

Planning Secretary's Environmental Assessment Requirements

Section 4.12(8) of the *Environmental Planning and Assessment Act 1979*

Part 8 of the *Environmental Planning and Assessment Regulation 2021*

Application Number	SSD-96934458
Project	Shop-Top Housing - 28 Brookhollow Avenue, Norwest
Location	Lot 2071 in DP828992 within The Hills Shire
Proponent	Timothy He
Date of Issue	1 December 2025

Concurrent Rezoning

Content and guidance

The concurrent rezoning should be clearly described in a Rezoning Report which includes the following information.

Item	Supporting Information
1. Rezoning proposal - Site description - Local context - Proposed development	This section shall include: - the legal description of the site - relevant maps or diagrams - full description of the proposed development.
2. Proposed Amendments - Address all relevant legislation, environmental planning instruments (EPIs) (including drafts), plans, policies, guidelines and planning circulars. - Identify compliance with applicable development standards and provide an explanation of proposed amendments. - Land application - Land use zoning - Height of buildings - Floor space ratio - Minimum allotment sizes (if applicable) - Provision of affordable housing - Site specific provisions - Development Control Plan (DCP) (if applicable) - State Environmental Planning Policies (SEPPs) - Contributions - State contributions - Local contributions	An explanation of the provisions that are to be included in the proposed legislative changes. This section should be clearly stated and contain enough information on the proposal including but not limited to: proposed zones and/or development standards if known at this stage.

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3. Strategic and Site-Specific Merit - Regional Plans and strategies - Local strategic documents (e.g. LSPS, Housing Strategy)	- The proposals demonstrated alignment with the NSW strategic planning framework or current government priority. - A proposal's demonstrated environmental, social and economic impact on the site and surrounds and ability to be accommodated within the capacity of the current and/or future infrastructure and services.
4. Relevant Issues Including, but not limited to the following: - Connecting with Country - Environmental - Flooding - Bushfire - Biodiversity - Contamination - Heritage - Social and Economic - Urban Design - Affordable housing - Public benefit - Economic benefits - Infrastructure funding and delivery - Transport - Utilities - Assess the cumulative impact of the proposal. The assessment must consider other known future uplift that is proposed within a 5km travelling distance to the site	The section shall cover off all relevant issues relating to the subject site and proposed changes.

via the existing road network. This would include Local Development Applications, Planning Proposals, SSDs, and declared Housing Delivery Authority projects. The assessment is to be prepared in accordance with 'Cumulative Impact Assessment Guidelines for State Significant Projects' dated October 2022.	
5. Consultation • Demonstrate that engagement and consultation activities have been undertaken in accordance with the Undertaking Engagement Guidelines for State Significant Projects and identify how issues raised, and feedback received have been considered in the design of the project.	Details of consultation undertaken with Government agencies, council or other authorities, and community consultation that is to be undertaken in relation to the proposal.
6. Annexures • Proposed statutory maps. • Table which compares existing vs proposed changes to The Hills Shire (2019) LEP. • Map of all known future uplift that is proposed within a 5km travelling distance to the site via the existing road network.	Include details of the existing and proposed maps, where relevant, to identify the effect of the proposed changes and the area to which it applies.

Environmental Impact Statement Requirements

Content and guidance

The Environmental Impact Statement (EIS) must meet the minimum form and content requirements as prescribed by Part 8 of the Environmental Planning and Assessment Regulation 2021 (EP&A Regulation) and the State Significant Development Guidelines. The EIS must also address the issues set out below. Relevant policies, guidelines and planning circulars can be found at <https://www.planningportal.nsw.gov.au/major-projects/assessment/policies-and-guidelines>

Issue and Assessment Requirements	Supporting Documentation
1. Statutory Context • Address all relevant legislation, environmental planning instruments (EPIs) (including drafts), plans, policies, guidelines and planning circulars. • Identify compliance with applicable development standards and provide a detailed justification for any non-compliances. • Provide an explanation of how the development as described in the EIS is consistent with the development as was described in the request for SEARs (including any components that were not SSD) and provide a justification for any differences. • Address the requirements of any approvals applying to the site, including any concept approval, any endorsed or draft master plan, precinct plan or any recommendation from Gateway determination. • Provide an accurate summary of the detailed assessment of the impacts of the project and integrate the findings and recommendations of technical reports into the justification and evaluation of the project as a whole. • If affordable housing is being proposed, provide the name and ABN of the registered community housing provider that will be responsible for managing the affordable housing component, along with documentation confirming the provider's agreement to this responsibility • Address all comments raised by Council, TfNSW and Sydney Metro in appendices 1 to 3.	<u>If required:</u> Clause 4.6 Variation Request (for any non-compliances with applicable development standards)
2. Estimated Development Cost and Employment • Provide the estimated development cost (EDC) of the development prepared in accordance with the relevant planning circular using the Standard Form of EDC Report.	EDC Report
3. Contributions and Public Benefit • Address the requirements any relevant contribution plan(s), planning agreement or EPI requiring a monetary contribution,	Address in EIS <u>If required:</u>

