



## **Statement of Environmental Effects**

### **Proposed Mixed Use Development**

**34-46 Flushcombe Road, Blacktown**

**Prepared by Willowtree Planning Pty Ltd on  
behalf of Eastview (Aust) Pty Ltd**

**February 2021**

## Statement of Environmental Effects

Proposed Mixed Use Development  
34-46 Flushcombe Road, Blacktown

---

### Document Control Table

Document Reference:	WTJ20-207_SEE		
Date	Version	Author	Checked By
20 January 2021	DRAFT 1	R. Streeter	A. Cowan
19 February 2021	FINAL	R. Streeter	A. Cowan

© 2021 Willowtree Planning Pty Ltd

This document contains material protected under copyright and intellectual property laws and is to be used only by and for the intended client. Any unauthorized reprint or use of this material beyond the purpose for which it was created is prohibited. No part of this work may be copied, reproduced or transmitted in any form or by any means, electronic or mechanical, including photocopying, recording, or by any information storage and retrieval system without express written permission from Willowtree Planning Pty Ltd.

## Statement of Environmental Effects

Proposed Mixed Use Development  
34-46 Flushcombe Road, Blacktown

---

## CONTENTS

<b>PART A</b>	<b>PRELIMINARY .....</b>	<b>1</b>
1.1	INTRODUCTION.....	1
1.2	PRE-APPLICATION MEETINGS .....	1
<b>PART B</b>	<b>SITE ANALYSIS.....</b>	<b>2</b>
2.1	SITE DESCRIPTION AND EXISTING DEVELOPMENT .....	2
2.2	LOCAL AND REGIONAL CONTEXT .....	3
<b>PART C</b>	<b>THE PROPOSAL.....</b>	<b>5</b>
3.1	AIMS AND OBJECTIVES OF THE PROPOSAL.....	5
3.2	DESCRIPTION OF THE PROPOSAL .....	5
3.3	PROPOSED OPERATIONS .....	9
<b>PART D</b>	<b>LEGISLATIVE AND POLICY CONTEXT .....</b>	<b>10</b>
4.1	ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 .....	10
4.2	ENVIRONMENTAL PLANNING AND ASSESSMENT REGULATION 2000 .....	10
4.3	STATE ENVIRONMENTAL PLANNING POLICY (INFRASTRUCTURE) 2007.....	10
4.4	STATE ENVIRONMENTAL PLANNING POLICY NO. 55 – REMEDIATION OF LAN .....	11
4.5	STATE ENVIRONMENTAL PLANNING POLICY NO. 65 – DESIGN QUALITY OF RESIDENTIAL APARTMENT DEVELOPMENT .....	12
4.6	STATE ENVIRONMENTAL PLANNING POLICY (STATE AND REGIONAL DEVELOPMENT) 2011..	13
4.7	BLACKTOWN LOCAL ENVIRONMENTAL PLAN 2015 .....	13
4.8	DRAFT ENVIRONMENTAL PLANNING INSTRUMENTS.....	21
4.9	BLACKTOWN DEVELOPMENT CONTROL PLAN 2015 .....	21
<b>PART E</b>	<b>PLANNING ASSESSMENT.....</b>	<b>22</b>
5.1	LIKELY IMPACTS.....	22
5.1.1	CONTEXT AND SETTING.....	22
5.1.2	DESIGN AND APPEARANCE .....	22
5.1.3	LANDSCAPE AND TREES .....	23
5.1.4	LOCAL AMENITY .....	23
5.1.5	CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN .....	23
5.1.6	SOCIAL IMPACT .....	25
5.1.7	TRAFFIC AND TRANSPORT .....	25
5.1.8	NOISE AND VIBRATION.....	28
5.1.9	STORMWATER AND CIVIL ENGINEERING .....	30
5.1.10	GEOTECHNICAL ENGINEERING .....	31
5.1.11	SOIL CONTAMINATION .....	31
5.1.12	BCA, FIRE AND ACCESS .....	32
5.1.13	ENERGY EFFICIENCY .....	32
5.1.14	HERITAGE .....	33
5.1.15	WASTE .....	33
5.1.16	CONSTRUCTION.....	33
5.1.17	CUMULATIVE IMPACTS.....	34
5.2	SUITABILITY OF SITE FOR DEVELOPMENT.....	34
5.3	SUBMISSIONS .....	34
5.4	THE PUBLIC INTEREST.....	34
<b>PART F</b>	<b>CONCLUSION.....</b>	<b>35</b>

## Statement of Environmental Effects

Proposed Mixed Use Development  
34-46 Flushcombe Road, Blacktown

---

### FIGURES

Figure 1. Existing Site Development (SIX Maps 2020).....	2
Figure 2. Cadastral Map (SIX Maps 2020) .....	3
Figure 3. Site Context Map (SIX Maps 2020) .....	4
Figure 4. Proposal Photomontage- Flushcombe Road (Marchese Partners 2021) .....	7
Figure 5. Proposal Photomontage- Cobb Lane (Marchese Partners 2021) .....	8
Figure 6. Zoning Map (NSW Legislation 2020).....	15
Figure 7. Nearest Noise Sensitive Receivers (WSP 2021).....	28

### TABLES

Table 1. Proposed Development Particulars .....	5
Table 2. Proposed Operations .....	9
Table 3. BLEP2015 B4 Zone Objectives.....	15
Table 4. BLEP2015 Development Standards and Provisions.....	16
Table 5. Estimated Traffic Generation (Varga 2021) .....	26
Table 6. Car Parking Rates.....	26
Table 7. Recommended Parking Rates and Proposed Parking Provision (Varga 2021) .....	27
Table 8. Nearest Noise Sensitive Receivers (WSP 2021).....	28
Table 9. NPfI PNTLs (WSP 2021) .....	29
Table 10. OLGR Criteria (WSP 2021) .....	29
Table 11. ISEPP Internal Noise Criteria for Residential Areas.....	30

### APPENDICES

Appendix 1	Clause 4.6 Variation – Building Height
Appendix 2	DCP Compliance Assessment
Appendix 3	ADG Compliance Assessment
Appendix 4	Survey Plan
Appendix 5	Architectural Drawings
Appendix 6	Digital Model
Appendix 7	Design Statement
Appendix 8	Landscape Plans
Appendix 9	Civil Plans and Report
Appendix 10	Geotechnical Investigation
Appendix 11	Phase 1 Preliminary Site Investigation
Appendix 12	Traffic and Parking Assessment Report
Appendix 13	Noise Impact Assessment
Appendix 14	BCA Report
Appendix 15	Fire Engineering Statement
Appendix 16	Access Report
Appendix 17	Energy Efficiency Statement
Appendix 18	BASIX Report
Appendix 19	Operational Plan of Management
Appendix 20	Waste Management Plan
Appendix 21	Quantity Surveyor's Report
Appendix 22	Pre-Application Meeting Minutes 08 July 2020
Appendix 23	Pre-Application Meeting Minutes 16 November 2020
Appendix 24	Matrix of Council Meeting Minutes
Appendix 25	Social Impact Assessment
Appendix 26	Hazardous Materials Survey
Appendix 27	Heritage Impact Statement

## Statement of Environmental Effects

Mixed Use Development

34-46 Flushcombe Road, Blacktown

---

## PART A PRELIMINARY

### 1.1 INTRODUCTION

This Statement of Environmental Effects (SEE) has been prepared by Willowtree Planning Pty Ltd on behalf of Eastview (Aust) Pty Ltd, and is submitted to Blacktown City Council to support a Development Application (DA) for the proposed mixed use development at 34-46 Flushcombe Road, Blacktown (Lot 1 DP 505151, Lots 2 & 3 DP 207431, Lots 1 & 2 DP 502489, Lot 7 DP 219417 and Lot 8 DP 591040).

The mixed use development is proposed to incorporate a ground level pub with dining and gaming areas, function rooms on level 1, upper level residential apartments, a rooftop communal area (for residents), and basement car parking.

Accordingly, the proposal would support increased activation, economic activity and job creation within Blacktown city centre, whilst also providing a significant supply of new housing within immediate proximity of jobs, services and public transport.

Through the proposed mix of uses and introduction of a new residential population, the proposal would enliven the city centre during the daytime and night-time, supporting a 24/7 community and economy.

The built form has been architecturally-designed to create an active frontage, human-scale podium and highly-articulated tower, within a contiguous built form that will uplift the character and quality of the streetscape and skyline. The proposed 16 storey building height and 9.17:1 Floor Space Ratio (FSR) generally reflect the scale and intensity of development promoted for the site and city centre through the recently gazetted Planning Proposal for Blacktown Central Business District (CBD) (PP\_2020\_BLACK\_002\_00). Whilst some projections above the 50m height plane are proposed, these are limited to some sections of the ceiling above level 15 and otherwise to non-habitable rooftop structures. The height variation has been justified in accordance with Clause 4.6 of *Blacktown Local Environmental Plan 2015* (BLEP2015).

Overall, the proposal would provide a major contribution to the revitalisation of Blacktown city centre, through its injection of living, working, visiting and recreational opportunities within an architecturally-designed focal development on a strategically-located site.

All proposed uses are permissible with consent in the B4 Mixed Use zone pursuant to BLEP2015.

This SEE provides an assessment of the proposed development against the relevant matters for consideration under Section 4.15 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and the *Environmental Planning and Assessment Regulation 2000* (EP&A Regulation). The relevant planning instruments and policies assessed include BLEP2015 and *Blacktown Development Control Plan 2015* (BDCP2015). Based on the assessment undertaken, it is recommended that Council's favorable consideration to the approval of the DA be given.

### 1.2 PRE-APPLICATION MEETINGS

Two (2) pre-application meetings have been held with Blacktown City Council in relation to the proposal, on 08 July 2020 and 16 November 2020, respectively. It is noted that another meeting was also held on 06 November 2020, but this did not constitute a formal pre-application meeting.

The Meeting Minutes issued by Council are included at **Appendices 22** and **23**, and the Matrix at **Appendix 24** demonstrates how the development proposed subject of this DA has responded to the matters identified within Council's Minutes.



## Statement of Environmental Effects

Proposed Mixed Use Development  
34-46 Flushcombe Road, Blacktown

### PART B SITE ANALYSIS

#### 2.1 SITE DESCRIPTION AND EXISTING DEVELOPMENT

The subject site is identified as 34-46 Flushcombe Road, Blacktown, being legally described as Lot 1 DP 505151, Lots 2 & 3 DP 207431, Lots 1 & 2 DP 502489, Lot 7 DP 219417 and Lot 8 DP 591040.

The site exhibits an approximate area of 1,592.096m<sup>2</sup> with a primary frontage to Flushcombe Road to the west and a secondary frontage to Cobb Lane to the east.

