

Department of Planning and Environment

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REVIEW OF ENVIRONMENTAL FACTORS

Proposed Seniors Housing Development

at

1-5 Brown Street, North Parramatta NSW 2151

April 2023





Acknowledgement of Country

The Department of Planning and Environment acknowledges that it stands on Aboriginal land. We acknowledge the Traditional Custodians of the land and we show our respect for Elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.

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1 Executive Summary

The subject site is located at 1 - 5 Brown Street, North Parramatta NSW 2151, and is legally described as Lots 45, 46 & 47 in Deposited Plan 35290. The development also involves drainage of stormwater via adjoining land being Lot 67 in Deposited Plan 1214846 No.8 Jeffery Avenue.

The proposed seniors' housing development is described below.

Demolition of 3 existing dwellings and structures, removal of trees, and the construction of 12 independent living seniors housing units comprising 6 x one bedroom and 6 x two bedroom units, with associated landscaping and fencing, surface parking for 9 cars, and consolidation into a single lot.

The proposed activity is located in a prescribed zone and seniors housing is permitted on the site under the Parramatta Local Environmental Plan 2011 and can therefore be carried out by the NSW Land and Housing Corporation (LAHC) without consent under the provisions of Part 5, Division 8 of the *State Environmental Planning Policy (Housing) 2021* (Housing SEPP) as it does not result in more than 40 dwellings on the site and does not exceed 9.5m in height.

Demolition has been considered as part of the proposed activity. Demolition is permitted with consent under the provisions of the applicable local environmental planning instrument and is therefore permitted without consent under the provisions of the Housing SEPP.

The removal of trees on the site is covered by the definition of consent under Section 6 of the Housing SEPP. It has therefore been incorporated in this review of environmental factors under Part 5 of the Environmental Planning and Assessment Act 1979 (EP&A Act) and Part 8 of the *Environmental Planning and Assessment Regulation 2021* (EP&A Regulation).

The REF demonstrates the following:

- from an analysis of the potential environmental impacts associated with the proposed activity, it has been concluded that the preparation of an Environmental Impact Statement is not required;
- based on a review of the potential environmental impacts resulting from the proposed activity it has been determined that, subject to implementation of mitigation measures to be incorporated as identified requirements, the activity will not have any significant adverse impact on the environment;
- the proposed activity will not have any effect on matters of national significance and its approval under the *Commonwealth Environment Protection and Biodiversity Conservation Act 1999* is not required;
- the design of the proposed activity has adequately taken into account design principles and better practices set out in the *Seniors Living Policy: Urban Design Guidelines for Infill Development* and taken into consideration *Good Design for Social Housing* and LAHC's *Dwelling Requirements*;
- the site planning and design of the proposed activity adequately address the applicable local environmental planning and development controls of Parramatta Council;
- a BASIX certificate and NatHERS certificate and stamped plans have been submitted for the proposed activity demonstrating compliance with the State Government's environmental sustainability targets; and
- there are no separate approvals, authorisations or notifications required in relation to the proposed activity prior to determination under Part 5 of the EP&A Act or under any other Acts.

City of Parramatta Council and occupiers of adjoining land were notified of the proposed activity under the provisions of Housing SEPP. A response was received from Council dated 5 September 2022. Comments on

the response are provided in Section 6.1 of this REF. Two submissions were received from occupiers of adjoining land. Comments on the submissions are provided in Section 6.2 of this REF.

The proposed activity, if carried out in accordance with the environmental mitigation measures outlined in the REF, will not result in any significant and long term negative impacts on the environment and can proceed subject to the implementation of the Identified Requirements in **Appendix C**.

2 Introduction

This Review of Environmental Factors (REF) under Part 5 of the Environmental Planning and Assessment Act 1979 (EP&A Act) is for an activity involving the demolition of existing dwellings and structures, removal of trees, and the construction of a 12 units seniors housing development comprising 6 x one bedroom and 6 x two bedroom independent living units, with associated landscaping and fencing, surface parking for 9 cars, and consolidation of the 3 lots into a single lot at 1–5 Brown Street, North Parramatta. The proposal includes discharge of stormwater to an easement for drainage through 8 Jeffery Avenue, North Parramatta.

