 do not contain northern-oriented windows due to the location of the Level 3 communal open space area)), and additional mitigation measures will not be required.

6.13 Aboriginal and archaeological heritage

6.13.1 Aboriginal and archaeological heritage and culture

An ATR has been prepared by is prepared by Artefact and has appended to this EIS as **Appendix AG.** The ATR describes the known historical archaeological values of the site and classifies the potential for archaeological resources or relics. It was found that at the site there is:

- No Aboriginal sites are located within the subject site, with the closest site being located approximately 2.1 kilometres southeast of the site.
- Sites identified by Aboriginal Heritage Information Management System (**AHIMS**) databases note that sites of significance are generally located within the Parramatta Sand Body, in nature reserves and in proximity to local waterways, characteristics that do not apply to the study area or its immediate surrounds. Further, the site is not identified as being situated on/in landscape features listed by the Due Diligence Code of Practice as indicating the likely existence of Aboriginal objects.
- There are no valid Aboriginal Heritage Impact Permits (**AHIPs**) on the site, with the closest such permit located on a site approximately 965 metres north of the site.
- While the site is located on the Blacktown soil landscape (which *may* contain Aboriginal objects), the site and surrounding areas have been extensively disturbed by previous development.

Regarding the above, the ATR found it is unlikely that Aboriginal objects would be uncovered during works, and the proposed development will not impact Aboriginal objects.

The ATR indicates that such findings are consistent with other similar investigations on other sites around Merrylands.

Regarding the above, the ATR therefore confirms that:

- Further archaeological investigation is not required,
- An Aboriginal Cultural Heritage Assessment Report (**ACHAR**) is not required, and
- Further investigation may be required should future changes be proposed that affect areas outside those investigated by Artefact.

Further, while the ATR provides that mitigation measures are not required subject to caution during works. A mitigation measure that could be applied however could be the implementation of unexpected finds procedures in the event that any archaeological deposit, Aboriginal object and/or remains are unexpectedly discovered during any site works.

6.13.2 Connecting with Country

A CWCR has been prepared by Artefact (in accordance with the CCF) and has appended to this EIS as **Appendix AF**. Consultation with Burramadagal and wider Dharug knowledge holders sought to discuss cultural values and connections, to inform actions, outcomes and design principles to:

- Embed Country into the proposed development,
- Identify Country narratives and interpretive themes for the development, and
- Provide a best-practice framework for designing with Country.

Consultation and workshopping were undertaken in February 2025. Actions resulting from such consultation include the promotion of cultural awareness amongst project team members, incorporation of Aboriginal place names into reports and design concepts, the usage of Dharug language in wayfinding/interpretive signage, provision of information regarding housing services provided by Anglican Community Services, considering design principles within the design (which includes ongoing consultation), actioning appropriate recommendations relating to Outcomes for Country and informing Aboriginal stakeholders of updates on the progress of the development.

Mitigations and recommendations by the CWCR generally relate to the incorporation of design elements (such as Aboriginal artwork, design and culture) into the building at the detailed design stage, continued consultation with relevant stakeholders throughout he design and development stages, use of Aboriginal names into reports and design concepts, commission Welcome to Country ceremonies at certain project milestones and providing culture awareness training for relevant project team members.

6.14 Environmental heritage

The site does not contain a listed heritage item and is does located within an HCA. As shown by **Figure 55**, the site is also not in proximity to a listed heritage item or HCA, with the nearest listed heritage sites identified by Schedule 5 of the CLEP 2021 being:

- Local heritage item no. I212, being the Merrylands Railway Station building which is located approximately 93 metres southeast of the subject site at its nearest point,
- Local heritage item no. I213, being the Baby health care centre (circa 1947) which is located approximately 129 metres south/southwest of the subject site at its nearest point, and
- Local heritage item no. I206, being the Merrylands Uniting Church, inter-war church (circa 1928) which is located approximately 198 metres southwest of the subject site at its nearest point.

Figure 57: Location of the subject site (denoted by the red border) and the nearest mapped heritage sites (denoted by brown shading)
Source: Mecone Mosaic, 2025

The SEARs issued on 10 February 2025 advises that a Statement of Heritage Impact (**SHI**) would only be required if there is potential for direct or indirect impacts on environmental heritage.

Noting that:

- The proposed development is aligned with the objectives for affordable housing development, and
- The subject site is located within the Merrylands town centre, and
- The subject site and nearest heritage items are spatially separated by other sites that are both:
    - E2-zoned, and
    - Subject to 93 and 129 metre building height standards,

the Architectural Plans (**Appendix F**) and Visual Impact Assessment (**Appendix M**) demonstrate that the proposed development will not significantly affect items of heritage context, visual impact and overshadowing.

As such, mitigation measures are not required to protect local environmental heritage.

6.15 Ground and water conditions

6.15.1 Geotechnical impacts

A GIR has been prepared by GEC Environmental and is provided at **Appendix U**. Investigations were undertaken during 2024 and 2025 to identify subsurface conditions to inform the planning and design of excavation, shoring, footings and groundwater management. The investigation involved drilling of three boreholes, in addition to penetration tests, soil sampling and groundwater monitoring.

Such sampling and testing confirmed that the site's subsurface profile comprises of silty clay that is underlain by shale bedrock. Further, the soil conditions were found to be slightly saline with the pH classified as being non-aggressive for steel piles and reinforced concrete piles.