To the north and south the site is attached to a two (2) storey commercial row comprising ground floor retail frontages and first floor office and business space. To the west Blacktown Visitor Information and Heritage Centre, a public plaza and a redundant multi-storey commercial building are located on the opposite side of Flushcombe Road, and to the east private parking and loading areas associated with commercial premises are located on the opposite side of Cobb Lane.

In its existing state the site forms part of a two (2) storey commercial row and includes multiple shopfronts at ground level with office/business premises above. To the rear, accessed via Cobb Lane, the site includes private parking and loading areas.

The site is shown in **Figure 1** and **Figure 2** below.



**Figure 1. Existing Site Development (SIX Maps 2020)**

## Statement of Environmental Effects

Proposed Mixed Use Development  
34-46 Flushcombe Road, Blacktown



**Figure 2. Cadastral Map (SIX Maps 2020)**

### 2.2 LOCAL AND REGIONAL CONTEXT

The subject site is located in the suburb of Blacktown within Blacktown Local Government Area (LGA).

The site is situated within Blacktown town centre and accordingly the surrounding context exhibits a commercial character. Nearby development includes two (2) storey commercial rows with street level retail frontages and upper level offices or business premises, the six (6) storey commercial building to the south occupied by Council, Westpoint shopping centre to the west (up to four (4) storeys), and the five (5) storey redundant commercial building to the north-west.

The site is serviced by public transport, being within 300m walking distance of Blacktown train station as well as several bus stops.

The local and regional context is shown in **Figure 3**.



## Statement of Environmental Effects

Proposed Mixed Use Development  
34-46 Flushcombe Road, Blacktown

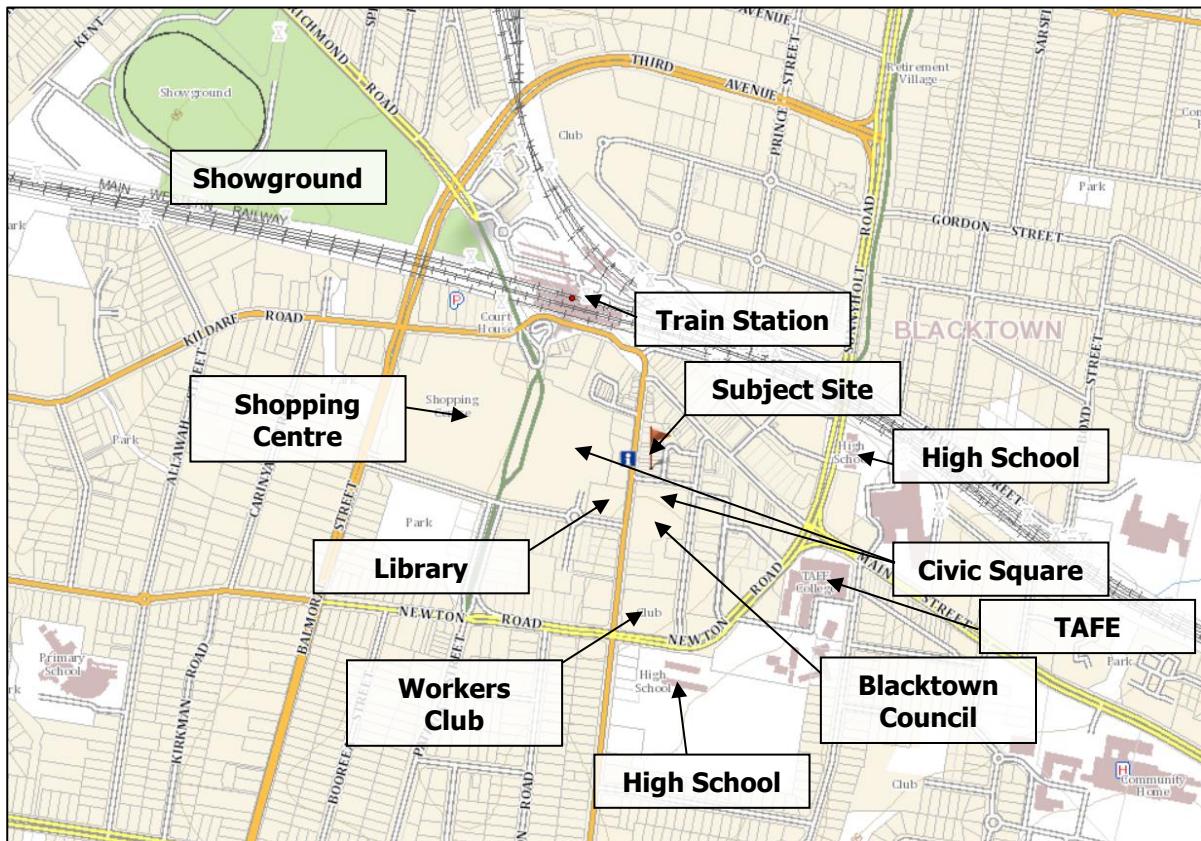


Figure 3. Site Context Map (SIX Maps 2020)



## **PART C THE PROPOSAL**

### **3.1 AIMS AND OBJECTIVES OF THE PROPOSAL**

This DA seeks to deliver a mixed use development on the site. This primary aim is underpinned by the following objectives:

- Co-locate a mix of uses within a built form that, coupled with effective operational management, ensures compatibility, operational efficiencies, amenity, accessibility and convenience.
- Promote multi-purpose visitation and reduce the need to travel, with associated environmental, productivity and lifestyle benefits.
- Complement the range of existing and future surrounding land uses, integrate with the variety of built form densities in the city centre and respond to the strategic location of the site within Blacktown CBD and in immediate proximity to jobs, services and public transport.
- Catalyse the rejuvenation of Blacktown city centre.
- Promote the activation of the site and local centre and enhance the vibrancy of the CBD on a 24/7 basis.
- Inject a significant supply of new housing, creating new opportunities for a residential community to establish within the CBD and contributing to housing choice and affordability.
- Generate employment and retain a local workforce within Blacktown city centre.
- Promote the productive and sustainable use of land through the redevelopment of an underutilized site for a high density mix of uses.
- Augment the amenity of the subject site without compromising the amenity, ongoing operations or development potential for surrounding land.

The site and proposed design are considered to meet the objectives of the project as strategically-located, but under-utilised, land within Blacktown city centre would be renewed for a mix of uses that would provide jobs and new housing, and catalyse the revitalisation of Blacktown CBD.

### **3.2 DESCRIPTION OF THE PROPOSAL**

Development consent is sought for construction and use of a mixed use development comprising a pub, function centre and residential accommodation. The proposal would also include demolition of the existing buildings and all structures on the site.

The proposed development particulars are summarised in the following table.

<b>Table 1. Proposed Development Particulars</b>	
<b>Development Particular</b>	<b>Proposal</b>
Site area	1,592.096m <sup>2</sup>
Building height	16 storeys (+ 5 basement levels and rooftop) 56.3m maximum height to top of architectural roof feature
Gross Floor Area (GFA)	Total: 14,272.3m <sup>2</sup> Pub (including restaurant): 1,126.3m <sup>2</sup> (ground level)

## Statement of Environmental Effects

Proposed Mixed Use Development  
34-46 Flushcombe Road, Blacktown

Table 1. Proposed Development Particulars	
Development Particular	Proposal
	Function centre: 1,192.1m <sup>2</sup> (level 1)
	Residential: 11,883.2m <sup>2</sup> (levels 2-15)
	Rooftop: 70.5m <sup>2</sup> (level 16)
Total FSR	9.17:1
Residential units	150 residential dwellings, including: <ul style="list-style-type: none"> <li>▪ 38 x 1 bedroom units</li> <li>▪ 86 x 1 bedroom + study units</li> <li>▪ 22 x 2 bedroom units</li> <li>▪ 4 x 3 bedroom units</li> </ul>
Car parking	166 parking spaces
Description of each level	<p>Basement: 5 levels of parking</p> <ul style="list-style-type: none"> <li>▪ Basement 1: pub and restaurant parking</li> <li>▪ Basement 2: function parking</li> <li>▪ Basements 3-5: residential parking</li> </ul> <p>Ground:</p> <ul style="list-style-type: none"> <li>▪ Pub 223.0m<sup>2</sup></li> <li>▪ Restaurant 138.2m<sup>2</sup></li> <li>▪ Gaming area 248.3m<sup>2</sup></li> <li>▪ Kitchens, amenities, back of house</li> <li>▪ Loading and drop-off zone (via Cobb Lane)</li> </ul> <p>Level 1:</p> <ul style="list-style-type: none"> <li>▪ Function rooms x 4 (573.9m<sup>2</sup> in total)</li> <li>▪ Meeting rooms x 3 (173.3m<sup>2</sup> in total)</li> <li>▪ Pre-function area 249.6m<sup>2</sup></li> <li>▪ Bar, kitchen, amenities, back of house</li> </ul> <p>Levels 2-15:</p> <ul style="list-style-type: none"> <li>▪ Residential dwellings</li> </ul> <p>Level 16:</p> <ul style="list-style-type: none"> <li>▪ Rooftop residential communal open space (602.4m<sup>2</sup>) with barbeques, amenities and pergola over</li> <li>▪ Plant</li> <li>▪ Storage, garbage and service rooms</li> </ul>

The following photomontages demonstrate the architectural design of the proposal. Full details of the proposal are provided in the Architectural Drawings and Digital Model at **Appendices 5** and **6**. The design intent and architectural rationale for the development are detailed in **Appendix 7**.

## Statement of Environmental Effects

Proposed Mixed Use Development  
34-46 Flushcombe Road, Blacktown

---



**Figure 4. Proposal Photomontage- Flushcombe Road (Marchese Partners 2021)**



## Statement of Environmental Effects

Proposed Mixed Use Development  
34-46 Flushcombe Road, Blacktown



**Figure 5. Proposal Photomontage- Cobb Lane (Marchese Partners 2021)**



## Statement of Environmental Effects

Proposed Mixed Use Development  
34-46 Flushcombe Road, Blacktown

---

### 3.3 PROPOSED OPERATIONS

The operational particulars for the proposed pub and function centre, are outlined in the following table.

<b>Table 2. Proposed Operations</b>	
<b>Operational Particular</b>	<b>Proposal</b>
Hours of operation	Licensed pub: 10am-4am (the following day) Monday to Saturday, 10am-12am Sunday
	Licensed restaurant: 10am-12am Monday to Sunday
	Licensed function centre: 10am-12am Monday to Sunday
	Over the bar takeaway sales (all areas): 10am-11pm Monday to Sunday
Capacity	Licensed pub: 513 persons
	Licensed restaurant: 138 persons
	Licensed function centre: 400 persons

Further details are provided in the Plan of Management at **Appendix 19**.

## **PART D      LEGISLATIVE AND POLICY CONTEXT**

Section 4.15 of the EP&A Act sets out specific matters that Council is to take into consideration in the assessment and determination of DAs.

The sections below respond to the relevant matters in relevant legislation and policy documents.