The activity* will be carried out by, or on behalf of, NSW Land and Housing Corporation (LAHC) and is 'development without consent' under the Housing SEPP.

This REF has been prepared by Planning Ingenuity on behalf of LAHC in satisfaction of the provisions of Part 5 of the Environmental Planning & Assessment Act 1979 (EP&A Act) and Part 8 of the Environmental Planning & Assessment Regulation (EP&A Regulations) 2021.

A Statement of Compliance accompanying this REF certifies that in accordance with the requirements of the EP&A Act, all matters affecting or likely to affect the environment by reason of the proposed activity have been taken into account to the fullest extent possible and the activity will not have a significant impact on the environment.

***Note:** *The proposed development is permitted without consent and is therefore subject to environmental impact assessment as an 'activity' under Part 5 of the Environmental Planning and Assessment Act 1979.*

2.1 Summary of Proposed Activity

The main features of the development are summarised as follows:

- site preparation works including demolition of 3 existing dwellings and structures, and associated earthworks;
- removal of 10 trees within the subject site;
- construction of 12 independent living units, comprising 6 x one bedroom and 6 X two bedroom units;
- surface parking for 9 vehicles;
- associated landscaping and fencing;
- consolidation of the 3 lots into a single lot; and
- creation of an easement to drain water.

The proposal is detailed in the following plans, drawings and specialist reports and supporting information:

Plans, Drawings & Supporting Document Details

The development is outlined in the following plans and drawings:

Title / Name:	Drawing No. / Document Ref	Revision / Issue:	Date [dd.mm.yyyy]:	Prepared by:
Architectural – Appendix E				
Coversheet	A01 of A14	Rev B	10.11.2022	LSB Architects
Site Analysis and Demolition Plan with tree protection zone	A02 of A14	Rev A	11.04.2022	LSB Architects
Fill & Cut Plan	A03 of A14	Rev B	10.11.2022	LSB Architects
Block Plan	A04 of A14	Rev B	10.11.2022	LSB Architects
Site Plan with New Drainage + Waste management Plan	A05 of A14	Rev B	10.11.2022	LSB Architects
Site Plan	A06 of A14	Rev B	10.11.2022	LSB Architects
Ground Floor Plan	A07 of A14	Rev B	10.11.2022	LSB Architects
First Floor Plan	A08 of A14	Rev B	10.11.2022	LSB Architects
Roof Plan	A09 of A14	Rev B	10.11.2022	LSB Architects
East Elevation & Section A-A & B-B	A10 of A14	Rev B	10.11.2022	LSB Architects
East Elevation & Section A-A & B-B	A11 of A14	Rev B	10.11.2022	LSB Architects
Street Elevation & Colour Scheme	A12 of A14	Rev A	11.04.2022	LSB Architects
Shadow Diagrams	A13 of A14	Rev A	11.04.2022	LSB Architects
Cross Ventilation Diagram	A14 of A14	Rev A	10.11.2022	LSB Architects
Landscape Plan	L01	Rev B	09.11.2022	LSB Architects
Stormwater Management				
Site Stormwater Drainage Layout Plan With Drainage Easement	C01 of C07	4	14.11.2022	LSB Architects
Site Stormwater Drainage Layout Plan	C02 of C07	2	14.11.2022	LSB Architects
Roof Stormwater Drainage Layout Plan	C03 of C07	2	14.11.2022	LSB Architects
Stormwater Drainage Details	C04 of C07	2	14.11.2022	LSB Architects
Erosion & Sediment Control Layout Plan	C05 of C07	2	14.11.2022	LSB Architects
Erosion and Sediment Control Details	C06 of C07	2	14.11.2022	LSB Architects
Stormwater Drainage Details	C07 of C07	2	14.11.2022	LSB Architects

