

*Planning Direction Pty. Ltd.*  
*Town Planning & Development Services*

**Blacktown Council  
62 Flushcombe Road  
Blacktown  
NSW 2153**

**24 September 2019**

**Development Application  
59 Cudgegong Road Rouse Hill Site 1  
DA SPP-17- 400007**

Dear Alan

I refer to the above matter that was recently considered by the Sydney Central Planning Panel and the subsequent comments forwarded to the applicant reiterated below.

**Panel comments for your urgent response**

**2017SWC068 - Blacktown – DA17-00007**

**Address – 59 Cudgegong Rd, Rouse Hill, Proposed Lot 1 in subdivision of Lot 74 DP208203**

*Description – Construction of 2 x 8 storey residential flat buildings comprising 163 apartments, 229 car parking spaces in 2 basement levels and associated civil and landscaping works.*

*The Panel notes the recommendation in the Council's Supplementary Assessment Report to grant consent to the proposed development, as amended, for the reasons outlined in the original Assessment Report and subject to the revised Council conditions. The Panel also notes that no height or FSR variation is required under clause 4.6 of the SEPP.*

*However, they are concern that the proposal now provides 46 car spaces in excess of the Council's requirements and yet remains deficient in deep soil landscaped area. They thought that there must be scope to reduce the size of the basement and thereby increase the extent of deep soil landscaping, particularly between the buildings. They accept that the revised application provides an improved outcome and goes a long way towards addressing the deficiencies identified at the meeting of 24 April 2019. However, they would like the staff to investigate and discuss options with the applicant to improve deep soil landscape area by reducing the number of car parking spaces given the site's access to new transport infrastructure.*

Essentially the Panel has requested that consideration be given to an increase in deep soil and a corresponding reduction in on site car parking. It is noted that the request has been made notwithstanding that the proposal considered by the Panel was fully compliant with both the deep soil controls and the on-site car parking rates applying to the development under SEPP No 65 and the ADG (refer to comments in sections 1 and 2 of this correspondence). On this basis it is respectfully suggested that approval of the development application as proposed would have been a reasonable outcome.

Notwithstanding and as requested by the Panel the applicant has revised the proposal to further increase the deep soil provision by reducing the on-site car parking provision. Essentially there has been a reduction of eight (8) on site car parking spaces with a corresponding increase of 59sqm in deep soil landscaping. Further detail is provided in section 3 of this correspondence.

### **1. Car Parking as Considered by the Panel**

Pursuant to clause 30 of the SEPP No 65 a development cannot be refused for reasons of car parking '*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*'.

The car parking provisions of Part 3J of the ADG operate as a 'minimum' rather than a 'maximum' standard.

The ADG requirement for on-site car parking is:

*Objective 3J-1*

*Car parking is provided based on proximity to public transport in metropolitan Sydney and centres in regional areas*

*For development in the following locations:*

- on sites that are within 800 metres of a railway station or light rail stop in the Sydney Metropolitan Area; or*
- on land zoned, and sites within 400 metres of land zoned, B3 Commercial Core, B4 Mixed Use or equivalent in a nominated regional centre*

*the minimum car parking requirement for residents and visitors is set out in the Guide to Traffic Generating Developments, or the car parking requirement prescribed by the relevant council, whichever is less.*

*The car parking needs for a development must be provided off street*

The relevant GTTGD requirements for a sub regional centre are:

*5.4.3 High density residential flat buildings.*

*Definition. A high density residential flat building refers to a building containing 20 or more dwellings. This does not include aged or disabled persons' housing. High density residential flat buildings are usually more than five levels, have basement level car parking and are located in close proximity to public transport services. The building may contain a component of commercial use.*

*The recommended minimum number of off-street resident parking spaces is as follows:*

*Metropolitan Sub-Regional Centres:*

*0.6 spaces per 1 bedroom unit.*

*0.9 spaces per 2 bedroom unit.*

*1.40 spaces per 3 bedroom unit.*

*1 space per 5 units (visitor parking).*

The *Blacktown City Council Growth Centre Precincts Development Control Plan 2010* car parking requirements are as follows;

*All residential flat buildings are to be consistent with:*

- *the guidelines and principles outlined in SEPP No. 65 – Residential Flat Development; and*
- *the primary controls set out in Table 4-10.*

The required parking for a residential flat building as identified in table 4-10 is “1 space per dwelling, plus 0.5 spaces per 3 or more bedroom dwelling. 1 visitor car parking space per 5 apartments”

The proposed development provides a total of 163 units comprising 4 studio units, 24 x 1 bedroom units, 111 x 2 bedroom units, and 24 x 3 bedroom units. The required car parking pursuant to the *GTTGD* and the *Blacktown City Council Growth Centre Precincts Development Control Plan 2010* is summarised in the following table.