dedication of land and/or works-in-kind agreement. and include details of any proposal for further material public benefit. Where a voluntary planning agreement is proposed, prepare a draft planning agreement in accordance with the <i>Planning agreements – Practice note - February 2021</i>.	Draft planning agreement
4. Engagement - Demonstrate that engagement and consultation activities have been undertaken in accordance with the <i>Undertaking Engagement Guidelines for State Significant Projects</i> and identify how issues raised, and feedback received have been considered in the design of the project. - If the development would have required an approval or authorisation under another Act but for the application of s 4.41 of the EP&A Act or requires an approval or authorisation under another Act to be applied consistently by s 4.42 of the EP&A Act, the agency relevant to that approval or authorisation must be consulted. - Respond to agency advice contained in Appendices 1 to 3.	Engagement Report
5. Design Quality - Demonstrate how the development will achieve: - design excellence in accordance with any applicable EPI provisions. - good design in accordance with the seven objectives for good design in Better Placed. - Demonstrate that the development: - where required by an EPI or concept approval, or where proposed, has been subject to a competitive design process, carried out in accordance with an endorsed brief and Design Excellence Strategy; or - in all other instances, has been reviewed by the State Design Review Panel (SDRP) where required under the NSW SDRP: Guidelines for Project Teams. - Recommendations of the jury and Design Integrity Panel (where a competitive design process has been held) or the SDRP are to be addressed prior to lodgement. - Respond to comments raised by the Hills Shire Council in relation to design excellence and built form and amenity in Appendix 1 and 1.1.	Design Excellence Strategy (where design excellence is required by an EPI) Competition Report (where a competitive design process has been held) Design Review Report (where the project has been reviewed by the SDRP)
6. Built Form and Urban Design Demonstrate how the proposed built form (layout, height, bulk, scale, separation, setbacks, interface and articulation) addresses and responds to the context, site characteristics, streetscape and existing and future character of the locality. Where relevant explain and illustrate the application of any bonuses under an EPI.	Architectural Drawings Design Report Survey Plan

• Conduct and provide a detailed site and context analysis that identifies strategic context, opportunities and constraints and a set of urban design principles and objectives that underpin the proposal. • If relevant, provide an assessment of the development against: a. the design principles for residential apartment development set out in Schedule 9 of the Housing SEPP and the <i>Apartment Design Guide</i> (ADG). This should include a table which demonstrates how each dwelling (including affordable dwellings) performs against the ADG design criteria. • If affordable housing is proposed, provide a floorplan outlining the gross floor area and dwellings that are provided as affordable housing.	Schedule of Colours, Materials and Finishes Design Verification Statement
7. Environmental Amenity • Assess amenity impacts on the surrounding locality, including solar access, visual privacy, view loss and view sharing, as well as wind, lighting and reflectivity impacts. A high level of environmental amenity for any surrounding residential or other sensitive land uses must be demonstrated. • Provide a solar access analysis of the overshadowing impacts of the development within the site, on surrounding properties and public spaces specifically to the south of the site (during winter solstice) at hourly intervals between 9am and 3pm, comparing the proposed development, existing situation and where applicable, a development with no bonuses applied.	Shadow Diagrams Chapter 4 Housing SEPP Assessment (ADG) <u>If required:</u> View Impact Analysis
8. Visual Impact • Provide a visual analysis of the development from key viewpoints, including photomontages or perspectives showing the proposed and likely future development. • If the proposal would result in significant visual impact not anticipated by the planning controls, provide a visual impact assessment that addresses the visual impacts of the development on the existing catchment.	Visual Impact Analysis <u>If required:</u> Visual Impact Assessment
9. Transport • Provide a Transport Impact Assessment (TIA) in accordance with the processes and methodology recommended in the <i>Guide to Transport Impact Assessment</i> (GITA) published by TfNSW. • If the construction of the development would cause interruptions to regular pedestrian and transport routes (including public transport, active transport or general traffic), a preliminary Construction Traffic (or Transport) Management Plan (CTMP) should be prepared as part of the TIA to mitigate any such impacts.	Transport Impact Assessment <u>If required:</u> Preliminary Construction Traffic (or Transport) Management Plan