Title / Name:	Drawing No. / Document Ref	Revision / Issue:	Date [dd.mm.yyyy]:	Prepared by:
Hydraulic services				
Cover sheet	H-000	3	07.11.2022	Marline, building services engineers
Legend, Notes & Schedule	H-001	3	07.11.2022	Marline, building services engineers
Site Services	H-100	3	07.11.2022	Marline, building services engineers
First Floor Water & Sanitary Drainage	H-101	2	07.11.2022	Marline, building services engineers
Electrical Services				
Cover sheet	E-000	4	07.11.2022	Marline, building services engineers
Site Reticulation, Legend and Block Diagram	E-100	4	07.11.2022	Marline, building services engineers
First Floor Layout	E-101	3	07.11.2022	Marline, building services engineers
Roof Layout	E-102	3	07.11.2022	Marline, building services engineers
Notification Plans – Appendix B				
Cover Sheet	N01	A	20.06.2022	LSB Architects
Notification – Site/Landscape Plan	N02	A	20.06.2022	LSB Architects
Notification – Development Data	N03	A	20.06.2022	LSB Architects
Notification – Elevations	N04	A	20.06.2022	LSB Architects
Notification – Schedule and Finishes	N05	A	20.03.2022	LSB Architects
Notification – Shadow Diagrams	N06	A	20.03.2022	LSB Architects
Surveys – Appendix O				
Detail Contour Survey – Jeffrey Avenue	Job 211634		27.09.2021	Total Surveying Solutions
Detail Contour & Survey – 1-5 Brown Street	Job 210717		28.04.2021	Total Surveying Solutions
BASIX and NatHERs Certificates – Appendix H				
BASIX	BASIX Certificate No 22-23032	-	21.02.2022	Building Sustainability Assessments – Gavin Chambers, Accreditation No DMN/13/1491
NatHERS Summary Certificate	Certificate No 0006778340	-	10.11.2021	Energy Ratings Australia
NatHERs Certificate Unit 1	Certificate No 0066778187	-	10.11.2021	Energy Ratings Australia
NatHERs Certificate Unit 2	Certificate No 0006778195	-	10.11.2021	Energy Ratings Australia

Title / Name:	Drawing No. / Document Ref	Revision / Issue:	Date [dd.mm.yyyy]:	Prepared by:
NatHERS Certificate Unit 3	Certificate No 0006778203	-	10.11.2021	Energy Ratings Australia
NatHERS Certificate Unit 4	Certificate No 0006778211	-	10.11.2021	Energy Ratings Australia
NatHERS Certificate Unit 5	Certificate No 0006778229	-	10.11.2021	Energy Ratings Australia
NatHERS Certificate Unit 6	Certificate No 0006778237	-	10.11.2021	Energy Ratings Australia
NatHERS Certificate Unit 7	Certificate No 0006778245	-	10.11.2021	Energy Ratings Australia
NatHERS Certificate Unit 8	Certificate No 0006778286	-	10.11.2021	Energy Ratings Australia
NatHERS Certificate Unit 9	Certificate No 0006778260	-	10.11.2021	Energy Ratings Australia
NatHERS Certificate Unit 10	Certificate No. 0006778278	-	10.11.2021	Energy Ratings Australia
NatHERS Certificate Unit 11	Certificate No 000778286	-	10.11.2021	Energy Ratings Australia
NatHERS Certificate Unit 12	Certificate No 0006778294	-	10.11.2021	Energy Ratings Australia
Specialist Reports				
Arboricultural Impact Assessment – 1-5 Brown Street North Parramatta – Appendix F	-	-	9.11.2021	Urban tree Management
Arboricultural Impact Assessment – 8 Jeffrey Avenue North Parramatta – Appendix F	-	-	11.11.2021	Urban Tree Management
Access Report - Appendix G	-	-	28.11.2022	Accessibility Solutions
Geotechnical Investigation and Acid Sulfate Soil Assessment - Appendix J	21/1353	-	May 2021	STS Geotechnics Pty Ltd
Waste Management Plan – Appendix K	-	-	07.02.2023	NSW Land & Housing Corporation
Traffic and Parking Impacts Report- Appendix L	21123	Rep 01	05.06.2022	TEF Consulting

Design Compliance and Checklists

Housing for Seniors – Checklist – **Appendix D**

Part 5 Activity Package Submission Checklist - **Appendix P**

Architect's Certificate of Building Design Compliance, dated 13.04.2022 - **Appendix P**