### **4.1      ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**

The EP&A Act is the overarching governing document for all development in NSW and pursuant to Part 4, the subject proposal is Local Development.

Pursuant to Section 4.46 of the EP&A Act, certain development is defined as Integrated Development requiring both Council consent *and* approval from one or more 'other' authorities under related legislation. In these circumstances, prior to granting consent, Council must obtain from each relevant approval body their General Terms of Approval (GTA).

Referral thresholds for Integrated Development relate to mine subsidence, fisheries, heritage, mining, Aboriginal heritage impact permits, petroleum production, environment protection licenses, works on or affecting public roads, bushfire and water management.

Integrated Development would not be triggered by the proposed development on the site.

### **4.2      ENVIRONMENTAL PLANNING AND ASSESSMENT REGULATION 2000**

This DA has been 'made' in accordance with Clause 50 and Part 1 of Schedule 1 of the EP&A Regulation.

Further, Schedule 3 of the EP&A Regulation outlines thresholds for Designated Development. The proposal would not trigger any thresholds for Designated Development.

### **4.3      STATE ENVIRONMENTAL PLANNING POLICY (INFRASTRUCTURE) 2007**

*State Environmental Planning Policy (Infrastructure) 2007* (ISEPP) aims to facilitate the effective delivery of infrastructure across the State.

Clause 102 of the ISEPP applies to certain development on land in or adjacent to the road corridor for a freeway, a tollway or a transitway or any other road with an annual average daily traffic volume of more than 20,000 vehicles (based on the traffic volume data published on the website of the Roads and Maritime Service (RMS)) and that the consent authority considers is likely to be adversely affected by road noise or vibration.

Flushcombe Road is not identified as a freeway, a tollway, a transitway or any other road with an annual average daily traffic volume of more than 20,000 vehicles (based on the RMS traffic volume maps). Therefore, Clause 1.2 of the ISEPP would not be applicable.

The ISEPP also provides for certain proposals, known as Traffic Generating Development, to be referred to RMS for concurrence.

Referral may be required for the erection of new premises, or the enlargement or extension of existing premises, where their size or capacity satisfy certain thresholds. Schedule 3 lists the types of development that are defined as Traffic Generating Development, and the relevant referrals thresholds are as follows:

## Statement of Environmental Effects

Proposed Mixed Use Development  
34-46 Flushcombe Road, Blacktown

---

- Residential accommodation:
  - 75 or more dwellings, for a site with access to classified road or to road that connects to classified road (if access within 90m of connection, measured along alignment of connecting road); or
  - 300 or more dwellings, for a site with access to a road generally.
- Food and drink premises (other than take away food and drink premises with drive-through facilities):
  - 300m<sup>2</sup> GFA, for a site with access to classified road or to road that connects to classified road (if access within 90m of connection, measured along alignment of connecting road); or
  - 200 or more parking space, for a site with access to a road generally.

Flushcombe Road and Cobb Lane are not Classified Roads and the site is not within 90m of any connections to Classified Roads. The proposal would not include 300 dwellings or 200 parking spaces, and therefore referral to RMS would not be required on the basis of Traffic Generating Development.

### 4.4 STATE ENVIRONMENTAL PLANNING POLICY NO. 55 – REMEDIATION OF LAND

*State Environmental Planning Policy No.55 – Remediation of Land* (SEPP 55) provides a state-wide planning approach for the remediation of land and aims to promote the remediation of contaminated land to reduce the risk of harm.

Clause 7(1) of SEPP 55 requires the consent authority to consider whether land is contaminated prior to consent of a development.

Accordingly, a Phase 1 Preliminary Site Investigation (PSI) has been prepared by JK Environments and is provided at **Appendix 11**. The scope of work was undertaken with reference to the *National Environmental Protection (Assessment of Site Contamination) Measure 1999 (as amended 2013)* (NEPM 2013), other guidelines made under or with regards to the *Contaminated Land Management Act 1997* (CLM Act) and SEPP 55.

The pre and post-1960s uses of the site and surrounding land, included residential and commercial uses. Accordingly, potential sources of contamination include the following:

- Imported fill material (entire site);
- Potential use of pesticides (entire site);
- Potential for hazardous building materials (within the existing site buildings and/or within buried fill);
- Historical on-site motor spare parts dealers (46 Flushcombe Road);
- Historical on-site photography business (42 Flushcombe Road);
- Off-site former dry cleaner businesses potentially located up-gradient to the site; and
- Off-site former service stations/motor garages located potentially up-gradient to the site.

Based on limited soil sampling from three (3) boreholes, the following Contaminants of Potential Concern (CoPC) were detected:

- Asbestos was detected in fill sample BH1 (0.1-0.2m); and
- Elevations of nickel above the ecological SAC was detected in fill samples obtained from BH1 and BH2.

The PSI concludes that there is potential for site contamination, but that the contamination at the site would not preclude the proposed development. The PSI provides the following recommendations:

## Statement of Environmental Effects

Proposed Mixed Use Development  
34-46 Flushcombe Road, Blacktown

---

- A Detailed (Stage 2) Site Investigation (DSI) should be undertaken to better characterise the site contamination conditions and establish the extent of remediation required for the proposed development.
- Following demolition of the buildings (and preferably prior to the removal of the hardstand), an asbestos clearance certificate should be obtained.
- A waste classification should be undertaken to classify material to be excavated for the proposed development.

The PSI considers that, provided the above recommendations are addressed, there is no requirement to report any site contamination to the NSW EPA under the NSW EPA Guidelines on the Duty to Report Contamination under Section 60 of the CLM Act.

### 4.5 STATE ENVIRONMENTAL PLANNING POLICY NO. 65 – DESIGN QUALITY OF RESIDENTIAL APARTMENT DEVELOPMENT

*State Environmental Planning Policy 65 – Design Quality of Residential Apartments Buildings* (SEPP 65) aims to improve the design quality of residential apartment development across the State, by focusing on sustainability, aesthetics, streetscapes, accessibility, amenity, safety, security and affordability.

SEPP 65 applies to development for the purpose of a residential flat building, shop top housing or mixed use development with a residential accommodation component, if the building comprises three (3) or more storeys. Given the proposal is for a mixed use development inclusive of residential dwellings and comprises 16 storeys, SEPP 65 would apply.

Pursuant to Clause 28, a DA for development to which SEPP 65 applies requires referral to the Design Review Panel for advice concerning the design quality of the development. In determining the DA, the Consent Authority is required to take into consideration:

- (a) *the advice (if any) obtained from the design review panel, and*
- (b) *the design quality of the development when evaluated in accordance with the design quality principles, and*
- (c) *the Apartment Design Guide.*

For the purpose of subclause (b), the Design Quality Principles are contained in Schedule 1 and relate to the following:

- Principle 1: Context and neighbourhood character
- Principle 2: Built form and scale
- Principle 3: Density
- Principle 4: Sustainability
- Principle 5: Landscape
- Principle 6: Amenity
- Principle 7: Safety
- Principle 8: Housing diversity and social interaction
- Principle 9: Aesthetics

As detailed in the Design Statement at **Appendix 7**, the proposed development is considered to be consistent with all the Design Quality Principles.

Further to subclause (c) above, the Apartment Design Guide (ADG) provides detailed criteria to guide development. The detailed assessment provided in **Appendix 3** demonstrates the compliance of the proposed development with the ADG.

In addition, Clause 30 of SEPP 65 nominates certain standards that cannot be used as grounds to refuse consent. If a DA satisfies the following design criteria, the Consent Authority must not refuse the application because of those matters:



## Statement of Environmental Effects

Proposed Mixed Use Development  
34-46 Flushcombe Road, Blacktown

---

- (a) if the car parking for the building will be equal to, or greater than, the recommended minimum amount of car parking specified in Part 3J of the Apartment Design Guide,*
- (b) if the internal area for each apartment will be equal to, or greater than, the recommended minimum internal area for the relevant apartment type specified in Part 4D of the Apartment Design Guide,*
- (c) if the ceiling heights for the building will be equal to, or greater than, the recommended minimum ceiling heights specified in Part 4C of the Apartment Design Guide.*

The proposal would satisfy this design criteria, as follows:

- (a) For the residential component of the development, car parking would be provided in accordance with the ADG (which refers to the RMS Guide). In summary, the proposal would provide 112 spaces, exceeding the minimum requirement of 92 spaces.
- (b) All the proposed apartments would comply with the internal area requirements for one (1), two (2) and three (3) bedroom units, respectively.
- (c) All ceiling heights would comply with Part 4C of the ADG.

Accordingly, the DA may not be refused based on these matters pursuant to Clause 30 of SEPP 65.

### **4.6 STATE ENVIRONMENTAL PLANNING POLICY (STATE AND REGIONAL DEVELOPMENT) 2011**

Proposals involving activities that are listed in Schedule 1 of *State Environmental Planning Policy (State and Regional Development) 2011* (SRD SEPP) are identified as being State Significant Development (SSD). No thresholds are however identified with respect to commercial, residential or mixed use development, and therefore the proposal would not be SSD irrespective of the Capital Investment Value (CIV).

The SRD SEPP also declares that development specified in Schedule 7 is Regionally Significant Development. General development with a CIV more than \$30 million is Regionally Significant Development. The CIV for the proposed development is \$50,785,192.00 (refer Quantity Surveyor's Report at **Appendix 21**) and therefore the DA would be for Regional Development.

### **4.7 BLACKTOWN LOCAL ENVIRONMENTAL PLAN 2015**

The site is subject to the provisions of BLEP2015. Relevant permissibility and development standards are summarised in the subsequent sections of this SEE.

#### ***Zoning and Permissibility***

The site is zoned B4 Mixed Use pursuant to BLEP2010 (**Figure 6**).

The objectives of the B4 zone are:

- *To provide a mixture of compatible land uses.*
- *To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.*

The following permissibility applies within the B4 zone:

*2 Permitted without consent*

*Nil*

## Statement of Environmental Effects

Proposed Mixed Use Development  
34-46 Flushcombe Road, Blacktown

---

### 3 Permitted with consent

*Boarding houses; Centre-based child care facilities; **Commercial premises**; Community facilities; Educational establishments; Entertainment facilities; **Function centres**; Heliports; Hotel or motel accommodation; Information and education facilities; Medical centres; Oyster aquaculture; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Seniors housing; **Shop top housing**; Tank-based aquaculture; Water reticulation systems; Any other development not specified in item 2 or 4*

### 4 Prohibited

*Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Environmental facilities; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Heavy industrial storage establishments; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Jetties; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Pond-based aquaculture; Recreation facilities (major); Residential accommodation; Resource recovery facilities; Rural industries; Sewage treatment plants; Sex services premises; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Warehouse or distribution centres; Waste disposal facilities; Water recreation structures; Water recycling facilities; Water supply systems; Wharf or boating facilities; Wholesale supplies*

The proposal is for mixed use development comprising a Pub, Function Centre and Shop Top Housing, which are defined as follows pursuant to BLEP2015 and the Standard Instrument LEP:

- **Pub** means licensed premises under the Liquor Act 2007 the principal purpose of which is the retail sale of liquor for consumption on the premises, whether or not the premises include hotel or motel accommodation and whether or not food is sold or entertainment is provided on the premises.