	<b>GTTGD</b>	<b>DCP 2010</b>
<b>28 x 1 bedroom units (1 bedroom and studios combined)</b>	Min 0.6 spaces per 1 bedroom unit= Min 16.8 (say 17) spaces	1 space per dwelling = 28 spaces
<b>111 x 2 bedroom units</b>	Min 0.9 spaces per 2 bedroom unit = Min 99.9 (say 100) spaces	1 space per dwelling = 111 spaces
<b>24 x 3 bedroom units</b>	Min 1.40 spaces per 3 bedroom unit = Min 33.6 (say 34) spaces	1.5 spaces per dwelling = 36 spaces
<b>Visitor (163 units)</b>	Min 1 space per 5 units 32.6 (say 33) spaces	1/5 units = 32.6 (say 33) spaces
<b>TOTAL:</b>	<b>Min 184 spaces</b>	<b>208 car spaces</b>

As submitted and considered by the Panel the proposed development provided 229 on site spaces in compliance with the minimum requirement when assessed under either the *GTTGD* or *DCP 2010* controls. The proposed on-site parking was 45 spaces or 24% above the minimum *GTTGD* standard.

The provision of a level of service above the minimum standard in terms of on-site car parking provision has been common/accepted practise in the locality. In this respect it is noted that a number of residential flat

developments in the immediate vicinity of the site have relatively recently been approved with on site car parking provision well in excess of the minimum standard. By way of example the residential flat development at No 44-56 Cudgegong Road was required to provide a minimum of 770 on site car parking spaces and was approved with 1,021 resident and visitor spaces, being some 251 spaces or 32% over the GTTGD 'minimum' standard.

The on-site car parking provision in terms of the 'level of service' proposed under the development application is therefore entirely consistent with the planning approach that has been supported in the locality.

## **2. Deep Soil as Considered by the Panel**

The amended plans that were recently considered by the Panel increased the quantum of deep soil on the site through the provision of additional areas in the north western corner of the site, the south western corner of the site, midway along the northern street boundary (adjacent to the pedestrian entry), and increasing the size of the deep soil area that is centrally located between blocks A and B. These areas have a minimum dimension of 6m and are able to accommodate large canopy trees. The on-site car parking was reduced to accommodate the additional deep soil provision.

Numerically the total on site deep soil and landscaping that was provided was:

1. Deep soil zones with a minimum dimension of 6m in any direction: 889.54sqm or 10.48% of the site area
2. Additional deep soil with a dimension of less than 6m: 470.18sqm or 5.54% of the site area
3. Total deep soil (sum of 1 and 2): 1292.96sqm or 15.23% of the site area
4. Planting on structures (soil depth of a minimum 1000mm): 561.56sqm or 6.61% of the site area

5. Total Deep soil areas (sum of 1, 2 and 4): 1921.28sqm or 22.63% of the site area.

The ADG numeric guideline for deep soil is 7% of the site area that in this instance equates to 594.30sqm. The proposal provided 10.48% of the site area as deep soil (6m dimension) readily complying with the ADG numeric guideline.

The deep soil zones areas were supplemented by additional deep soil zones to the perimeter of the site; these areas co-exist with the deep soil street verge providing a substantial root zone. The building setback and the road verge accommodate larger trees without compromising the canopy spread. It should be noted that in this case the width of the perimeter deep soil zone to the street frontages was reduced because Councils required road width increased from 16m to 18m; Council acknowledged that the perimeter deep soil zone could be reduced because of this circumstance.

The deep soil landscaping was further supplemented by planting on structures. Part 4P of the ADG – ‘planting on structures’ also notes that: *‘Planting on structures is where plants are on top of built structures such as basement car parks, podiums, roofs and walls. Planting on structures can provide amenity, improve air quality and microclimate, and reduce direct energy use and stormwater runoff. It can also supplement deep soil planting on sites where opportunities for this are limited or restricted, e.g. in high density areas’.*

The additional landscaping on structures equated to 561.56sqm or 6.61% of the site area. The ADG recommends soil depths of 800mm to 1200mm for small to large trees. The planter bed depths where tree planting is proposed achieve the ADG criteria for the relevant tree species/type.

The project landscape architect confirmed that the deep soil zones and the planter beds on structures are acceptable for the species proposed in terms of soil depth and soil volumes.

Having regard to the above the Panel can be satisfied that the proposed buildings will sit in a well landscaped setting. The ‘quantum’ of deep soil has been increased as requested and complies with the ADG guidelines.