Electrical and Hydraulic Engineer's Certificate of Design Compliance, dated 08.04.2022 - **Appendix P**

Stormwater Engineer's Certificate of Design Compliance, dated 08.04.2022 - **Appendix P**

Section 10.7 Planning Certificates – Appendix A

Section 10.7(2)(5) Planning Certificate No 2023/1718 – No. 1 Brown Street, North Parramatta, NSW 2151, Lot 45 DP 35290, dated 15.03.2023

Section 10.7(2)(5) Planning Certificate No 2023/1625 – No 3 Brown Street, North Parramatta, NSW 2151, Lot 46 DP 35290, dated 10.03.2023

Section 10.7(2)(5) Planning Certificate No 2023/1626 – No 5 Brown Street, North Parramatta, NSW 2151, Lot 47 DP 35290, dated 10.03.2023

Titles and Deposited Plans – Appendix N

Certificate of Title Folio 45/35290, search date 12.01.2021

Certificate of Title Folio 46/35290, search date 12.01.2021

Certificate of Title Folio 47/35290, search date 12.01.2021

Deposited Plan 35290

AHIMS – Appendix M

AHIMS Search Result, 1-5 Brown Street, North Parramatta – 200m search buffer, date 14/11/2022

2.2 Demolition

The proposed activity includes demolition of 3 single storey detached dwelling houses and associated structures, as identified in the Demolition Plan (refer to **Appendix E**).

2.3 Stormwater Easement

The site falls to the rear and it is proposed to drain the development via an easement to the Council system in Jeffery Avenue. The proposed easement is through 8 Jeffery Avenue, North Parramatta which is owned by LAHC and is located at the rear of 5 Brown Street. A detailed site stormwater drainage layout and proposed easement is shown in **Appendix E**.

2.4 Removal of Trees

The Arboricultural Impact Assessment report reviewed a total of 20 trees, 10 of which are located within the subject site, 5 are located within the neighbouring property to the east, 4 are within the property to the south, and 1 street tree is located in front of 5 Brown Street.

Trees to be removed:

All 10 trees within the site are proposed for removal due to their low significance and to accommodate the proposed development. A variety of low maintenance tree plantings with mature heights ranging from 1.5m – 3m are proposed in the front setback and 10 large trees with mature height of 13 m are proposed around the site to compensate for the removal of existing trees.

Trees to be retained:

One street tree located within the street frontage of Brown Street is proposed to be retained, with minor root pruning proposed in accordance with the Arboricultural Impact Assessment. (Refer to **Appendix F**)

All 4 trees on the neighbouring property to the east of the site will be retained, and the existing tree at 2 Jeffery Avenue at the rear of 1 Brown Street will also be retained. Minor pruning (less than 10%) to the Tree no. 12 is proposed as detailed within the Arboricultural Impact Assessment.

There are 6 existing fruit trees at 8 Jeffery Avenue, location of the proposed drainage easement, that are proposed for retention due to their importance to the residents, though none of these are protected under Parramatta Development Control Plan. Horizontal directional drilling is proposed as detailed within the Arboricultural Impact Assessment to allow the fruit tree retention within 8 Jeffery Avenue.

2.5 Proposed Dwellings

Of the 12 independent living units, 6 (ground floor units) have been designed as accessible units. A montage of the proposed development is provided at **Figure 1**.



Figure 1 Photomontage of the development (Source: LSB Architects)

The proposed housing represents a contemporary, high quality design, which will be an improvement in comparison to the existing dwellings on the site. The use of face brick for external walls and Colorbond metal roofing is consistent with the developing character of the North Parramatta locality. Each of the 12 proposed units will address the street (Units 1, 2, 5, 6, 9 & 10 on the ground floor and Units 3, 4, 7, 8, 11 & 12 on the first floor) with living areas, living area doors and private open space facing the street for passive surveillance and northerly aspect. The development is detailed in the plans at **Figures 2-5**, below