In considering such conditions, an outline of earthwork and geotechnical mitigation measures recommended by the GIR include:

- Ongoing vibration monitoring during works, with a geotechnical engineer to be present to carry out quantitative vibration monitoring to confirm vibration units do not exceed the maximum PPV values as required,
- That a hydrogeological assessment and DMP be prepared,
- That works be in accordance with specified geotechnical design parameters,
- Recommendations regarding the design of retaining structures and restraint systems,
- The provision of temporary batter slopes as required,
- The undertaking of an earthquake site assessment,
- Appropriate compaction of fill, with organic materials within the building envelope to be removed, and
- Engagement and presence of a project engineer to confirm specified matters during construction and/or if site conditions vary to those described within the GIR.

6.15.2 Salinity and acid sulphate soils

A GIA (incorporating a hydrogeological assessment) has been prepared by GEC Environmental and is provided at **Appendix U**.

As reflected by mapping within the CLEP 2021, the HA confirms that the site is not within a location that is subject to acid sulphate soils.

Regarding soil salinity, the HA provides that the site is mapped as being within an area that is subject to moderate salinity potential. As indicated by both the HA and GIR, testing of samples extracted from the site indicates that soils on the site are slightly saline, with soil aggressivity being classified as non-aggressive for both steel and reinforced concrete piles

6.15.3 Groundwater conditions and impacts

As indicated within both the HA and GIR, groundwater was encountered within Boreholes BH1, BH2 and BH3. Monitoring wells were subsequently installed within the three boreholes, with ongoing monitoring identifying groundwater within Boreholes BH1, BH2 and BH3. At the time of original testing, groundwater levels were difficult to establish, therefore the water inside the wells was pumped out and allowed to recharge naturally to enable more accurate groundwater estimates. Ongoing monitoring has confirmed that the minimum, maximum and average groundwater levels in Boreholes BH1, BH2 and BH3 are RL 2.25, 4.04 and 3.69 (i.e. depths above proposed excavation depths (noting the FFL 4.4 depth of Basement Level 4).

A two-dimensional seepage model was prepared, which shows that despite such groundwater depths, the predicted cumulative groundwater inflows during construction and post-construction periods would be up to 0.43 megalitres (**ML**) during construction and 0.21ML over a 10-year post-construction equivalent, both of which are well below the three ML threshold that would constitute an ‘aquifer interference activity’ and which would require a water access licence. The proposal therefore does not constitute integrated development pursuant to Section 91(3) of the WM Act.

The HA therefore concludes that construction dewater would present a low geotechnical risk to adjoining sites, and recommends that best practice monitoring and planning measures be implemented; these would be implemented as mitigation measures as provided within **Appendix C**.

A DMP has also been prepared by GEC Environmental and is provided at **Appendix V**. Mitigation measures within the DMP include the provision of a drained basement design, and that ongoing groundwater extraction be collected, treated and discharged to the local stormwater network, using a pump and sump system during and after excavation. While not anticipated, should ongoing monitoring of groundwater quality provide unexpected results, treatment of groundwater prior to discharge may be required.

6.16 Water management

An Integrated Stormwater Management Plan (**ISMP**) (appended by Civil Engineering Drawings and a Water Management Report) has been prepared by EI Australia and is provided at **Appendix S**. The aim of such documents is to provide details of onsite stormwater management and design (including both stormwater collection/discharge and onsite water quality).

6.16.1 Stormwater management

The ISMP and associated stormwater plans demonstrate that stormwater above the ground floor will be collected by pits and pipes and will be directed to a 122.1kL Onsite Stormwater Detention (**OSD**) tank and 10kL rainwater tank, both of which are to be located on the eastern side of the ground floor mezzanine level. Overflows from the rainwater tank will be directed to the OSD tank, and overflows from the OSD tank will be directed to a gravity-fed pipe that will discharge to Council's drainage system within McFarlane Street.

Stormwater captured on the ground floor will be captured by pits and pipes and directed to Council's drainage system within McFarlane Street.

Any water captured within basement levels will be captured by spoon drains, pits and pipes to a storage tank on Basement Level 4, from which water will be pumped to the OSD tank on the Ground Mezzanine Level.

The stormwater system will not increase the existing impervious area, has been designed in accordance with Council's technical standards, and is capable of accommodating rainfall events up to and including a 1 in 100-year storm event (noting that emergency overflows from the OSD tank will discharge above the Flood Planning Level (**FPL**).

6.16.2 Stormwater quality management

The stormwater system has been designed to treat stormwater in accordance with Council's technical standards. Water treatment systems to be provided include Gross Pollutant Traps (**GPTs**) and Stormwater Quality Improvement Devices (**SQIDs**) that comprises of water filtration systems. Types of pollutants to be captured and load reductions associated with such systems are in accordance with the CDCP 2021 and is detailed within **Table 32** below.

Table 32: Stormwater quality targets

Pollutant	Load reduction
Litter e.g. cans, bottles, wrapping materials, food scraps	90%
Coarse sediment	85%
Nutrients	60%
Fine Particles	85%
Cooking oil and grease	90%
Hydrocarbons (including fuels, oils and greases)	90%

An analysis of water quality utilising Model for Urban Stormwater Improvement Conceptualisation (**MUSIC**) has confirmed that the performance of the proposed Water Sensitive Urban Design (**WSUD**) strategy will meet the against the adopted stormwater quality targets as provided in **Table 32** above.