• The Transport Impact Assessment (TIA) must include assessment of the safety and functionality of the development's proposed multimodal access arrangements and internal road/path (if applicable), including service and parking areas for all user groups (e.g. freight and servicing, general traffic, visitor parking, disabled parking, car share and car charging), and pedestrians and cyclists. The provision of well-designed active transport connections both within the site and linking to the surrounding area is essential. • A statement by a chartered / registered engineer that the basement carpark and associated access comply with AS2890 and that any new or modified driveway has sufficient sight distance and appropriate dimensions for the design vehicle (refer GTIA Section 7.3.1). If the designs do not comply with standards, deficiencies should be documented and justified. Swept path plans must be provided to demonstrate the compliance. • Consultation with The Hills Shire Council to confirm the specifications of waste collection vehicle servicing the development, including vehicle dimensions, access, headroom clearance and operational requirements. The basement and waste storage design must incorporate these specifications to ensure safe and efficient access for Council waste collection vehicles. Evidence of consultation and design compliance including swept path and vertical clearance analysis must be included in the TIA.	
10. Noise and Vibration • Provide a noise and vibration impact assessment prepared in accordance with the relevant NSW Environment Protection Authority (EPA) guidelines. The assessment must detail construction and operational noise and vibration impacts on nearby sensitive receivers and structures and outline the proposed management and mitigation measures that would be implemented.	Noise and Vibration Impact Assessment
11. Water Management • Detail the proposed drainage design and servicing infrastructure to be incorporated as part of the development (stormwater and wastewater). • Demonstrate how the development complies with council's drainage requirements and identify proposed stormwater treatment and water quality management measures to minimise adverse environmental impacts.	Integrated Water Management Plan
12. Ground and Groundwater Conditions • Assess potential impacts on soil resources and related infrastructure and riparian lands on and near the site and including soil erosion.	Geotechnical Assessment <u>If required:</u>

Where required provide a Groundwater Impact Assessment in accordance with relevant Groundwater Guidelines. If the proposed development is on land identified as having high salinity or acid sulfate soil potential in an EPI provide a Salinity Management Plan or Acid Sulfate Soil Management Plan that includes appropriate management measures and strategies.	Groundwater Impact Assessment Salinity Management Plan Acid Sulfate Soils Management Plan
13. Contamination and Remediation In accordance with Chapter 4 of the <i>State Environmental Planning Policy (Resilience and Hazards) 2021</i>, assess and quantify any soil and groundwater contamination and demonstrate that the site is suitable (or will be suitable, after remediation) for the development.	Preliminary Site Investigation Report <u>If required:</u> Detailed Site Investigation Remedial Action Plan Preliminary Long-term Environmental Management Plan
14. Trees and Landscaping - Provide a landscape plan, that: - details the proposed site planting, including location, number and species of plantings, heights of trees at maturity and proposed canopy coverage (as a percentage of the site area). - provides evidence that opportunities to retain significant trees have been explored and/or inform the plan. - If the proposal involves impacts to trees, provide an Arboricultural Impact assessment that assesses the number, location, condition and significance of trees to be removed and retained including: - any existing canopy coverage to be retained on-site. - tree root mapping. if the proposal involves significant impacts to tree-protection zones of retained trees identified as being significant	Landscape Plan <u>If required:</u> Arboricultural Impact Assessment
15. Ecologically Sustainable Development (ESD) - Identify how ESD principles (as defined in section 193 of the EP&A Regulation) are incorporated in the design and ongoing operation of the development. - Where relevant, provide an assessment of the development against the standards for non-residential development set out in Chapter 3 of <i>State Environmental Planning Policy (Sustainable Buildings) 2022</i>.	ESD Report BASIX Certificate

