

Notice of decision SSD 9063

Section 2.22 and clause 20 of Schedule 1 of the *Environmental Planning and Assessment Act 1979*

Application type	State significant development
Application number and project name	SSD 9063 Tallawong Station Precinct South
Applicant	Landcom on the behalf of Sydney Metro
Consent Authority	Minister for Planning

Decision

The Minister for Planning has, under section 4.38 of the *Environmental Planning and Assessment Act 1979* (the Act), granted consent to the development application subject to the recommended conditions.

A copy of the development consent and conditions is available here:

http://www.majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=9063

A copy of the Department of Planning and Environment's Assessment Report is available here:

http://www.majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=9063

Date of decision

21 February 2019

Reasons for decision

The following matters were taken into consideration in making this decision:

- the relevant matters listed in section 4.15 of the Act and the additional matters listed in the statutory context section of the Department's Assessment Report;
- the prescribed matters under the *Environmental Planning and Assessment Regulation 2000*;
- the objects of the Act;
- all information submitted to the Department during the assessment of the development application;
- the findings and recommendations in the Department's Assessment Report; and
- the views of the community about the project (see Attachment 1).

The findings and recommendations set out in the Department's Assessment Report were accepted and adopted as the reasons for making this decision.

Additional reasons for making the decision are also recorded in the Department's Assessment Report.

The key reasons for granting consent to the development application are as follows:

- Consistent with NSW Government and Local Policies – the project is consistent with NSW Government and Blacktown Council policies including the Greater Sydney Region Plan, the Central City District Plan and the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Growth Centres SEPP). The proposal is permissible with consent and generally compliant with the key development standards that govern density and scale.
- *Benefits* – the project would provide a range of benefits for the region and the State as a whole, including improving housing choice and affordability in the North West Priority Growth Area and will deliver a mixed-use precinct serviced by the new high frequency metro train service.
- *Impacts can be managed* – the impacts on the community and the environment can be appropriately minimised, managed or offset to an acceptable level, in accordance with applicable NSW Government policies and standards
- *Community views considered* – the issues raised by the community during consultation and in submissions have been considered and adequately addressed within the Environmental Impact Statement, Response to Submissions and the recommended conditions of consent. Refer to Attachment 1 in this regard
- weighing all relevant considerations, the project is in the public interest.

Attachment 1 – Consideration of Community Views

The Department publicly exhibited the Environmental Impact Statement (EIS) between 12 July 2018 and 9 August 2018 and received a total of 31 submissions, including:

- 11 from public authorities providing advice and comments
- objection from Council
- 20 public submissions (with 12 objections, three support letters and five providing comments).

The Department visited the site and its surrounds and also met with Council and the Applicant to listen to Council's issues of concern and to facilitate resolution.

The key issues raised by the community (including in submissions) and considered in the Department's Assessment Report and by the decision maker include sufficiency of open space and car parking to support the proposed development. Some public submissions considered the proposed eight storey building height is too high and also provided general comments on noise and construction impacts. Other issues raised by the community are addressed in detail in the Department's Assessment Report.

The key issues considered are summarised below.

Issue	Consideration
<i>Building forms: Density and Building Height</i>	
<ul style="list-style-type: none"> the height of the development represents an overdevelopment of the site 	<ul style="list-style-type: none"> the proposal has an FSR of 1.33:1 and complies with the maximum permissible FSR of 1.75:1 under the Growth Centres SEPP the Department accepts the proposal's variation to the 26 m height standard is well founded and the proposed range of building heights from two to eight storeys will accommodate different building typologies and is consistent with the maximum building scale of eight storey envisaged for the Area 20 Precinct. Council considers the variation to building height acceptable.
	<p><i>Conditions</i></p> <p>Conditions require subsequent detailed design applications to be supported by a Design Excellence Strategy and Design Quality Guidelines to ensure good quality urban design outcomes and a high level of residential amenity will be achieved for the site, specifically:</p> <ul style="list-style-type: none"> design the built form including upper level setbacks and landscaping of the blocks fronting Schofields Road, to address the urban qualities of Schofields Road and the adjacent low density residential suburb of The Ponds buildings are to be configured to distribute density and building height across the precinct with consideration to improve solar access to apartments, communal open space and the public realm.

<p><i>Open space and public domain</i></p> <ul style="list-style-type: none"> the open space areas should be increased to support the proposed capacity of the precinct Council and the Office of Environment and Heritage requested changes to plant species and street furniture 	<p><i>Assessment</i></p> <ul style="list-style-type: none"> the Applicant increased the proposed Village Park and reconfigured the public plaza to achieve better solar access. The Department accepts the proposed Village Park is of sufficient size to meet the statutory requirements under the Growth Centres SEPP and is satisfied that future residents of the development will have good access to a range of local and regional open spaces the Concept Proposal is supported by a Landscaping and Public Domain Strategy identifying suitable landscaping and public domain treatments for the proposed Village Park, streets and pedestrian and cycle links to establish the public domain character for the precinct. <p><i>Conditions</i></p> <p>Conditions include the Landscaping and Public Domain Strategy be updated with the amendments requested by Council and the Office of Heritage and Environment. The Design Quality Guidelines will set out design principles to establish a local open space network that is integrated with and connected to the wider green infrastructure of the district.</p>
<p><i>Car parking</i></p> <ul style="list-style-type: none"> insufficient car parking is provided to meet the demands of residents and non-residential uses 	<p><i>Assessment</i></p> <ul style="list-style-type: none"> the Department notes the proposed car parking rate for residential dwellings complies with the requirements of RMS Guidelines for sub-regional centres and the Apartment Design Guide (ADG) the Department accepts that the reduced car parking rates proposed for the residential visitor spaces and non-residential uses is reasonable given the site's access to high frequency rail services, the limited tenancy size and local catchment of the proposed non-residential uses and parking rates of comparable precincts a parking strategy can be explored to maximise the efficient use of car spaces including the sharing of parking spaces between land uses. <p><i>Conditions</i></p> <p>Conditions include the adoption of the independent traffic consultant's recommendations that future detailed design applications should explore potential sharing of car spaces between land uses to maximise efficient use of car spaces.</p>
<p><i>Waste management</i></p> <ul style="list-style-type: none"> waste management details are required for the ongoing 	<p><i>Assessment</i></p>

<p>management of each residential and non-residential use</p> <ul style="list-style-type: none"> • Council and the EPA have requested changes and additional details relating to waste 	<p>Waste management details for each building within the proposal and the site in general can be identified and resolved with the detailed development application(s).</p> <p><i>Conditions</i></p> <p>Conditions include detailed waste information being provided with detailed development application(s) consistent with information provided by council and the EPA.</p>
<p><i>Construction and other impacts</i></p> <ul style="list-style-type: none"> • noise and vibration impacts from construction will effect the amenity of the area 	<p><i>Assessment</i></p> <p>Construction impacts from the proposal can be identified and addressed with the detailed development application(s).</p> <p><i>Conditions</i></p> <p>Conditions require future detailed development application(s) to provide analysis and assessment of the impacts of construction as part of a Construction Environmental Management Plan.</p>