*Note—Pubs are a type of food and drink premises.*

*Note—Food and drink premises are a type of retail premises.*

*Note—Retail premises are a type of commercial premises.*

- **Function centre** means a building or place used for the holding of events, functions, conferences and the like, and includes convention centres, exhibition centres and reception centres, but does not include an entertainment facility.
- **Shop top housing** means one or more dwellings located above ground floor retail premises or business premises.

*Note—Shop top housing is a type of residential accommodation.*

Further to the above, it is confirmed that the residential component of the proposal would satisfy the definition for Shop Top Housing as the entire ground floor of the development would be occupied by the pub, which by definition is a type of Retail Premises (given that Pubs are a type of Food and Drink Premises, which in turn are a type of Retail Premises). Accordingly, dwellings would be located above ground floor retail premises, as required by the definition of Shop Top Housing.

## Statement of Environmental Effects

Proposed Mixed Use Development  
34-46 Flushcombe Road, Blacktown

Pubs (by virtue of being a type of Food and Drink Premises, and in turn a type of Retail Premises and Commercial Premises), Function Centres and Shop Top Housing, are all permitted with consent on the site.

The proposal would also achieve the B4 zone objectives, as summarized in the following table.

Table 3. BLEP2015 B4 Zone Objectives	
Objective of B4 Mixed Use Zone	Assessment
<i>To provide a mixture of compatible land uses.</i>	The proposal would co-locate a mix of uses within a built form that, coupled with effective operational management, would ensure compatibility, operational efficiencies, amenity, accessibility and convenience.
<i>To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.</i>	The proposed mixed use development would integrate a pub (being a type of retail premises), function centre and residential accommodation, in a highly accessible location on a site that forms part of Blacktown CBD and is in within short walking distance (300m) of Blacktown train station. The proposed mix of uses in this location within the city centre would promote multi-purpose visitation and reduce the need to travel, with associated environmental, productivity and lifestyle benefits.

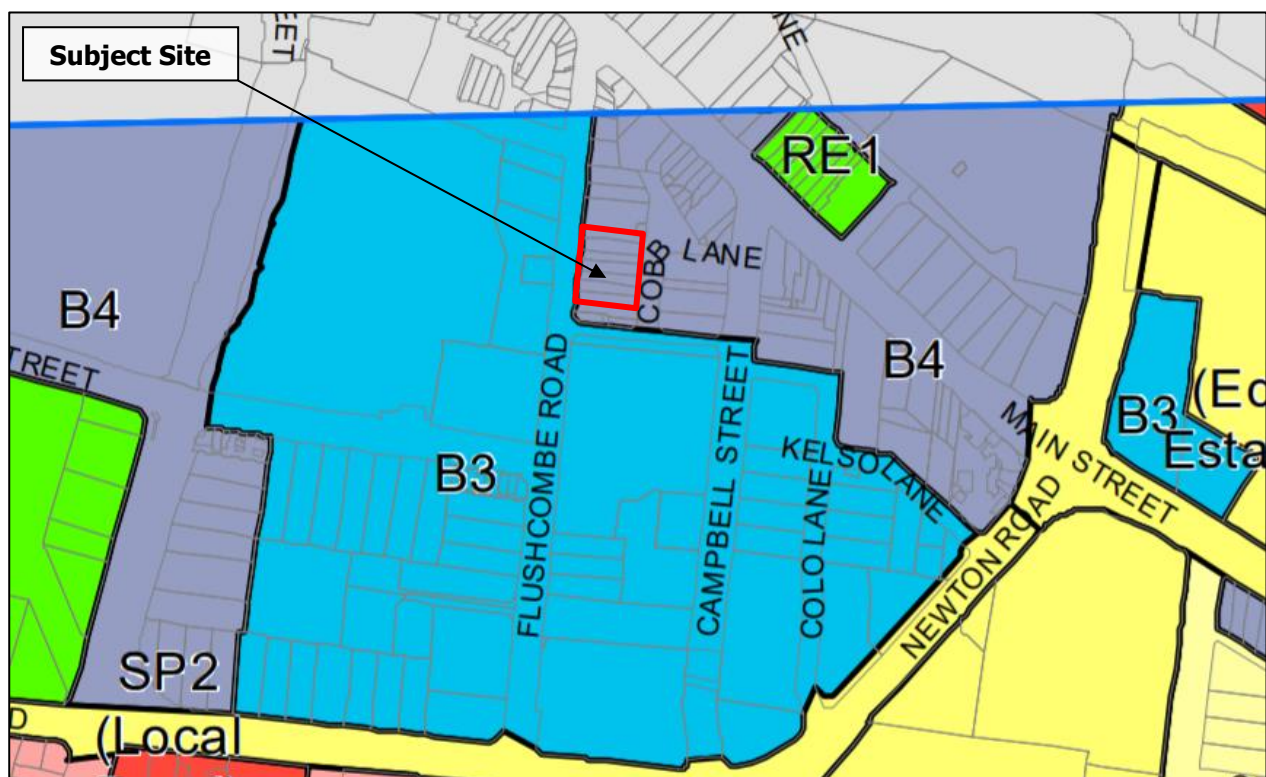


Figure 6. Zoning Map (NSW Legislation 2020)

## Statement of Environmental Effects

Proposed Mixed Use Development  
34-46 Flushcombe Road, Blacktown

### Development Standards and Provisions

The development standards and other relevant provisions to which the site is subject pursuant to BLEP2015 are summarized in **Table 4** below. Assessment of the proposal against these relevant standards and provisions is also included in the table.

<b>Table 4. BLEP2015 Development Standards and Provisions</b>	
<b>BLEP2015 Clause</b>	<b>Standard/Provision and Assessment</b>
Minimum Lot Size	<p>The site is not subject to a minimum lot size standard.</p> <p>The proposal would not include subdivision, but rather would consolidate a number of lots to create a suitable site for the proposed development.</p> <p>As outlined in <b>Section 1.2</b> of this SEE, it has not been possible to acquire the adjoining lots to the south. Notwithstanding, the Architectural Drawings (<b>Appendix 5</b>) demonstrate the viability of developing the adjoining site to the south.</p>
Maximum Building Height	<p>The site is subject to a 50m maximum building height standard. The site is not identified in the Incentive Height Map.</p> <p>The proposed building exhibits a maximum height of 56.3m (measured to the top of the architectural roof feature). The additional building height (6.3m, equating to a 12.6% variation), is limited to some sections of the ceiling above level 15 and otherwise to non-habitable rooftop structures. The rooftop space and structures above the 50m height plane contribute to the provision of amenable communal open space for future residents, as well as to essential building services/plant and the lift overrun. The height non-compliance also relates to the architectural roof feature, which contributes to the design excellence of the development.</p> <p>The proposed additional building height would have no adverse visual or amenity impacts. Given it would relate to a minor section of the level 15 ceiling and otherwise to non-habitable structures only, the height variation would not unacceptably increase the bulk or scale of the development, and would not cause any additional overshadowing or other amenity impacts for neighbouring properties.</p> <p>Further justification is provided in the Clause 4.6 Variation at <b>Appendix 1</b>.</p>



## Statement of Environmental Effects

Proposed Mixed Use Development  
34-46 Flushcombe Road, Blacktown

Table 4. BLEP2015 Development Standards and Provisions	
BLEP2015 Clause	Standard/Provision and Assessment
Sun Access Protection	<p>The site is situated opposite the mapped Civic Plaza and in the general vicinity of other mapped sun access protection sites.</p> <p>Pursuant to Clause 7.14, <i>despite clause 4.3, development consent must not be granted to development on land to which this clause applies if the development will result in—</i></p> <p>(a) <i>less than 50% of Northern Landing Reserve or Civic Plaza receiving direct sunlight between 12 pm and 2 pm on 21 June, or</i></p> <p>(b) <i>less than 65% of Main Street Reserve, Alpha Park or Balmoral Street Reserve receiving direct sunlight between 12 am and 2 pm on 21 June.</i></p> <p>As demonstrated in the Shadow Diagrams within <b>Appendix 5</b>, the proposal would have no unacceptable overshadowing impact for any of the mapped sun protection sites. Specifically, the following proportions of Civic Plaza would remain un-shadowed by the proposed development on 21 June:</p> <ul style="list-style-type: none"> <li>▪ 9am: 94.70% un-shadowed by proposal.</li> <li>▪ 10am: 83.82% un-shadowed by proposal.</li> <li>▪ 11am: 71.38% un-shadowed by proposal.</li> <li>▪ 12pm: 61.00% un-shadowed by proposal.</li> <li>▪ 1pm: 50.82% un-shadowed by proposal.</li> <li>▪ 2pm: 53.00% un-shadowed by proposal.</li> <li>▪ 3pm: 74.90% un-shadowed by proposal.</li> </ul> <p>Compliance with Clause 7.14 would therefore be achieved.</p>
Maximum FSR	<p>The site is not subject to a maximum FSR standard.</p> <p>The density of the proposed development would reflect the desired future character of Blacktown CBD, as promoted through the recent gazettal of the CBD Planning Proposal which removed a restrictive control from the site (together with other sites within the CBD).</p>
Land Reservations	The site is not affected by any land reservations.
Heritage	The site does not comprise any heritage items and is not within a heritage conservation area.