16. Biodiversity - Unless a waiver has been granted, provide a Biodiversity Development Assessment Report (BDAR) that assesses any biodiversity impacts associated with the development in accordance with the <i>Biodiversity Conservation Act 2016</i> and the <i>Biodiversity Assessment Method 2020</i>. OR - If the development is on biodiversity certified land, provide information to identify the site (using associated mapping) and demonstrate the proposed development is consistent with the relevant biodiversity measure conferred by the biodiversity certification.	Biodiversity Development Assessment Report or BDAR Waiver
17. Waste Management - Provide the measures to be implemented to manage, reuse, recycle and safely dispose of waste, including in accordance with any council waste management requirements. - Identify appropriately sited waste storage areas, collection access paths/roads, and appropriate servicing arrangements for the site.	Waste Management Plan
18. Social Impact The EIS must consider social impacts and, should any significant social impacts be identified, a Social Impact Assessment must be prepared in accordance with the <i>Social Impact Assessment Guideline for State Significant Projects</i>.	Address in EIS <u>If required:</u> Social Impact Assessment in accordance with the guidelines
19. Economic Impact - An economic impact assessment must be prepared. At a minimum the economic impact must address: - The cumulative impacts of the proposed development to the long-term economic impacts to The Hills Shire Council. - Provide an analysis of demand for retail and other population serving uses of the proposed development. - Address all comments raised by Council in Appendix 1 and 1.1 .	Address in EIS Economic Impact Statement.
20. Flood Risk - Identify the flood planning area and level as set out in the relevant EPI and other supporting documents to determine; - The flood extent and velocity up to the Probable Maximum Flood and risk on-site having regard to	<u>If required:</u> Flood Impact and Risk Assessment (FIRA)

adopted flood studies and, floodplain risk management studies and plans ○ The site access and egress routes ○ the potential effects of climate change, ○ any relevant provisions of the <i>NSW Flood Risk Management Manual</i>, and any other relevant guidelines • Where the development is occurring on flood prone land a flood impact and risk assessment (FIRA) must be prepared having regard to the <i>Flood Impact and Risk Assessment – Flood Risk Management Guide LU01</i>. When determining the scope and category of the FIRA the requirements outlined in the FIRA guide must be considered. • Detail any flood risk management measures that are to be incorporated as part of the development having regard to relevant guidelines (including any design solutions, flood modification measures, property modification measures, operational procedures or Flood Emergency Response Plan).	
21. Bush Fire Risk • If the development is on mapped bush fire prone land, or a bush/grass fire threat is identified on or adjoining the site, provide a bush fire assessment that details proposed bush fire protection measures and demonstrates compliance with <i>Planning for Bush Fire Protection</i>.	<u>If required:</u> Bush Fire Assessment
22. Aboriginal Cultural Heritage • Where there is known, or reasonably likely, to be Aboriginal cultural heritage on or near the site demonstrate that impacts have been adequately investigated and assessed by: ○ Identifying that an appropriate prior planning process has already considered these impacts, e.g. a rezoning or development application, or ○ Providing an initial assessment of the potential impacts. • If potential impacts are significant, provide an Aboriginal Cultural Heritage Assessment Report (ACHAR) which: ○ Identifies, describes and assesses any impacts to Aboriginal cultural heritage sites or values associated with the site. ○ Is prepared in accordance with relevant guidelines.	<u>If required:</u> Aboriginal Cultural Heritage Assessment Report
23. Environmental Heritage • Where there is potential for direct or indirect impacts on environmental heritage, provide a Statement of Heritage Impact and Archaeological Assessment (where required), in accordance with the relevant guidelines.	<u>If required:</u>

	Statement of Heritage Impact Archaeological Assessment
24. Public Space • If public space is proposed as part of the development, demonstrate how the development: - o maximises the amount, access to and quality of public spaces (including open space, public facilities and streets/plazas within and surrounding the site), reflecting relevant design guidelines and advice from the local council and the Department. - o provides accessible public space. - o maximises permeability and connectivity. - o maximises the amenity of public spaces in line with their intended use, such as through adequate facilities, solar access, shade and wind protection. - o maximises street activation. - o minimises potential vehicle, bicycle and pedestrian conflicts.	<u>If required:</u> Public Space Plan
25. Hazards and Risks • If the development is affected by above ground dangerous goods storages from the surrounding developments and/or underground high-pressure dangerous goods pipelines in the vicinity of proposal location: - o Report on any consultation outcomes with operators. - o Consider whether the development would cause these storages non-compliance with <i>Australian Standards</i>. • Where applicable, provide a Hazard Analysis in line with relevant guidelines and planning circular.	<u>If required:</u> Hazard Analysis

Attachment 1
Government Authority Responses to Request for Key Issues
For Information Only

Appendix 1 and 1.1
The Hills Shire Council Comments

Appendix 2
Transport for NSW

Appendix 3
Sydney Metro