As such, the two stormwater management systems (i.e. GPTs and SQIDs) will enable the proposed development to meet Council's water quality targets and pollutant loads at the point of stormwater discharge (i.e. the connection point at McFarlane Road). To ensure that stormwater quality is maintained, 6–12-month maintenance programs for

the management systems are recommended and will form part of mitigation measures as detailed within **Appendix C**.

6.16.3 Erosion and sediment control

Erosion and sediment control (**ESC**) protocols are proposed as part of mitigation measures to ensure that:

- Runoff from surrounding land is diverted away from the construction area and polluted runoff is retained on site,
- All disturbed areas are stabilised after demolition and construction works are complete,
- ESC measures are retained throughout demolition and construction works, and
- That all ESC measures and water discharge from the site during works is in accordance with Council's requirements.

Such measures would be installed and maintained in accordance with Landcom's *Managing Urban Stormwater – Soils & Construction' (2008)* (also commonly referred to as 'The Blue Book'), which is in accordance with typical Council requirements.

Specific mitigation measures to address demolition and construction water quality will form part of mitigation measures as detailed within **Appendix C**.

6.17 Flooding

A FIRA has been prepared EI Australia and is provided at **Appendix T**. The aim of such documents are to provide details regarding a flood hazard that affects the site and mitigation measures to address such a hazard.

6.17.1 Flood hazard

The subject site is located in proximity to A'Becketts Creek, which is a tributary of Duck River. Flows within this area generally flow from the southwest to the northeast (i.e. towards the M4 Motorway and Western Railway Line. The site is therefore located within the of the Duck River flood catchment, with:

- The majority of the site being located within the 'flood fringe', and
- The areas around the site (i.e. McFarlane and Pitt Streets) are mostly categorised as floodways, with some areas also being identified as flood storage areas.

The FIRA advises that the site does not contribute any area towards flood storage or floodway. Furthermore, since the entire footprint of the site is already impervious prior to the new development, a loss in flood storage area, or a change in flood levels or conveyance is not foreseen. Council has provided correspondence (attached to the FIRA) which advises that the site is subject to both the 1% Annual Exceedance Probability (**AEP**) (i.e. a 1 in 100-year flood event level) and the Probable Maximum Flood (**PMF)** (i.e. a worst-case flooding scenario) event.

The Flood Planning Level (**FPL**) is dictated by AEP and is the design level to which the development is designed plus 500mm of freeboard. Given different flood inundation depths at Locations A and B (i.e. the north and south of the site respectively based on Council's advice), the FPL and PMF levels and the associated flood design level vary slightly. These levels are identified within **Table 33** below.

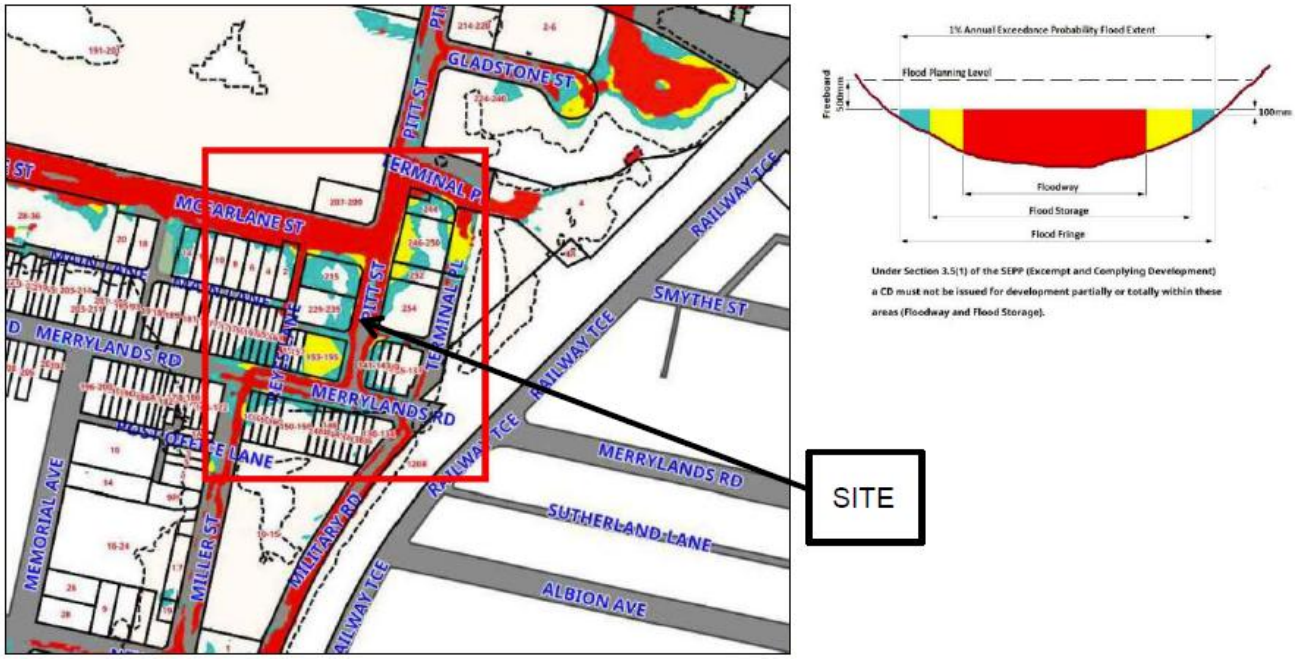


Figure 58: An extract of the 1% flood hydraulic categories map
Source: EI Consulting Engineers/Cumberland City Council, 2025

Table 33: Flood levels on the site

Site Location	FPL Flood Level RO	PMF Flood Level RL	Flood design RL (FPL + freeboard)
Location A	17.1 metres ADH	19.7 metres ADH	17.6 metres ADH
Location B	17.0 metres ADH	19.6 metres ADH	17.5 metres ADH

Based on the above, the site is mostly by Council mapping as being subject to a ‘medium flood risk’, with some south-western parts of the site being identified as ‘low risk’.

