

Assessment report to Sydney Central City Planning Panel

Panel reference: 2017SWC067

Development application

| | | | |
|-----------------------------|---|------------------------------|----------------|
| DA number | SPP-17-00006 | Date of lodgement | 27 March 2017 |
| Applicant | The Wickwood Property Group Pty Ltd | | |
| Owner | R, M, E and M Haddad | | |
| Proposed development | Construction of 4 x 8 storey residential flat buildings comprising 239 apartments, with 2 basement levels providing parking for 317 cars and associated civil and landscaping works | | |
| Street address | Proposed Lot 2 in subdivision of Lot 74 DP208203 59 Cudgegong Road, Rouse Hill | | |
| Notification period | 23 July to 6 August 2018 | Number of submissions | 1 (in support) |

Assessment

| | |
|--|---|
| Panel criteria Section 7, SEPP (State and Regional Development) 2011 | <ul style="list-style-type: none"> Capital investment value (CIV) over \$30 million (DA has CIV of \$ 64,272.877 incl GST) |
| Relevant section 4.15(1)(a) matters | <ul style="list-style-type: none"> State Environmental Planning Policy (State and Regional Development) 2011 State Environmental Planning Policy (Sydney Region Growth Centres) 2006 State Environmental Planning Policy (Infrastructure) 2007 State Environmental Planning Policy No. 65 (Design Quality of Residential Apartment Development) and Apartment Design Guide (ADG) State Environmental Planning Policy No. 55 – Remediation of Land State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 Sydney Regional Environmental Plan No 20 – Hawkesbury-Nepean River Draft Amendment to SEPP (Sydney Region Growth Centres) 2006 Blacktown City Council Growth Centres Precincts Development Control Plan 2018 |
| Report prepared by | Bertha Gunawan |
| Report date | 11 February 2020 |
| Recommendation | Approval subject to conditions, including deferred commencement, listed in attachment 7. |

Attachments

- 1 Location map
- 2 Aerial image
- 3 Zoning extract
- 4 Detailed information about proposal and DA submission material
- 5 Development Application (DA) plans
- 6 Assessment against planning controls
- 7 Draft conditions of consent

Checklist

Summary of section 4.15 matters

Have all recommendations in relation to relevant section 4.15 matters been summarised in the Executive summary of the Assessment report? Yes

Legislative clauses requiring consent authority satisfaction

Have relevant clauses in all applicable environmental planning instruments, where the consent authority must be satisfied about a particular matter, been listed and relevant recommendations summarised in the Executive Summary of the Assessment report? Yes

Clause 4.6 Exceptions to development standards

If a written request for a contravention to a development standard (clause 4.6 of the SEPP SRGC 2006) has been received, has it been attached to the Assessment report? Not applicable

Special Infrastructure Contributions

Does the DA require Special Infrastructure Contributions conditions (section 7.24)? Yes

Conditions

Have draft conditions been provided to the applicant for comment? Yes

Contents

| | | |
|----|--|---|
| 1 | Executive summary..... | 4 |
| 2 | Location | 4 |
| 3 | Site description | 4 |
| 4 | Background | 5 |
| 5 | The proposal..... | 6 |
| 6 | Assessment against planning controls | 6 |
| 7 | Issues raised by the public..... | 6 |
| 8 | External referrals | 7 |
| 9 | Internal referrals..... | 7 |
| 10 | Conclusion | 7 |
| 11 | Recommendation..... | 7 |

1 Executive summary

- 1.1 There is no specific key issue to be considered by the Panel in respect of this application.
- 1.2 Assessment of the application against the relevant planning framework and consideration of matters by our technical departments has not identified any issues of concern that cannot be dealt with by conditions of consent.
- 1.3 The application is therefore assessed as satisfactory when evaluated against section 4.15 of the Environmental Planning and Assessment Act 1979.
- 1.4 This report recommends that the Panel approve the application subject to the recommended conditions listed in attachment 7.
- 1.5 For the Panel's information, a similar DA was lodged by the same applicant on 27 March 2017 on proposed Lot 1, to the east, in a subdivision of 59 Cudgegong Road, Rouse Hill. This application was for 2 x 8 storey residential flat buildings comprising 163 apartments. It was subject to 3 separate Panel considerations on 15 June 2019, 29 August 2019 and 29 October 2019.
- 1.6 The issues of concern by the Panel have been incorporated into the amended design of SPP-17-00006.