## Statement of Environmental Effects

Proposed Mixed Use Development  
34-46 Flushcombe Road, Blacktown

Table 4. BLEP2015 Development Standards and Provisions	
BLEP2015 Clause	Standard/Provision and Assessment
	<p>A heritage item is identified on the opposite side of Flushcombe Road, described as follows pursuant to Schedule 5 of BLEP2015:</p> <p style="text-align: center;">I10 – Blacktown Primary School (former), of local significance.</p> <p>The proposed development would not physically impact on the heritage item, and would not in any way compromise the interpretation or significance of the heritage item. It is noted that the existing commercial premises on the subject site do not exhibit any significant relationship with the heritage-listed school, and resulting from the proposal, the clear visual and functional distinction between the development on the eastern side of Flushcombe Road and the heritage-listed building to the west, would be retained.</p> <p>Further, a Heritage Impact Statement (HIS) has been prepared by NBRIS Architecture and is provided at <b>Appendix 27</b>. The HIS concludes that the proposed demolition of the existing shops and the addition of a mixed use building at the subject site will have no adverse impacts on the heritage fabric of the heritage item in the vicinity. The overall legibility, visibility and amenity of the (former) Blacktown Primary School will also be retained. Overall, the proposed development is acceptable from a heritage perspective as the established heritage significance of the heritage item in the vicinity, will be retained. The proposed development is consistent with the heritage objectives of BLEP2015 and BDCP2015.</p>
Flood Planning Area	The site is not identified as flood prone land based on Council's maps.
Biodiversity	The site is not identified as comprising any biodiversity.
Riparian Land and Watercourses	The site does not comprise, and is not within 40m of, any watercourses.
Active Street Frontages	<p>Active street frontages are mapped adjacent to Flushcombe Road, and accordingly Clause 7.4 is applicable to the proposed development.</p> <p>Pursuant to Clause 7.4, <i>a building has an active street frontage if all premises on the ground floor of the building facing the street are used for the purposes of business premises or retail premises.</i></p>

## Statement of Environmental Effects

Proposed Mixed Use Development  
34-46 Flushcombe Road, Blacktown

Table 4. BLEP2015 Development Standards and Provisions	
BLEP2015 Clause	Standard/Provision and Assessment
	<p>An active street frontage is not however required for any part of a building that is used for:</p> <ul style="list-style-type: none"> <li>▪ entrances and lobbies</li> <li>▪ access for fire services</li> <li>▪ vehicular access</li> </ul> <p>In accordance with Clause 7.4, the proposal incorporates active frontages along the entirety of the Flushcombe Road frontage (excepting for building entries and fire access). The active frontage consists of the pub and restaurant, which constitute types of Retail Premises in accordance with the BLEP2015 land use definitions. This would assist in activating the street and creating visual interest for passing pedestrians.</p>
Design Excellence	<p>The site is identified in the Design Excellence map and is therefore subject to Clause 7.7.</p> <p>Pursuant to Clause 7.7, <i>development consent must not be granted to development to which this clause applies unless the consent authority considers that the development exhibits design excellence. In considering whether the development exhibits design excellence, the consent authority must have regard to the following matters—</i></p> <ul style="list-style-type: none"> <li>(a) <i>whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved,</i></li> <li>(b) <i>whether the form and external appearance of the development will improve the quality and amenity of the public domain,</i></li> <li>(c) <i>whether the development detrimentally impacts on view corridors,</i></li> <li>(d) <i>whether the development detrimentally impacts on any land protected by solar access controls established in the Blacktown Development Control Plan,</i></li> <li>(e) <i>the requirements of the Blacktown Development Control Plan,</i></li> <li>(f) <i>how the development addresses the following matters—</i> <ul style="list-style-type: none"> <li>(i) <i>the suitability of the land for development,</i></li> <li>(ii) <i>existing and proposed uses and use mix,</i></li> </ul> </li> </ul>

## Statement of Environmental Effects

Proposed Mixed Use Development  
34-46 Flushcombe Road, Blacktown

Table 4. BLEP2015 Development Standards and Provisions	
BLEP2015 Clause	Standard/Provision and Assessment
	<p>(iii) <i>heritage issues and streetscape constraints,</i></p> <p>(iv) <i>the relationship of the development with other development (existing or proposed) on the same site or on neighbouring sites in terms of separation, setbacks, amenity and urban form,</i></p> <p>(v) <i>bulk, massing and modulation of buildings,</i></p> <p>(vi) <i>street frontage heights,</i></p> <p>(vii) <i>environmental impacts such as sustainable design, overshadowing, wind and reflectivity,</i></p> <p>(viii) <i>the achievement of the principles of ecologically sustainable development,</i></p> <p>(ix) <i>pedestrian, cycle, vehicular and service access and circulation requirements,</i></p> <p>(x) <i>the impact on, and any proposed improvements to, the public domain.</i></p> <p>As demonstrated in the Architectural Drawings, Digital Model and Design Statement (<b>Appendices 5-7</b>), the proposed development would exhibit a high standard of architectural design, materials and detailing, in order to provide a positive contribution and set a precedent for new development within a revitalized Blacktown CBD. Through active ground floor uses, façade articulation and a pedestrian-scale podium, the proposal would activate the adjoining public domain. The proposal would respect the amenity of surrounding properties, public spaces and heritage items, including with respect to solar access, wind environment, reflectivity and view corridors.</p> <p>As detailed in the DCP Compliance Assessment and ADG Compliance Assessment at <b>Appendices 2 and 3</b>, respectively, the proposal would achieve the relevant objectives and provisions for mixed use development within Blacktown CBD.</p>
Development in Zone B4	The site is subject to Clause 7.12, which aims to promote employment opportunities on B4-zoned land within Blacktown CBD.



## Statement of Environmental Effects

Proposed Mixed Use Development  
34-46 Flushcombe Road, Blacktown

Table 4. BLEP2015 Development Standards and Provisions	
BLEP2015 Clause	Standard/Provision and Assessment
	<p>Pursuant to Clause 7.12, <i>development consent must not be granted to the erection of a building, or to a change of use of a building on land to which this clause applies, unless the consent authority is satisfied that the ground floor and first floor of the building will be used for a purpose other than residential accommodation.</i></p> <p>In accordance with Clause 7.12, the entirety of the ground and first floors of the proposed development would be used for non-residential purposes, including a pub, restaurant, gaming area and function centre.</p>

### 4.8 DRAFT ENVIRONMENTAL PLANNING INSTRUMENTS

There are no draft Environmental Planning Instruments (EPIs) applicable to the site.

It is noted that Blacktown CBD Planning Proposal (PP\_2020\_BLACK\_002\_00) was gazetted on 18 December 2020 and its provisions are reflected in the current version of BLEP2015.

### 4.9 BLACKTOWN DEVELOPMENT CONTROL PLAN 2015

BDCP2015 contains more detailed provisions to guide development. An assessment against the relevant sections of BDCP2015 is provided in **Appendix 2**.

## **PART E PLANNING ASSESSMENT**

Pursuant to Section 4.15 of the EP&A Act, the following matters have been addressed.

### **5.1 LIKELY IMPACTS**

#### **5.1.1 CONTEXT AND SETTING**

The proposal would support the creation of high density mixed use development on the site, integrating complementary uses including a pub, restaurant, function centre and residential apartments.

Accordingly, the proposal would support increased activation, economic activity and job creation within Blacktown city centre, whilst also providing a significant supply of new housing within immediate proximity of jobs, services and public transport.

Through the proposed mix of uses and introduction of a new residential population, the proposal would enliven the city centre during the daytime and night-time, supporting a 24/7 community and economy.

The built form has been architecturally-designed to create an active frontage, human-scale podium and highly-articulated tower, within a contiguous built form that will uplift the character and quality of the streetscape and skyline. The proposed building height and density reflect the scale and intensity of development promoted for the site and city centre through the recently gazetted Planning Proposal for Blacktown CBD.

Overall, the proposal would provide a major contribution to the revitalisation of Blacktown city centre, through its injection of living, working, visiting and recreational opportunities within an architecturally-designed focal development on a strategically-located site.

Therefore, the proposed mixed use development would be highly compatible with, and provide a significant positive contribution to, the local context.

#### **5.1.2 DESIGN AND APPEARANCE**

As demonstrated in the Architectural Drawings, Digital Model and Design Statement (**Appendices 5-7**), the proposed development would exhibit a high standard of architectural design, materials and detailing, in order to provide a positive contribution and set a precedent for new development within a revitalized Blacktown CBD. Through active ground floor uses, façade articulation and a pedestrian-scale podium, the proposal would activate the adjoining public domain. The proposal would respect the amenity of surrounding properties, public spaces and heritage items, including with respect to solar access, wind environment, reflectivity and view corridors.

As detailed in the DCP Compliance Assessment and ADG Compliance Assessment at **Appendices 2 and 3**, respectively, the proposal would achieve the relevant objectives and provisions for mixed use development within Blacktown CBD.

Whilst a variation to the BLEP2015 building height standard is proposed (proposed maximum height of 56.3m (measured to the top of the architectural roof feature), being 6.3m above the 50m LEP standard and equating to a 12.6% variation), the additional building height is limited to a section of the level 15 ceiling and otherwise to non-habitable rooftop structures. The rooftop space and structures above the 50m height plane contribute to the provision of amenable communal open space for future residents, as well as to essential building services/plant and the lift overrun. The height non-compliance also relates to the architectural roof feature, which contributes to the design excellence of the development. The proposed additional building height would have no adverse visual or amenity impacts. Given it would primarily relate to non-habitable structures, the height variation would not unacceptably increase the bulk or scale of the development, and would not cause any additional

## Statement of Environmental Effects

Proposed Mixed Use Development  
34-46 Flushcombe Road, Blacktown

---

overshadowing or other amenity impacts for neighbouring properties. Further justification is provided in the Clause 4.6 Variation at **Appendix 1**.

### 5.1.3 LANDSCAPE AND TREES

The site does not comprise any existing vegetation, and accordingly no tree removal would be required to facilitate the development.

The landscape quality of the site would be enhanced through the inclusion of landscaping as part of the proposed development. This would include mass planting in planters on the Level 2 terraces above the podium and around the entire perimeter of the rooftop communal open space, as shown in the Landscape Plans at **Appendix 8**.

Within the adjacent public domains of Flushcombe Road and Cobb Lane, it is proposed to retain all existing street trees, and also to plant new street trees in Cobb Lane to improve its appearance and amenity.

### 5.1.4 LOCAL AMENITY

The site forms part of Blacktown CBD, which currently exhibits a wholly commercial character, comprising of a variety of retail, business, office and public administrative buildings. There are no existing residential developments or other sensitive land uses in close proximity to the site. Accordingly, the proposed development would not adversely impact the amenity of any existing residential areas.

As part of this DA, the potential future development of other sites within Blacktown CBD, including potentially for mixed use development comprising a residential component, has also been considered. Through compliance with the ADG (refer **Appendix 3**) and as also demonstrated through Shadow Diagrams (refer **Appendix 5**), the proposal would respect surrounding sites and allow for any future development to achieve adequate amenity.

Importantly, the site is situated opposite Civic Plaza (being a mapped sun protection area for the purpose of BLEP2015) and also in the vicinity of multiple other public open spaces. As demonstrated in the Shadow Diagrams within **Appendix 5**, the proposal would have no unacceptable overshadowing impact for the Civic Plaza or other public open spaces.

The proposed mixed use development would, itself, also benefit from a high level of amenity. An amenable environment (internally, and externally for balconies and the rooftop communal open space) would be achieved through compliance with the ADG (refer **Appendix 3**) and as also demonstrated through the solar and cross ventilation analyses within the Architectural Drawings (refer **Appendix 5**).

In particular, the amenity of the residential component would be safeguarded through the management of the pub and function centre in accordance with the Operational Plan of Management at **Appendix 19**. This operational management would similarly protect the amenity of the surrounding public domain and other nearby developments.