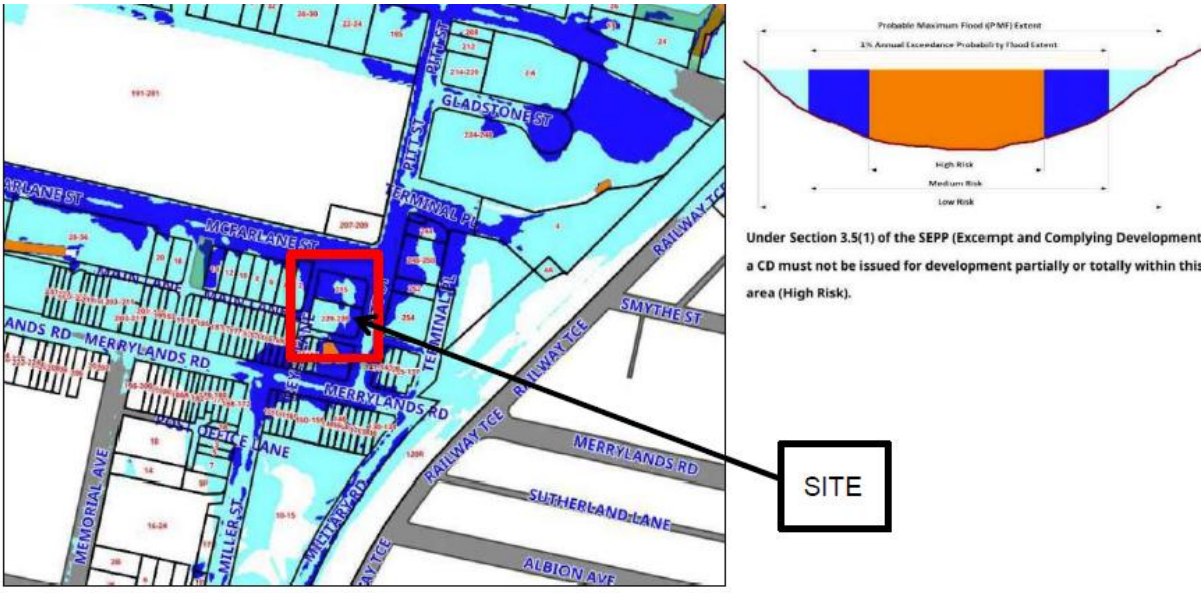


Figure 59: An extract of the flood risk precincts map
Source: EI Consulting Engineers/Cumberland City Council, 2025

6.17.2 Flood impacts

As the entirety of the site's area comprises of structures and impervious surfaces, the FIRA provides that the proposed development will not result in a loss of flood storage or a change in flooding levels or conveyance. As such, the proposed development will not result in adverse flood impacts on surrounding sites nor the Duck River flood catchment more broadly.

6.17.3 Flood mitigation

While reference is made to the submitted FIRA, in accordance with Council's Flood Risk Management Policy (FRMP), a summary of design mitigations to sites/development within medium flood risk hazards are provide in **Table 34** below.

Table 34: FIRA design mitigations to flood hazards on the site

Flooding Consideration	Design Response
Floor levels (car parking)	Not open/at grade car parking levels are proposed. The access ramp to the basement will include an RL 17.96 metre crest (i.e. 310mm above the freeboard level) to prevent water ingress during a 1% AEP flood event. A flood gate is also proposed at the vehicular entrance point to the loading dock.
Floor levels (habitable areas)	All habitable levels on the ground floor are raised to RL 17.9 and 17.91 metres.
Building components at/below FPL	All structures at/below the FPL are to be constructed of flood compatible building components.
Structural soundness	The structural engineer will be required to ensure that structures are designed with withstand the impacts of floodwater, debris and buoyancy.
Flood affectation	The site is not located within a flood storage area or flood pathway. Increases to flood levels are therefore not anticipated. Proposed habitable floor levels and the crest to the main parking entrance/exit ramp are higher than the 100-year ARI flood level, therefore no filling of onsite stormwater systems are anticipated during minor flood events. The proposed onsite stormwater system network is also designed to intake any seepage of water through basement car parks to avoid any chance of ponding on lower car park levels.
Evacuation	All residences are located well above the FPL, however as the site is located within a medium risk area, evacuation plans can be prepared if necessary (noting that per **Section 6.16.4** below, any such evacuation should be a 'last resort' option.
Site management and design	All habitable levels are higher than the FPL, noting that the basement is also designed to: • Prevent water ingress up to a 1% AEP event, and • Collect and discharge any water that enters the basement in a rainfall event up to/including the 1% AEP level. Further, no storage of materials is proposed on parts of the Ground Level and/or external areas that are below the FPL.