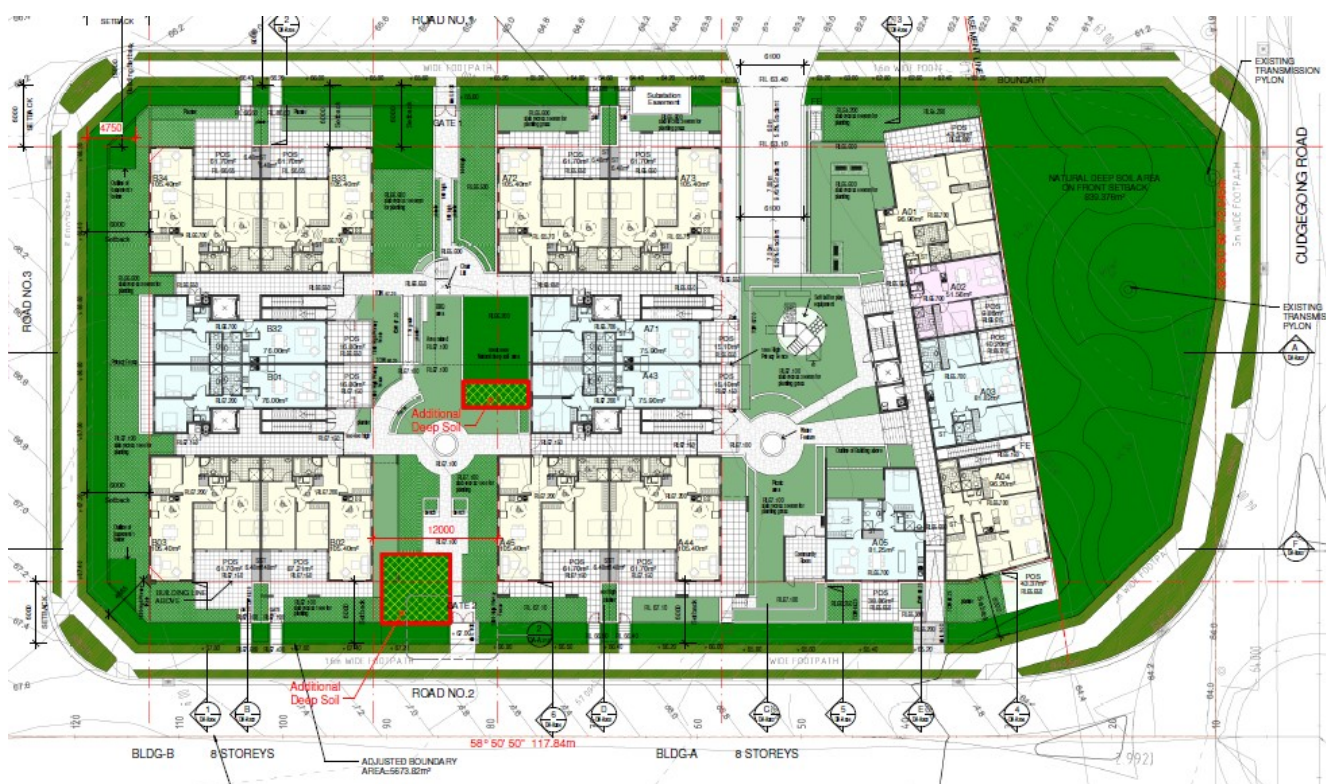
The natural deep soil areas are supplemented by additional planting on structures. Importantly the proposed landscaping provides a high quality environment having particular regard to the streetscapes and the amenity of internal areas.

### 3. The Current Position and The Proposed Amended Plans

Notwithstanding full compliance with the ADG requirements for both deep soil and on-site car parking the Panel has requested that consideration be given to further increasing the deep soil provision by reducing the on-site car parking provision.

The accompanying amended plans achieve this outcome. Essentially there has been a further reduction of eight (8) on site car parking spaces with a corresponding increase of 59sqm in deep soil landscaping.

The additional deep soil zones have been located at the main pedestrian entry from the southern street frontage (between blocks A and B) and within the central common open space (between blocks A and B) as shown in the following plan extract.



The additional deep soil has been strategically placed to improve the amenity of the common open space area and enhance the pedestrian entry/street presentation of the development.

Under the proposed amendments the total deep soil area (including only areas with a dimension of 6m or more in any direction) increases from 889.54sqm or 10.48% of the site area to 948.5sqm or 11.17% of the site area. The total site deep soil (including areas less than 6m but excluding planting on structures) increases from 1,292.96sqm or 15.23% of the site area to 1,352sqm or 15.92% of the site area.

The on-site car parking is reduced from 229 spaces to 221 spaces.

The amended proposal readily complies with the relevant SEPP 65 ADG standards.

Trusting that the above resolves all outstanding matters, enabling development consent to be granted.

Yours Sincerely

A handwritten signature in cursive script, appearing to read 'Danny Jones', written in black ink.

Danny Jones  
(Bachelor of Urban and Regional Planning- UNE)