2 Location

- 2.1 The site is located in Rouse Hill, within the Area 20 Precinct of the North West Growth Area. The location of the site is shown at attachment 1 and illustrated in the aerial photograph at attachment 2.
- 2.2 The future planning outcome envisioned for the Area 20 Precinct, as stated under State Environmental Planning Policy (Sydney Region Growth Centres) 2006, is:

"to create a series of new walkable residential neighbourhoods supported by local retail, employment, community, open space and recreational opportunities.... The Precinct will provide for a range of densities, dwelling types and affordability options including larger lots and standard detached houses, with apartments in close proximity to Rouse Hill Town Centre and its associated public transport opportunities."
- 2.3 Immediately to the south of the site is the proposed Tallawong Local Centre. Within 320 m walking distance is the new Tallawong Metro Station, providing rail access to many parts of Metropolitan Sydney. Consequently, the site is within close walking distance of public transport, local shops, businesses, services and community facilities.
- 2.4 The site is 120 m to the west of Cudgegong Road, which provides good vehicular access, via Schofields Road and Windsor Road, to surrounding suburbs, employment areas and the commercial centres of Rouse Hill, Bella Vista and Castle Hill.
- 2.5 The site is located on land zoned R3 Medium Density Residential that surrounds the proposed Tallawong Local Centre and the Sydney Metro Northwest Tallawong Station. An area of bushland reserve zoned E2 Environmental Conservation is 100 m to the north of the site. 600 m to the east of the site is the open space corridor of Second Ponds Creek, which stretches north to Rouse Hill Regional Park and the Rouse Hill House Estate heritage site.

3 Site description

- 3.1 The subject land is known as proposed Lot 2, 59 Cudgegong Road, Rouse Hill. It is one of 2 proposed lots in the approved subdivision of Lot 74 DP 208203, that is situated on the western side of Cudgegong Road.

- 3.2 The site has a total area of 11,740 m² that includes the road reservation of 3,955 m² and the proposed development area of 7,785 m² (according to the approved subdivision plans under DA-16-04138) The development area (excluding roads) is rectangular in shape, with the eastern and western frontages approximately 54 m long and the northern and southern frontages 143 m long.
- 3.3 The site is in an elevated position in the locality, with gently sloping topography, characterised by a fall of 3 m across the site from east to west, and 2 m across the site from south to north. The highest point of the site is in the south-east, with a fall of 5 m to the north-west corner, where a dam is located.
- 3.4 There are several existing trees on the site around the dam. All trees are to be removed due to the location of the proposed ILP roads, the construction of which have already been approved under a separate development consent for subdivision, roads and infrastructure over the site. The site is not identified under the statutory planning regime as containing any critical habitat or endangered species.
- 3.5 Under State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (SEPP 2006), the site is zoned R3 Medium Density Residential, with development standards of:
 - 26 m maximum height of buildings
 - 1.75:1 maximum floor space ratio
 - 1,000 m² minimum lot size for a residential flat building
 - 45 dwellings per hectare minimum residential density.

An extract of the zoning plan for the site and surrounds is at attachment 3.

- 3.6 The site is not identified in SEPP 2006 as being of European heritage significance or as being flood affected.
- 3.7 Under the Blacktown City Council Growth Centre Precincts Development Control Plan (Growth Centres DCP) 2018, Schedule 4 Area 20 Precinct, the site is identified as an area with some Aboriginal cultural heritage significance.

4 Background

- 4.1 The DA was lodged on 27 March 2017. Elements of the proposal were redesigned several times in response to our concerns regarding a large number of inadequacies in the original plans, and also in response to issues raised by the Panel in relation to SPP-17-00007. These included excessive building height, failure to satisfy floor space ratio and site coverage, inadequate building boundary setbacks and internal separation, insufficient deep soil and landscape tree planting, poor internal amenity of some apartments (solar access, apartment dimensions), excessive car parking and basement area, apartment mix (insufficient 3 bedroom dwellings and universal design apartments), lack of outdoor clothes drying area and excessively high boundary fences.
- 4.2 Further, the applicant was requested to implement the recommendations of the Aboriginal archaeological assessment and provide a CPTED analysis of the proposal. The final revised plans now being considered (Issue G) were submitted to us in September 2019.
- 4.3 Related development consent No 16-04138 was issued in 2017 for Lot 74 DP 208203, 59 Cudgegong Road, to demolish the existing dwelling and structures and to subdivide the land into 2 lots (proposed Lot 1 and the subject site Lot 2), with associated earthworks, infrastructure and road construction. The purpose of that consent was to prepare the site for future residential flat buildings. Proposed Lot 1 retains full frontage to Cudgegong Road and proposed Lot 2 is sited to the west of proposed Lot 1, separated by proposed Road No 3 as shown on the plans at attachment 5.