6.14.1 Flood emergency response and evacuation mitigations

Given the levels of flooding within surrounding streets, the FIRA advises that flood evacuation from the site should only be considered a 'last resort' option. Given the likely warning times issued by emergency services prior to a major flood event, self-evacuation can be initiated well before the occurrence of the flood event. Should this not be possible however, then it would be possible (and is recommended by the FIRA) that persons stranded on the

Ground Level shelter in place by retreating to higher levels within the proposed building, noting that such levels are well above the FPL and PMF levels.

If required however, an evacuation route from the site could potentially be provided to the west of the site via Main/Finns Lanes and Merrylands Road/Memorial Avenue to the west of the site.

6.18 Contamination

A PSI has been prepared by GEC Geotechnical for the proposed development is provided at **Appendix X**. The purpose of the PSI is to assess the suitability of the site from a contamination perspective for the proposal and to make recommendations.

As part of investigations the PSI noted that both a DSI and RAP had been undertaken as part of an earlier 2017 Development Application (Council and SCCPP refs. DA 2017/558/1 and PPS-2018SWC014 respectively). That earlier DSI found that part of the site previously contained a petrol station that has since been removed and redeveloped prior to 1998; while those earlier reports did not identify relevant contribution, it noted that UPSSs may not have been removed when the petrol station was redeveloped.

As with those earlier reports, investigations for the PSI were limited due to access restrictions associated with:

- The occupation of all existing commercial premises on the site, and
- Existing development (i.e. buildings, car parks, etc.) covering the entirety of the site.

Despite such constraints and noting the prior uses of the site, 12 soil samples were obtained from six boreholes across the site. Such sampling found that levels of contaminants including (but not limited to) heavy metals, Volatile Organic Compounds (**VOCs**), benzene, toluene, ethylbenzene and xylene (BTEX), phenols and asbestos were below adopted Health Investigation and Health Screening Levels. The sampling however observed:

- Increased levels of TRHs from samples in Borehole 1 that were above human health assessment criteria, and
- Exceedances of the ecological assessment Ecological Screening Levels (**ESLs**) from samples in Boreholes 1, 2, 3 and 5 (noting that the locations of Boreholes 1 and 5 correlate with the former service station and UPSSs).

Noting site access restrictions and that a DSI is unable to be undertaken at this time, the PSI recommends numerous mitigation measures; these are detailed within **Appendix C**, a summary of recommendations includes:

- A DSI is to be undertaken following demolition works, which would include assessment of the potential UPSSs, soil and groundwater contamination and (if required) a vapour intrusion assessment,
- The preparation of a RAP including a Data Gap Assessment (**DGA**) (which are generally associated with limitations associated with testing/access restrictions) to determine the site's suitability of the proposed development,
- The undertaking of a HAZMAT assessment,
- Procedures for any undiscovered contamination found during works, and
- Classification procedures for materials being removed and/or imported to the site.

Such post-demolition assessment and analysis will identify any potential sources of contamination (including any hotspots) within the site, with further investigation and contamination mitigation measures to make the site suitable for the proposed development.

Further, a FRAP has been prepared by CEC Geotechnical (**Appendix Z**), the purpose of which is to:

- Provide details of likely site remediation works that will be required as part of the development,
- Outline necessary environmental and occupation health and safety works,
- Identify how remediation works will be undertaken in accordance with relevant requirements,
- Develop validation assessment and reporting requirements, to demonstrate that remediation works are undertaken successfully, and

- Provide remediation approaches and outcomes to relevant project stakeholders and authorities.

The FRAP found that the preferred remediation approaches for varying scenarios if encountered would be as follows:

- Scenario 1: Where hydrocarbon TPH/TRH concentrations soil Health Screening Levels (**HSLs**), materials are to be excavated and appropriately disposed offsite,
- Scenario 2: Where heavy metal, carcinogenic Poly Aromatic Hydrocarbons (**PAHs**) and VOCs exceed HILs materials are to be excavated and appropriately disposed offsite,
- Scenario 3: Where hydrocarbon TPH/TRH or heavy metals in groundwater exceed HSLs and HILs, materials are to be extracted, treated and appropriately disposed offsite, and
- Scenario 4: Where UPSSs are found under existing structures, such facilities are to be excavated, decommissioned and appropriately disposed offsite.

While the findings of the report will form the basis for mitigation measures provided in **Appendix C**, an outline of mitigation measures based on current observations and findings are as follows:

- A HAZMAT assessment is to be understand prior to demolition works,
- As detailed above, a DSI of the site will be required once demolition works have been completed,
- An updated RAP is to be prepared following such further investigations, with any findings to be consistent with those within the submitted FRAP,
- A validation assessment is to be prepared completion of remediation works, with a contamination consultant to be engaged should any contamination indicators appear,
- An unexpected finds protocol is to be established prior to site preparation and construction works and implemented should indicators of contamination be identified during works,
- Any materials to be disposed offsite is to be appropriately classified in accordance with relevant guidelines,
- Any imported material is to be assessed and certified as clean fill in accordance with relevant guidelines, and
- A DMP (to supplement the DMP already prepared (see **Appendix V**) is to be prepared, with any groundwater extracted during works to be assessed and treated prior to discharge if necessary.