### 5.1.5 CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN

The Crime Prevention Through Environmental Design (CPTED) guidelines provide a clear approach to crime prevention and focus on the 'planning, design and structure of cities and neighbourhoods'. The main aims of the policy are to:

- Limit opportunities for crime;
- Manage space to create a safe environment through common ownership and encouraging the general public to become active guardians; and
- Increase the perceived risk involved in committing crime.

## Statement of Environmental Effects

Proposed Mixed Use Development  
34-46 Flushcombe Road, Blacktown

---

The guidelines provide four (4) key principles to limit crime, being:

- Surveillance;
- Access control;
- Territorial re-enforcement; and
- Space/activity management.

### ***Principle 1 – Surveillance***

The attractiveness of crime targets can be reduced by providing opportunities for effective surveillance, both natural and technical.

- The proposed development would orientate active areas such as building entrances, shopfronts, windows and balconies, towards the primary street frontage (being Flushcombe Road). Upper level (above the podium) windows and balconies would also be orientated to Cobb Lane to the rear;
- External security lighting would enable the maintenance of sight-lines and surveillance after dark;
- Formal surveillance systems (including CCTV) would be operated at all times; and
- Security guards would be present at the site during the operating hours of the pub.

### ***Principle 2 – Access Control***

Access control can be defined as physical and symbolic barriers that are used to attract, channel or restrict the movement of people.

- Directional signage and design features would facilitate legibility and direct all site-users to the appropriate access points and areas of the mixed use development;
- Lifts and stairs would be configured so as to allow access to the relevant areas of the building only and maintain physical separation between the pub, other public areas, the residential apartments, communal rooftop, basement and service areas;
- Controlled access points would regulate access to the residential levels and basement; and
- Security guards would monitor access to the pub.

### ***Principle 3 – Territorial Reinforcement***

- Appropriate boundary treatment would emphasise the separation between the private and public realm;
- Well maintained internal and external areas would indicate the development is well-used and cared for to reduce criminal activity; and
- The design of the public (pub, restaurant and function centre), private (residential) and service areas of the development, would clearly identify the separate uses.

### ***Principle 4 – Space Management***

- Space management strategies to be implemented would include activity coordination, site cleanliness, rapid repair of vandalism, rapid removal of graffiti and the replacement of decayed physical elements;
- Landscaped areas would be well maintained;
- Continued repairs and maintenance would discourage vandalism;
- High quality materials, varied façade treatments and landscaping would assist in discouraging vandalism and graffiti.

Accordingly, through the integration of CPTED in design, the mixed use development has been planned to prevent crime. Further details of security measures are contained in the Plan of Management at **Appendix 19**.

## Statement of Environmental Effects

Proposed Mixed Use Development  
34-46 Flushcombe Road, Blacktown

---

### 5.1.6 SOCIAL IMPACT

A Social Impact Assessment (SIA) (**Appendix 25**) has been prepared by Design Collaborative and incorporates goal and scope definition, inventory analysis, impact assessment result interpretation. Inputs include data from the Australian Bureau of Statistics (ABS), Bureau of Crime Statistics and Research (NSW), HealthStats NSW, Liquor and Gaming NSW LiveData, and the Blacktown Social Profile 2020.

The SIA finds that the local and broader community presents both positive and negative characteristics that are indicative of its susceptibility to alcohol-related harm and social impact. Existing positive attributes include:

- A family-oriented population with a high proportion of tertiary and vocational qualifications.
- Diverse population comprising backgrounds that do not exhibit a heavy drinking culture.
- Declining unemployment rates, with a higher proportion of full-time employment and white-collar workers than blue-collar workers.
- Low risk drinking levels within the Western Sydney Primary Health Network.
- Observable downward linear trends for alcohol-related offences and alcohol-related deaths, with recorded low levels of alcohol-attributable hospitalisations and drinking frequency.
- Low levels of licensed outlet saturation and clustering within the community.

Perceived negative attributes that are conducive to a community that is more susceptible to alcohol-related harm include alcohol-related offences, lower SEIFA (IRSAD) rankings at SA1-3 levels, and higher rates of alcohol-attributable deaths than the NSW average.

In addition to the identified positive and negative attributes of the community, the proposed harm minimisation methods (refer Plan of Management at **Appendix 19**) and CPTED elements (refer **Section 5.1.5** of this SEE above) have also been considered in the SIA. In summary, harm minimisation methods include the responsible service of alcohol and best practice management measures. CPTED principles include passive and active surveillance opportunities and appropriate territorial reinforcement.

Upon evaluation of the positive and negative attributes of the community in conjunction with the design elements and proposed harm minimisation strategies, the SIA finds that the proposal is unlikely to give rise to adverse social impact. The proposed minimisation strategies and design elements would sufficiently mitigate the potential for adverse impact. As such, the proposal is considered acceptable with regard to all relevant social planning issues.

### 5.1.7 TRAFFIC AND TRANSPORT

A Traffic and Parking Assessment Report (**Appendix 12**) has been prepared by Varga Traffic Planning to assess the traffic and parking implications of the development proposal.

Traffic generation has been estimated based on the RMS Guidelines for commercial premises and high density residential flat buildings, respectively. It is noted that the adoption of the generic commercial rates for the pub, restaurant and function rooms, is considered acceptable on the following bases:

- The site is accessible by an extensive range of public transport services located within easy walking distance of the site.
- The site is easily accessible by taxi/Uber.
- The site is located within the B4 Mixed Use zone and directly adjoins the B3 Commercial Core zone.
- The site is located within the heart and therefore easy walking distance of a large employment area.
- The target demographic of the proposed pub and restaurant are local residents and employees living/working within easy walking distance of the site who are expected to walk to the site.



## Statement of Environmental Effects

Proposed Mixed Use Development  
34-46 Flushcombe Road, Blacktown

- The function and meetings rooms are primarily intended to complement the pub and would be available for booking as part of the pub facilities.
- The pub and restaurant are unlikely to be open during the weekday morning peak period, such that they may even generate zero traffic. Notwithstanding, for the purpose of the assessment it has been assumed they will be trading.

Accordingly, traffic generation has been estimated in accordance with the following table based on vehicle trips per hour (vph) during the morning and afternoon peak periods.

Use	RMS Traffic Generation Rate	Estimated Traffic Generation
Residential (150 apartments)	AM: 0.19 vph/unit	29 vph
	PM: 0.15 vph/unit	23 vph
Commercial (1,619m <sup>2</sup> GFA)	AM: 2.0 vph/100m <sup>2</sup>	32 vph
	PM: 2.0 vph/100m <sup>2</sup>	32 vph
Existing Commercial (850m <sup>2</sup> GFA)	AM: 2.0 vph/100m <sup>2</sup>	17 vph
	PM: 2.0 vph/100m <sup>2</sup>	17 vph

This demonstrates that the *proposed* development would potentially generate 55-61 vph during the weekday morning and afternoon peak periods. This may be discounted by the *existing* traffic generation of the existing commercial premises on the site, which is estimated as 17 vph during the weekday morning and afternoon peak periods. The resulting net increase in traffic generation at the site would be 38-44 vph during the weekday morning and afternoon peak periods.

The Traffic Report describes the projected net increase in traffic generation as relatively modest, representing 1 vehicle trip every 1.5-2 minutes on average during peak periods, and less at other times. The proposed development is therefore not expected to result in any unacceptable traffic implications in terms of road network capacity.

With respect to car parking, the applicable parking rates pursuant to BDCP2015, Blacktown City Council's Parking Management Plan (PMP) (for the residential component) and the RMS Guide, are summarized in the following table. It is noted that, as the site is within 800m walking distance of a train station, the ADG requires that parking for the residential component is provided in accordance with the RMS Guide. This also reflects the advice provided by Council in the Pre-Lodgement Minutes.

Use	BDCP2015 / PMP Parking Rate	RMS Parking Rate
Restaurant	1 space/30m <sup>2</sup> GFA (in sub-regional centre or B4 zone)	Greater of: <ul style="list-style-type: none"> <li>▪ 15 spaces/100m<sup>2</sup> GFA; or</li> <li>▪ 1 space/3 seats</li> </ul>
Hotel / Pub	1 space/30m <sup>2</sup> GFA (in sub-regional centre)	Assessed based on similar venues
	Assessed on merit (in B4 zone)	
Function room / centre	1 space/3 seats (it is noted that this relates to a function room within a motel) (in sub-regional centre)	Greater of: <ul style="list-style-type: none"> <li>▪ 15 spaces/100m<sup>2</sup> GFA; or</li> <li>▪ 1 space/3 seats</li> </ul>
	1 space/30m <sup>2</sup> GFA (in B4 zone)	
Shop top housing in Blacktown CBD	1 bed unit: 1 space/unit	1 bed unit: 0.4 spaces/unit
	2 bed unit: 1 space/unit	2 bed unit: 0.7 spaces/unit
	3 bed unit: 1 space/unit	3 bed unit: 1.2 spaces/unit
	Visitor: 1 space/5 units	Visitor: 1 space/7 units

## Statement of Environmental Effects

Proposed Mixed Use Development  
34-46 Flushcombe Road, Blacktown

The Traffic Report however recommends that a reduced parking rate would be applicable for the commercial component of the development, on the following bases:

- The site is located in the heart of Blacktown CBD which is a large employment catchment area, such that many of the customers/diners/gamers are expected to work within walking distance of the site. As a result, customers/diners/gamers are expected to be largely walk-ins, rather than driving to the site as a 'destination', thereby not requiring a car space.
- The proposed function/meeting rooms are primarily intended to complement the pub, similar to a number of established pubs in CBD areas, such that the majority of its attendees are also expected to walk to/from the site or arrive by public transport/taxi.
- The site is accessible by an extensive range of public transport services located within easy walking distance of the site, including Blacktown train station within 300m of the site and more than 20 bus stops. Accordingly, staff, residents, customers/diners/gamers would be able to readily access the site by public transport.

Therefore, the Traffic Report recommends a parking rate of 1 space/60m<sup>2</sup> for the pub, restaurant, function rooms and meeting rooms (i.e. half of the rate specified in BDCP2015 and PMP).

The recommended minimum parking and proposed parking provision, are outlined in the following table. In summary, a minimum of 119 total parking spaces are recommended. Given the proposal provides 166 spaces, adequate on-site parking would be provided for the development.

Table 7. Recommended Parking Rates and Proposed Parking Provision (Varga 2021)				
Use	No. Units / GFA	Recommended Parking Rate	Minimum Recommended	Proposed Provision
Residential				
1 bed unit	124	0.4 spaces/unit	50 spaces	112 spaces
2 bed unit	22	0.7 spaces/unit	15 spaces	
3 bed unit	4	1.2 spaces/unit	5 spaces	
Visitor	(150)	1 space/7 units	22 spaces	
Total residential	150	-	92 spaces	
Commercial				
Pub, restaurant, function rooms	1,619m <sup>2</sup>	1 space/60m <sup>2</sup>	27 spaces	54 spaces
Total Development				
Total	-	-	119 spaces	166 spaces

All parking spaces, aisles, driveways and overhead clearances, have been designed in accordance with relevant Australian Standards. The Swept Paths within **Appendix 12** demonstrate that the basement would accommodate the B99 vehicle, allowing vehicular ingress and egress in a forward direction.