- 4.4 The subject proposal is for the construction of residential apartment buildings on proposed Lot 2. A separate DA (under SPP-17-00007) was approved by the Sydney Central City Planning Panel on 29 October 2019 over Lot 1 for the construction of 2 x 8 storey residential flat buildings, comprising 163 apartments with 229 car parking spaces in 2 basement levels. This application was amended several times to meet Council and the Panel's requirements. We have ensured that the latest proposal for Lot 2 reflects the Panel's requested changes on 2 occasions for SPP-17-00007.

5 The proposal

- 5.1 In the latest amended plans for the subject DA, the applicant proposes the construction of 4 x 8 storey residential flat buildings, comprising 239 apartments over 2 separate adjacent basements of 2 levels each, that provide a total of 317 car parking spaces, and associated works including civil engineering, stormwater control and site landscaping.
- 5.2 In the latest amended plans the proposal complies with all the key controls of the ADG and the Blacktown Growth Centre DCP.
- 5.3 The proposal is outlined in more detail at attachment 4, and a copy of the development plans is included at attachment 5.

6 Assessment against planning controls

- 6.1 A full assessment of the DA against relevant planning controls is provided at attachment 6, including:
- Environmental Planning and Assessment Act 1979
 - State Environmental Planning Policy (State and Regional Development) 2011
 - State Environmental Planning Policy (Infrastructure) 2007
 - State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004
 - State Environmental Planning Policy No. 55 – Remediation of Land
 - Sydney Regional Environmental Plan No. 20 – Hawkesbury-Nepean River
 - State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development
 - State Environmental Planning Policy (Sydney Region Growth Centres) 2006
 - Blacktown City Council Growth Centre Precincts Development Control Plan 2018
 - Central City District Plan 2018.

7 Issues raised by the public

- 7.1 The initially proposed development was notified to property owners and occupiers in the locality between 23 July and 6 August 2018. The DA was also advertised in the local newspapers and a sign was erected on the site.
- 7.2 One public submission was received in support of the proposal.
- 7.3 The submission in support was from consultants on behalf of the neighbouring property at 34-42 Tallawong Road, stating that the proposal is expected to integrate effectively with the proposed development at 34-42 Tallawong Road.
- 7.4 The current amended plans did not require re-notification given that the final revised plans respond more positively to the surrounding area.

- 7.5 The proposed development complies with all of the relevant development standards and design guidelines. It presents better to the streetscape than as originally proposed and is fully compliant with the maximum building height and floor space ratio controls.

8 External referrals

- 8.1 The DA was referred to the following external authorities for comment:

| Authority | Comments |
|-----------------------------|----------------------------------|
| Endeavour Energy | Acceptable subject to conditions |
| NSW Police | Acceptable subject to conditions |
| NSW Rural Fire Service | Acceptable subject to conditions |
| Roads and Maritime Services | Acceptable subject to conditions |

9 Internal referrals

- 9.1 The DA was referred to the following internal sections of Council for comment:

| Section | Comments |
|----------------------|---|
| Engineering | Acceptable subject to conditions |
| Waste | Acceptable subject to conditions |
| Environmental Health | Acceptable subject to conditions |
| Building | Acceptable subject to conditions |
| Traffic | Acceptable subject to conditions |
| City Architect | Acceptable. The current amended design has addressed all previous concerns in relation to solar access to the communal open spaces, resident access to the public domain, internal building separation and material durability. |
| Heritage | Acceptable |
| Open Space | Acceptable subject to conditions |
| Natural Areas | Acceptable subject to conditions |

10 Conclusion

- 10.1 The proposed development has been assessed against all relevant matters and is considered to be satisfactory. It is considered that the likely impacts of the development have been satisfactorily addressed and that the proposal is in the public interest. The site is considered suitable for the proposed development subject to conditions.

11 Recommendation

- 11.1 Approve SPP-17-00006 subject to the conditions listed in attachment 7.
11.2 Council officers notify the applicant and submitter of the Panel's decision.



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