6.19 Ecologically sustainable development

An ESD Report has been prepared by Intrax Consulting (**Appendix AK**) which details the ESD measures implemented in the design of the development to meet and exceed sustainability guidelines and rating schemes.

The design of the development integrates ESD principles provided by the EP&A Regulation with particular regard to the precautionary principle, inter-generational equity, biological diversity and ecological integrity, improved valuation, pricing and incentive mechanisms and waste minimisation. In response to such outcomes, the following initiatives are proposed:

- The building's fabric has been designed to meet the NCC 2022 and requirements to meet BASIX project scores,
- The performance of glazed surfaces and building fabric insulation has been designed in accordance with the NCC Section J assessment,
- Heating and cooling systems have been designed to provide for target spaces only,
- Energy-efficient lighting systems are to be provided,
- Smart metering systems are to be provided enable separate metering for individual building zones and residences,
- Installation of energy efficient hot water systems (such as solar and heat pump water heating systems) are proposed,
- Provision is to be made for EV charging facilities,
- Provision of a 100% electric building (excluding any retail food tenancies),

- Provision of a PV system (with an output of approximately 50kW) on the roof for the lighting and power of common areas, and
- Water efficient water fixtures are to be installed, in addition to rainwater collection and reuse utilising a 10kL rainwater tank.

Further, external materials and surfaces that are to comprise of lighter colours refer to **Section 6.2.4**), in addition to the provision of on-structure landscaping. The ESD Report and BASIX Certificate (**Appendices AK** and **AJ** respectively) also confirm that the requirements for mid to high rise residential buildings under the Sustainable Buildings SEPP are met, including:

- BASIX energy target of 68%,
- BASIX water 40%,
- High level of NatHERS thermal performance rating – minimum 7 NatHERS Star average rating for all apartments, and
- Use of low impact materials and minimisation of resources to reduce embodied emissions.

6.20 Social impact

An SIA has been prepared by Mecone in support of the proposed development and is provided at (**Appendix O**). The SIA has been prepared in accordance with the principles set out by the International Association for Impact Assessment.

Community Engagement was undertaken as part of the SIA, which included the distribution of a project information sheet, a letterbox drop to approximately 498 dwellings, an online community survey, doorknocking of existing site tenants and an in-person community information session. During that consultation period, Mecone received four responses to the community survey, where concerns relating to increased crime, wind impacts, overshadowing and cumulative construction impacts within the area. The Applicant's response to these concerns can be found within the SIA.

A social impact significance matrix is provided within the SIA, which concludes that the development will have negligible to moderate social impacts, with impacts rated as moderate relating to beneficial outcomes delivered by increasing affordable and high amenity housing stock within an accessible area. relating to the proposed mixed-use development are negligible. Construction impacts have been rated at low once mitigation measures are implemented, such as a Construction Environmental Management Plan (**CEMP**).

The SIA concludes that the proposed development will have a net positive social benefit to the community, noting that negative and temporary impacts can be effectively mitigated to reduce their overall impact on the community during the demolition and construction phases of the project.

6.21 Waste management

6.21.1 Demolition and Construction Waste

A Construction and Demolition Waste Management Plan (**CDWMP**) has been prepared by Elephants Foot and is provided at **Appendix AA**. The DCWMP identifies the anticipated types of waste and likely waste generation rates (based on current industry standards and quantity analysis) during the demolition and construction phases.

Estimated demolition and construction waste, disposal and reuse volumes are outlined in **Table 35** below.

Table 35: Estimated demolition waste

Type of Material	Demolition waste volume (tonnes)	Approx. % recovered	Construction waste volume (tonnes)	Approx. % recovered
Excavated material	32,588.8	99.8%	-	-
Bricks	28,682.5	100%	1,056	100%
Concrete	211,476.7	100%	2,436.9	100%
Timber	222.7	33%	80.3	33%
Plasterboard and Fibro	347.4	50%	56.9	50%
Metals	470.9	100%	255.4	100%
Other waste	973.2	50%	1,025.3	50%
Totals	274,762.3		4,910.7	

In addition to identifying suitable waste management centres to which such waste would be sent and the locations of waste collection points, the DCWMP provides strategies that are to be adopted during the demolition and construction phases of the development to ensure that both waste generation is reduced and that materials are reused and recycled at rates outlined in **Table 35** above. The submitted Waste Classification Report (**WCR**) (**Appendix Y**) also identifies which excavated materials can be classified as excavated natural material (**ENM**) for export and reuse for other development projects.

6.21.2 Operational waste procedures and volumes

The Operational Waste Management Plan (**OWMP**) has been prepared by Elephants Foot, and is provided at **Appendix AB**. The OWMP identifies the anticipated types of waste and likely waste volumes to be generated by the proposed development following its occupation and the means of waste collection and disposal (noting that the occupation of specific retail and commercial premises will likely be subject to separate assessment and consent(s)).

Residential waste disposal processes are summarised as follows:

- Each dwelling has been designed to accommodate up to two days of waste.
- Access to a single waste and recycling chute will be provided on each residential level.
- Waste and recycling materials deposited in the chute to be directed to the waste storage area on the Mezzanine Level, while Good Organics and Garden Organics (**FOGO**) waste will be transferred by residents to the dedicated FOGO waste room on the Mezzanine level.
- The building manager or a waste caretaker will monitor waste and recycling bins and exchange them on the track system as required. Upon collection, the building manager will transfer the bins via a dedicated lift from the mezzanine waste storage area to the loading dock on the Ground Level for collection.
    - The building manager will also be responsible for overseeing the cleaning of the bin storage rooms.
- Residential and retail commercial waste will be collected (using Council and private waste collection vehicles respectively) within the Ground Level loading dock, for disposal at authorised waste centres.