Servicing would be carried out on-site in the designated drive-through loading area accessed via Cobb Lane. Servicing would be undertaken by a variety of commercial vehicles up to an 8.8m Medium Rigid Vehicle (MRV). The Swept Paths within **Appendix 12** demonstrate that the loading area would accommodate an 8.8m MRV, allowing vehicular ingress and egress in a forward direction.

In summary, the Traffic Report concludes that the development would result in only a modest net increase in traffic activity, would not result in any unacceptable traffic implications in terms of road network capacity, would provide adequate on-site parking to satisfy the operational requirements of the proposed uses, and would incorporate parking and loading facilities designed in accordance with relevant Australian Standards. Therefore, the proposed development would have no unacceptable traffic, parking or loading implications.

## Statement of Environmental Effects

Proposed Mixed Use Development  
34-46 Flushcombe Road, Blacktown

### 5.1.8 NOISE AND VIBRATION

A Noise Impact Assessment (**Appendix 13**) has been prepared by WSP Australia Pty Ltd and establishes the acoustic criteria relating to noise emissions and intrusions for the various components of the development.

The nearest noise sensitive receivers are summarized in the following table and shown in **Figure 7**.

Table 8. Nearest Noise Sensitive Receivers (WSP 2021)			
Receiver	Address	Receiver Type	Distance from Site
R1	Visitor & Heritage Centre, Flushcombe Rd, Civic Plaza	Commercial	15m
R2	48 Flushcombe Rd	Commercial	0m
R3	9 Campbell St	Commercial	35m
R4	32 Flushcombe Rd	Commercial	0m
R5	34-46 Flushcombe Rd (proposed residential units on site)	Residential	On project site



Figure 7. Nearest Noise Sensitive Receivers (WSP 2021)

## Statement of Environmental Effects

Proposed Mixed Use Development  
34-46 Flushcombe Road, Blacktown

The *NSW Noise Policy for Industry* (NPfI) Project Noise Trigger Levels (PNTLs) are outlined in the following table.

Receiver Type	Time Period	Intrusive Criteria dBA <sub>Leq</sub> 15min	Project Adjusted Noise Level dBA <sub>Leq</sub> 15min	Project Noise Trigger Level dBA <sub>Leq</sub> 15min
Residential Receivers on Site	Day	56	58	56
	Evening	56	55	55
	Night	48	54	48
Commercial	Day	56	63	56
	Evening	56	63	56
	Night	48	63	48

The Noise Impact Assessment finds that, based on review of the proposal plans, noise emissions associated with use of the loading dock and car park, would be adequately shielded from noise sensitive receivers. For building services, further assessment of external mechanical plant would be required once it has been selected, in order to ensure compliance with the acoustic criteria. Where necessary, acoustic mitigation measures may include the selection of quieter equipment and/or quieter locations, acoustic louvres, acoustic attenuators and/or acoustic barriers.

With respect to road traffic noise, it is noted that the prevailing traffic noise levels *already* exceed the *NSW Road Noise Policy* (RNP) criteria for the local road network surrounding the site. Based on the RNP, an increase of up to 2dB represents a minor impact that is considered barely perceptible to the average person. Therefore, a maximum 2dB increase in traffic noise levels is considered to be the applicable assessment criterion. Based on the estimated traffic generation of the development (as recorded in the Traffic Impact Assessment), the associated additional traffic noise on adjoining roads would *not* increase by more than 2dB, thereby complying with the RNP.

The Office of Liquor, Gaming and Racing (OLGR) establishes criteria for noise emissions associated with entertainment venues, which would be applicable to the proposed pub and function centre. A summary is provided in the following table.

Table 10. OLGR Criteria (WSP 2021)										
Receiver Type	Time Period	OLGR Criteria, dBL10 at 1/1 Octave Band Center Frequency (HZ)								
		31.5	63	125	250	500	1k	2k	4k	8k
Residential	7am to midnight	63	61	59	55	54	51	47	40	34
Residential	Midnight to 7am	50	48	46	42	41	38	34	27	21
Commercial	7am to midnight	61	59	57	53	52	49	45	38	32
Commercial	Midnight to 7am	53	51	49	45	44	41	37	30	24

The Noise Impact Assessment anticipates that the façade and floor construction for all licensed and gaming areas, are capable of being designed to control entertainment noise emissions to suitable levels in accordance with the OLGR noise limits.

To manage construction noise and vibration, the Noise Impact Assessment recommends that a Construction Noise and Vibration Management Plan should be developed by the builder in consultation with the Stakeholders and an Acoustic Engineer prior to construction commencement on site.

With respect to noise impacts on the development, the applicable project criteria for road traffic noise intrusion to residential areas (based on the ISEPP) is outlined in the following table. The Noise Impact Assessment states that further assessment of rail noise would *not* be required, given the distance between the railway and the site.



## Statement of Environmental Effects

Proposed Mixed Use Development  
34-46 Flushcombe Road, Blacktown

Table 11. ISEPP Internal Noise Criteria for Residential Areas		
Type of Occupance (Residential)	Noise Level	Time Period
Sleeping areas (bedroom)	35 dBA <sub>Leq</sub> (9h, night)	Night 10pm-7am
Other habitable rooms (excl. kitchens, hallways)	40 dBA <sub>Leq</sub> (15h, day)	At any time

Based on preliminary assessment of the worst-affected minimum overall façade performance, the Noise Impact Assessment finds that acoustic compliance can be achieved with commercially-available thermal double glazing or acoustic laminate single glazing. Detailed specifications for glazing would be determined during the detailed design phases of the development, to achieve acoustic, aesthetic, thermal and structural requirements.

Overall, the Noise Impact Assessment concludes that the proposed development will have limited acoustic impacts on the existing environment and the applicable environmental noise criteria can be complied with at the nearest sensitive receivers.

### 5.1.9 STORMWATER AND CIVIL ENGINEERING

A Civil Report and Plans (**Appendix 9**) have been prepared by Costin Roe, and document the stormwater management design and erosion and sediment control measures for the development.

The engineering objectives for the development are to create a site which responds to the topography and site constraints and to provide an appropriate and economical stormwater management system which incorporates best practice in water sensitive urban design (WSUD) and is consistent with the requirements of Council's water quality objectives. The requirements of the *Blacktown City Council Engineering Guide for Development*, Part J of BDCP2015 and the *WSUD Developer Handbook – MUSIC Modelling and Design Guide 2020* have been considered in the design documentation.

#### ***Stormwater Management and Site Drainage***

The piped stormwater drainage (minor) system has been designed to accommodate the 20-year ARI storm event (Q20). Overland flow paths (major) which will convey all stormwater runoff up to and including the Q100 event have also been provided which will limit major property damage and any risk to the public in the event of a piped system failure.

In accordance with Council's recommendations and standards, the calculation of the runoff from storms of the design ARI has been calculated with the catchment modelling software DRAINS.

Discharge from the site will be to Cobb Lane, with details of the discharge points shown in the Civil Plans (**Appendix 9**).

#### ***Stormwater Quantity and Detention***

The site is located in an area that requires on-site detention (OSD), and as such an OSD system is required for the development. The detention system proposed comprises of a detention tank of approximately 75m<sup>3</sup> in volume, proposed below the ground floor slab. Sizing of the detention system has been completed in accordance with the *Blacktown City Council Developers WSUD Guidelines 2020* and the *SQ3M Small Lot web interface tool*.

#### ***Stormwater Quality***

Council has nominated, in Part J of BDCP2015 and Section 3 of Council's *WSUD Developer Handbook – MUSIC Modelling and Design Guide 2020*, that developments of less than 2,000m<sup>2</sup> do not require tertiary treatment. Therefore, this site does not require any treatment devices prior to discharge.

## Statement of Environmental Effects

Proposed Mixed Use Development  
34-46 Flushcombe Road, Blacktown

---

Confirmation that no water quality is required for this development was also made using the Council's *SQ3M Web Interface Tool*.

### ***Stormwater Harvesting***

Rainwater reuse is proposed via 25m<sup>3</sup> of rainwater storage to reduce demand on non-potable uses by 80%.

The rainwater harvesting system will be an in-line tank for the collection and storage of rainwater. At times when the rainwater storage tank is full, rainwater can pass through the tank and continue to be discharged via gravity into the stormwater drainage system. Rainwater from the storage tank will be pumped for distribution throughout the development in a dedicated non-potable water reticulation system.

Rainwater tanks have been designed, using MUSIC software to balance the supply and demand, based on the base water demands and the requirement of BDCP2015 Part J to provide 80% reduction in non-potable water demand.

### ***Sediment and Erosion Control***

During the construction phase, a Sediment and Erosion Control Plan will be in place to ensure the downstream drainage system and receiving waters are protected from sediment laden runoff. Details are shown in the Civil Plans within **Appendix 9**.

## **5.1.10 GEOTECHNICAL ENGINEERING**

A Geotechnical Investigation (**Appendix 10**) has been prepared by JK Geotechnics. Based on investigation of the subsurface conditions, the report provides recommendations for excavation conditions, hydrogeological conditions, shoring options, retaining wall design, footing design, and on-grade slabs. These recommendations would be implemented during the excavation and construction phases of the project.

## **5.1.11 SOIL CONTAMINATION**

A PSI (**Appendix 11**) has been prepared by JK Environments to provide a preliminary assessment of site contamination. The scope of work was undertaken with reference to the NEPM 2013, other guidelines made under or with regards to the CLM Act and SEPP 55.

The pre and post-1960s uses of the site and surrounding land, included residential and commercial uses. Accordingly, potential sources of contamination include the following:

- Imported fill material (entire site);
- Potential use of pesticides (entire site);
- Potential for hazardous building materials (within the existing site buildings and/or within buried fill);
- Historical on-site motor spare parts dealers (46 Flushcombe Road);
- Historical on-site photography business (42 Flushcombe Road);
- Off-site former dry cleaner businesses potentially located up-gradient to the site; and
- Off-site former service stations/motor garages located potentially up-gradient to the site.

Based on limited soil sampling from three (3) boreholes, the following CoPC were detected:

- Asbestos was detected in fill sample BH1 (0.1-0.2m); and
- Elevations of nickel above the ecological SAC was detected in fill samples obtained from BH1 and BH2.