Anticipated residential waste generation rates associated with the proposed operation of the site are outlined in **Table 36** below.

Table 36: Estimated residential operational waste, recycling and FOGO volumes

No. of units	Estimated Wate and Recycling Volumes				Estimated GOFO Volumes	
	General Waste Generation Rate (L/unit/week)	**Generated General Waste (L/week)**	**Recycling Generation Rate (L/unit/week)**	**Generated Recycling (L/week)**	**FOGO Waste Generation Rage (L/unit/week)**	**Generated FOGO Waste (L/week)**
238	135	31,995	80	18,960	25	5,925
Bins and collections	General waste bin size (L)	1,100	General recycling bin size (L)	1,100	FOGO bin size (L)	240
	General waste bins per week	29.2	General recycling bins per week	17.5	FOGO bins per week	24.8
	General waste collections per week	2	General recycling collections per week	1	FOGO collections per week	1
	Total general waste bins required	**15**	**Total general recycling bins required**	**18**	**Total FOGO bins required**	**25**
	General waste bins per week	4.2	General recycling bins per week	2.5		

Bulky waste will be stored within the dedicated storage room within Basement Level 3.

While procedures would be detailed in future development proposals, it is anticipated that waste from retail and commercial tenancies will be transported via relevant employees and/or cleaning staff to the commercial waste storage area on the Ground Level. Bins would then be transferred from that storage area to the loading bay for collection by a private waste contractor(s).

Anticipated commercial waste generation rates associated with the proposed operation of the site are outlined in **Table 37** below.

Table 37: Estimated commercial operational waste

Tenancy type	Floor area (m^2	General Waste reduction Rate (($L/100m^2$/day)	Generated General Waste (L/week)	Recycling Generation Rate ($L/100m^2$/day)	Generated Recycling (l//week)
Restaurants, café	311.5	660	14,391	130	2,835
Shops (>$100m^2$)	311.5	50	1,090	50	1,090
Offices	2,848	10	1,424	10	1,424
Total	**3,471**		**16,906**		**5,349**
Bins and collections		General waste bin size (L)	1,100	Recycling bin size (L)	1,100

	General waste bins per day	2.2	Recycling bins per day	0.7
	Total general waste bins required for 3 days	**7**	**Total General waste bins required for 3 days**	**3**

Residents will also be provided with education material (in addition to signage in bin chute and waste storage areas) regarding how waste is to be separated and disposed of.

7 Project justification

7.1 Project impacts

This section provides an overarching evaluation and justification for the development proposal – having regard to its environmental, economic, and social impacts. The principles of ecologically sustainable development are also considered.

It assesses the potential impacts of the proposed development, considering the interaction between the findings in the detailed assessments, mitigation measures and the strategic policy alignment and statutory compliance of the proposal within the relevant controls

7.1.1 Economic, social and environmental outcomes

Section 6 of this report has analysed the environmental impacts of the proposal, having regard for economic social and environmental outcomes. Further assessment has been undertaken within the specialist consultant reports appended to this EIS. Mitigation measures are proposed at **Appendix C** to ensure that environmental impacts are minimised where they may arise. In summary:

- The proposed development will result in positive economic outcomes, being estimated to create a significant number of jobs through construction and operation.
- While some temporary negative social impacts are identified associated with the construction phase, it is considered that on-balance the substantial long-term benefits of the proposal will ensure it results in an overall positive social impact.
- The environmental assessment has not identified that the proposal will result in any significant impacts to the environment.
- The proposal seeks to ensure any environmental impacts resulting from the proposed development on nearby land uses and sensitive receivers are minimised, and where required, managed through appropriate mitigation measures.

The environmental assessment undertaken has confirmed that the proposed development will not give rise to any unreasonable environmental impacts and the scale of the proposed development is supportable from a planning perspective.

7.2 Consistency with strategic policy

This EIS has demonstrated that the proposed development is consistent with the strategic framework and has been considered against key Government and Council documents including the following:

- National Housing Accord 2022
- Housing 2041 – NSW Housing Strategy
- Greater Sydney Region Plan: A Metropolis of Three Cities
- Our Greater Sydney 2056: North District Plan
- Cumberland Local Strategic Planning Statement
- Cumberland Housing Strategy
- Connecting with Country Framework
- Better Placed
- NSW Future Housing Strategy 2056

The proposal is consistent with the State and local strategic planning policies. Consistency with these strategies is achieved through the delivery of critical housing at both an affordable and market rate, on a currently underutilised site, within proximity to public transport and a diverse range of employment opportunities. The proposed development will deliver ecologically thoughtful development through the embedding of ESD measures into the design of the built form and its communal spaces.

The proposed development has the potential to provide a vibrant and liveable space that will align with the strategic vision for Merrylands town centre, by providing development that exhibits design excellence and critical market and affordable housing. As demonstrated at **Section 2.2**, the proposed development is consistent with relevant strategic policies

7.3 Compliance with statutory requirements

The relevant State and local environmental planning instruments are listed in **Section 4** and assessed in **Appendix B**. The assessment concludes that the proposal complies with the relevant provisions within the relevant instruments as summarised below:

- The proposed development has been assessed and developed in respect to the relevant objects of the EP&A Act as defined in Section 1.3 the Act and addressed in **Appendix B**.
- This EIS has been prepared in accordance with the SEARs as required by Schedule 2 of the EP&A Regulations.
- Consideration is given to the relevant matters for consideration as required under the BC Act and the SSD is supported by a BDAR waiver issued on 28 February 2025 (**Appendix AN** and **AO**).
- This SSDA pathway has been undertaken in accordance with the Planning Systems SEPP as the proposed development is classified as SSD.
- The proposal complies with the relevant development standards under CLEP 2021.
- The proposed development is generally consistent with the objectives of the E2 Commercial Centre zone as detailed in **Appendix B.**
- The proposed development has been assessed in accordance with the Resilience and Hazards SEPP and the development complies with the relevant clauses.
- The proposal generally accords with the relevant provisions of the CDCP 2021 as outlined in **Appendix B.**

7.4 Consideration of community views

Community and stakeholder engagement has been undertaken by in preparation of the SSDA. This included engagement and consultation with:

- Surrounding landowners, residents and businesses
- Government, agency, utility services and other key stakeholders

The engagement undertaken is consistent with the Undertaking Engagement Guidelines for State Significant Projects and the community engagement requirements.

Key themes of feedback received during the consultation period included:

- increased shadowing on public and private domain
- increased chance of a wind tunnel effect within Merrylands
- the opportunity to improve the public domain; and
- confusion around the definition of affordable housing

The feedback received has been incorporated into the design and assessment in the EIS. In accordance with the EP&A Regulation, the EIS will be placed on public exhibition. Following the exhibition, the Proponent will respond to submissions received during the exhibition period.

7.5 Site suitability

The site is considered to be highly suitable for the proposed development for the following reasons:

- The proposal is consistent with the objectives of the Housing SEPP, is permitted with consent and satisfactorily addresses the relevant provisions in the CLEP 2021 and CDCP 2021

- The proposed development will benefit from being located within the local centre and in proximity to Merrylands train station, supporting the economic and social growth and activity in the Merrylands centre, which aligns with the strategic vision for the area.
- The proposed development will optimise use of an underutilised site and align with strategic objectives to support the Cumberland LGA and NSW with a continued transition towards providing high-quality market and affordable housing, that has minimal environmental impact on the surrounding area.
- The bulk and scale of the proposed development is compatible and consistent with its existing and future context. There are no significant environmental constraints that would limit the project from being developed at the site.
- The site is accessible and serviced by transport, providing wider connectivity to the LGA and regional context. The site is located approximately 100m walking distance from the Merrylands train station, which provides rail, and bus connections, to Liverpool CBD and the Sydney CBD.

7.6 The public interest

The proposed development is considered to be in the public interest as it:

- is wholly consistent with relevant State and local strategic plans and complies with the relevant State and local planning controls including the relevant provisions in the CLEP 2021 and CDCP 2021.
- predominantly complies with the relevant State and local planning controls including the relevant provisions in the CLEP 2021 and CDCP 2021;
- delivers much needed housing supply that will contribute towards the NSW Government's housing targets under the Housing Accord and that is suited to the housing needs of in this part of Sydney;
- has been comprehensively assessed as outlined in this EIS, which demonstrates that the development will not have any adverse environmental impacts on nearby land uses and where required, appropriate mitigation measures are proposed;
- will facilitate the orderly and economic use and development of the land

8 Conclusion

This EIS provides a comprehensive assessment of the environmental, social and economic impacts of the proposed development from this SSDA. This EIS has addressed the requirements of the SEARs (**Appendix A**) having regard to the nature of the proposed development. The EIS has also addressed the relevant requirements contained in section 192 and 193 the EP&A Regulation. It is concluded that the proposed development can be supported and approved for the following reasons:

- The proposal is consistent with the relevant strategic policy and guidelines;
- The proposal is consistent with the relevant statutory legislation and requirements;
- The proposal is consistent with the strategic vision and objectives of additional housing supply in Greater Sydney under various strategic policies including the National Housing Accord 2022, Housing 2041 – NSW Housing Strategy, the Greater Sydney Region Plan and Central City District Plan.
- The proposal will deliver a high-quality residential development in a highly accessible area, supporting the provision of transport orientated developments in the Merrylands town centre
- The proposal will not give rise to any unreasonable economic, social or environmental impacts;
- The proposal will contribute in-fill affordable housing in a location identified as having capacity for further growth;
- The proposal encourages facilitating a healthy public domain and contribute to the vitality of the surrounding area.
- The proposal is consistent with the principles of ESD in accordance with Section 193 of the EP&A Regulation.
- The proposal has been developed based on assessment carried out in accordance with the SEARs and includes mitigation measures where required;
- The proposal has been informed by community consultation and engagement;
- The proposal is suitable for the site, is within the public interest and does not result in any adverse environmental impacts.

This EIS fulfils the requirements of the EP&A Act and Regulation, addresses all relevant matters prescribed by the SEARs and demonstrates that the potential impacts of the proposal can be satisfactorily managed or mitigated.

Accordingly, it is recommended that consent is granted for the proposal.

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