## Statement of Environmental Effects

Proposed Mixed Use Development  
34-46 Flushcombe Road, Blacktown

---

The PSI concludes that there is potential for site contamination, but that the contamination at the site would not preclude the proposed development. The PSI provides the following recommendations:

- A DSI should be undertaken to better characterise the site contamination conditions and establish the extent of remediation required for the proposed development.
- Following demolition of the buildings (and preferably prior to the removal of the hardstand), an asbestos clearance certificate should be obtained.
- A waste classification should be undertaken to classify material to be excavated for the proposed development.

The PSI considers that, provided the above recommendations are addressed, there is no requirement to report any site contamination to the NSW EPA under the NSW EPA Guidelines on the Duty to Report Contamination under Section 60 of the CLM Act.

### 5.1.12 BCA, FIRE AND ACCESS

A BCA Report has been prepared by Trevor R. Howse Pty Limited and is provided at **Appendix 14**. The Report identifies the primary requirements of the *National Construction Code 2019 Volume 1 Amendment 1* (NCC), that are applicable to the proposed works. The report includes a design specification and a fire safety schedule.

A Fire Engineering Statement (**Appendix 15**) has been provided by Integral Group Consulting Engineers Pty Ltd and confirms that the fire and life safety services relating to fire protection systems and mechanical systems will be designed in accordance with the requirements of the NCC and all relevant Australian Standards. Any deviations from the Deemed-to-Satisfy (DtS) provisions of the Building Code of Australia (BCA) will be subject to fire engineered solutions.

An Access Report (**Appendix 16**) has also been prepared by Trevor R. Howse Pty Limited and identifies the primary accessibility requirements in Section D and Part F2 of the NCC, as applicable to the proposal.

### 5.1.13 ENERGY EFFICIENCY

An Energy Efficiency Statement (**Appendix 17**) has been provided by Integral Group Consulting Engineers Pty Ltd and outlines applicable energy efficiency initiatives, including the following:

- BASIX, which aims to reduce the greenhouse gas (GHG) emissions of all new residential dwellings. The benchmark is 3,292kg of carbon dioxide per person per year, which was the average for pre-BASIX homes.
- High performance building fabric, including minimization of thermal bridges in construction, appropriate levels of insulation, and high performance double glazing. These specifications would achieve an average NatHERS rating of 6.5 star across the project.
- Natural ventilation (including operable windows and sliding doors) and making use of prevailing wind patterns has formed part of design strategy. The design is mindful of the balance required to provide opportunities for natural ventilation and the need for appropriate window to wall ratios to limit excessive heat gains.
- Sun shading, through appropriate window to wall ratios, the shadow afforded by balconies by other structures, and additional external shading devices to eastern façade glazing.
- Energy efficiency measures in common areas, including zone switching and motion sensors, timed clocks, and carbon monoxide monitoring and VSD fans to carparking areas.
- Onsite photovoltaics (PV).

Further opportunities to maximise the energy efficiency of the development would be explored during the detailed design phases.

## Statement of Environmental Effects

Proposed Mixed Use Development  
34-46 Flushcombe Road, Blacktown

---

### 5.1.14 HERITAGE

Whilst the site does not comprise any heritage items and is not within a heritage conservation area, the site is situated in the general vicinity of a heritage item. As such, a HIS has been prepared by NBR Architecture and is provided at **Appendix 27**.

The HIS documents that the nearest heritage item to the site is situated on the opposite side of Flushcombe Road, being the locally-listed Blacktown Primary School (former).

The HIS concludes that the proposed demolition of the existing shops and the addition of a mixed use building at the subject site will have no adverse impacts on the heritage fabric of the heritage item in the vicinity. The overall legibility, visibility and amenity of the (former) Blacktown Primary School will also be retained. Overall, the proposed development is acceptable from a heritage perspective as the established heritage significance of the heritage item in the vicinity, will be retained. The proposed development is consistent with the heritage objectives of BLEP2015 and BDCP2015.

### 5.1.15 WASTE

A Waste Management Plan (WMP) (**Appendix 20**) has been prepared by Elephants Foot and outlines the waste management strategies and audits recommended for the operational phase of the development. The WMP has been premised on the following objectives:

- Promote responsible source separation to reduce the amount of waste that goes to landfill, by implementing convenient and efficient waste management systems.
- Ensure adequate waste provisions and robust procedures that will cater for potential changes during the operational phase of the development.
- Compliance with all relevant council codes, policies, and guidelines.

The WMP outlines that all garbage and recycling bins would be collected from the ground level waste rooms, accessed via Cobb Lane. For the residential component, waste collection would be by Council's waste contractor whilst a private contractor would collect the commercial waste. The loading area, waste rooms and bins have been designed and sized in accordance with BDCP2015. The estimated waste generation for the hotel has been calculated based on the NSW Environmental Protection Authority (EPA) *Better Practice Guide for Resource Recovery (2019)*.

The WMP provides additional detailed requirements for waste management for the respective residential and commercial areas, waste collection and the waste rooms.

### 5.1.16 CONSTRUCTION

All works on the site would be carried out in accordance with the conditional requirements of any consent issued.

### 5.1.17 HAZARDOUS MATERIALS

A Hazardous Materials Survey (HAZMAT) (**Appendix 26**) has been prepared by JK Environments for the proposed demolition. The results of the inspection and laboratory analysis are summarised below:

- Asbestos containing materials (ACM) were identified within the interior and the exterior of the existing buildings. Only bonded ACM were encountered.
- Lead containing paint systems were identified on the external timber window frames of No. 42-44 and metal pipework of No. 46. The paint systems were all deteriorated at the time of the inspection.
- No Lead in Accumulated Dust was identified.
- Fluorescent light fittings potentially housing Polychlorinated Biphenyls (PCBs) containing capacitors were identified throughout the site.



## Statement of Environmental Effects

Proposed Mixed Use Development  
34-46 Flushcombe Road, Blacktown

---

- Materials containing Synthetic Mineral Fibre (SMF) were identified in the form of foil backed insulation, internal insulation within air-conditioning ductwork, within hot water units and vinyl sheeting at the site. All materials were in good condition at the time of the inspection.

The HAZMAT provides recommendations for each of the hazardous materials identified.

The report also recommends that a Destructive HAZMAT be undertaken once the buildings are vacated, to ensure any hidden or obstructed hazardous building materials are identified.

### 5.1.18 CUMULATIVE IMPACTS

No foreseeable cumulative impacts would result from the proposed development. Rather, the proposal would transform the site into a vibrant mixed use development integrating dining, recreational, socializing, business, employment and living opportunities, to revitalize Blacktown CBD.

## 5.2 SUITABILITY OF SITE FOR DEVELOPMENT

Through the proposal, strategically-located but under-utilised land would be redeveloped to accommodate a complementary mix of commercial and residential uses in a co-located, convenient and highly-amenable mixed use development.

The proposed mixed use development would be compatible with the desired future role, function, scale and character of the site and wider Blacktown CBD. The proposal would uplift the quality of development in Blacktown, setting a precedent for design excellence, and would inject activity and vibrancy throughout the day and night to catalyse the desired revitalization.

The proposal would also be suitable for the site, having regard to environmental characteristics of the land and surrounding area. This has been confirmed through the detailed technical assessment carried out to inform the development (refer attached appendices for full assessments, with summaries provided in this SEE).

The site is therefore highly suitable for the proposed development.

## 5.3 SUBMISSIONS

No submissions are apparent at the time of writing. However, the applicant is willing to address any submissions, should they be received by Council.

## 5.4 THE PUBLIC INTEREST

The proposed development would have no adverse impact on the public interest. Rather, the proposal would support increased activation, economic activity and job creation within Blacktown city centre, whilst also providing a significant supply of new housing within immediate proximity of jobs, services and public transport. The proposal would therefore achieve Governments' objectives for a revitalised Blacktown CBD.

## Statement of Environmental Effects

Proposed Mixed Use Development  
34-46 Flushcombe Road, Blacktown

---

### PART F CONCLUSION

The proposed mixed use development at 34-46 Flushcombe Road, Blacktown, would integrate a complementary mix of living, dining, recreational, socializing, business and employment opportunities, to revitalize Blacktown CBD.

This SEE provides an assessment of the proposal against the relevant components of the environmental planning framework, including BLEP2015, BDCP2015 and the ADG. The assessment finds that the proposal is consistent with the objectives and controls of the relevant instruments and policies. No significant environmental, economic or social impacts have been identified as likely to arise from the proposed development.

In overview, it is considered the proposal should warrant a positive assessment for the following compelling reasons:

- The proposal would support increased activation, economic activity and job creation within Blacktown city centre, whilst also providing a significant supply of new housing within immediate proximity of jobs, services and public transport.
- Through the proposed mix of uses and introduction of a new residential population, the proposal would enliven the city centre during the daytime and night-time, supporting a 24/7 community and economy.
- The built form has been architecturally-designed to create an active frontage, human-scale podium and highly-articulated tower, within a contiguous built form that will uplift the character and quality of the streetscape and skyline. The proposed building height and density reflect the scale and intensity of development promoted for the site and city centre through the recently gazetted Planning Proposal for Blacktown CBD.
- Overall, the proposal would provide a major contribution to the revitalisation of Blacktown city centre, through its injection of living, working, visiting and recreational opportunities within an architecturally-designed focal development on a strategically-located site.
- The proposal would be compatible with surrounding development (existing and future) and would not compromise the ongoing operations, development potential or amenity of any nearby land uses or public domain spaces.
- All proposed uses are permissible with consent in the B4 Mixed Use zone pursuant to BLEP2015 and the proposal would achieve the B4 zone objectives.
- Whilst a variation to the BLEP2015 building height standard is proposed (proposed maximum height of 56.3m (measured to the top of the architectural roof feature), being 6.3m above the 50m LEP standard and equating to a 12.6% variation), the additional building height is limited to a section of the level 15 ceiling and otherwise to non-habitable rooftop structures. The rooftop space and structures above the 50m height plane contribute to the provision of amenable communal open space for future residents, as well as to essential building services/plant and the lift overrun. The height non-compliance also relates to the architectural roof feature, which contributes to the design excellence of the development. The proposed additional building height would have no adverse visual or amenity impacts. Given it would primarily relate to non-habitable structures, the height variation would not unacceptably increase the bulk or scale of the development, and would not cause any additional overshadowing or other amenity impacts for neighbouring properties. Further justification is provided in the Clause 4.6 Variation at **Appendix 1**.
- The proposal would comply with all other BLEP2015 development standards and relevant provisions.

## **Statement of Environmental Effects**

Proposed Mixed Use Development  
34-46 Flushcombe Road, Blacktown

---

- The proposal would achieve the relevant BDCP2015 objectives and provisions for mixed use development within Blacktown CBD.
- The proposal would also achieve compliance with the ADG for the residential component of the development.

As stipulated previously in this SEE, the matters for consideration under Section 4.15 of the EP&A Act have been satisfactorily addressed demonstrating the proposal is compatible with the surrounding environment. Accordingly, it is recommended that Council grant development consent to the proposal.