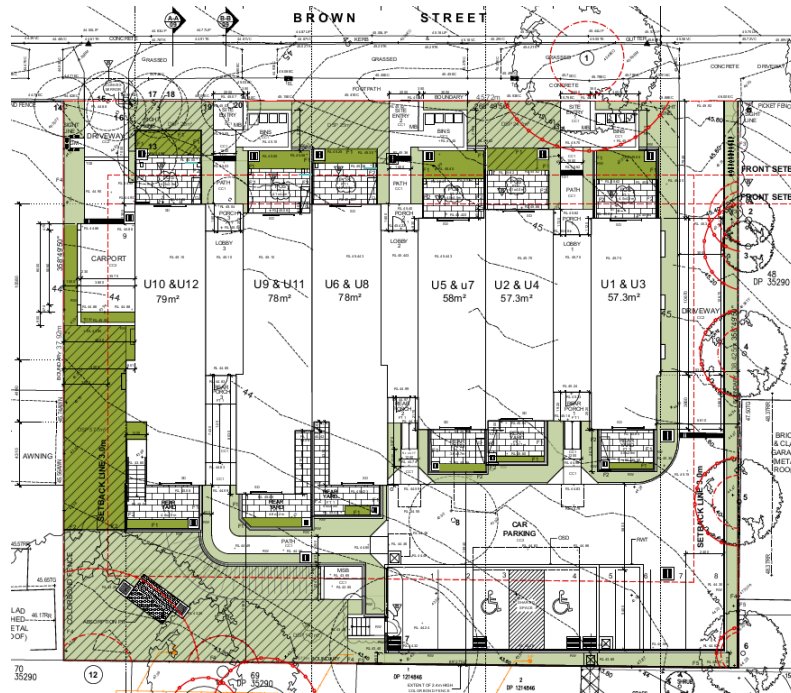


Figure 2 Site Plan (Source: LSB Architects)

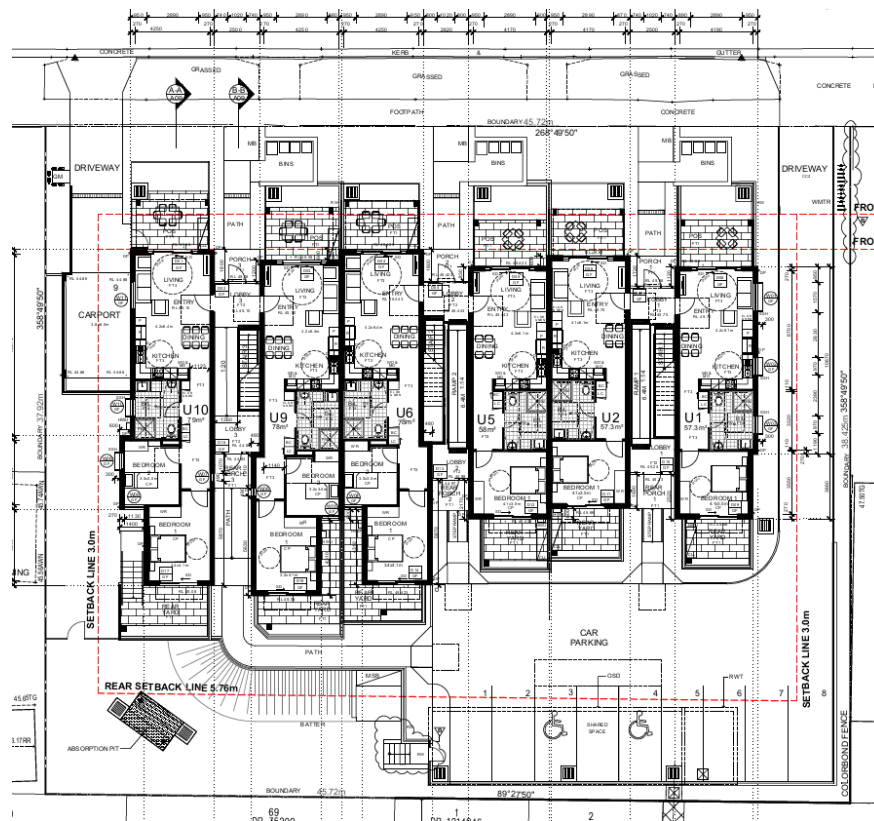


Figure 3 Ground floor plan (Source: LSB Architects)

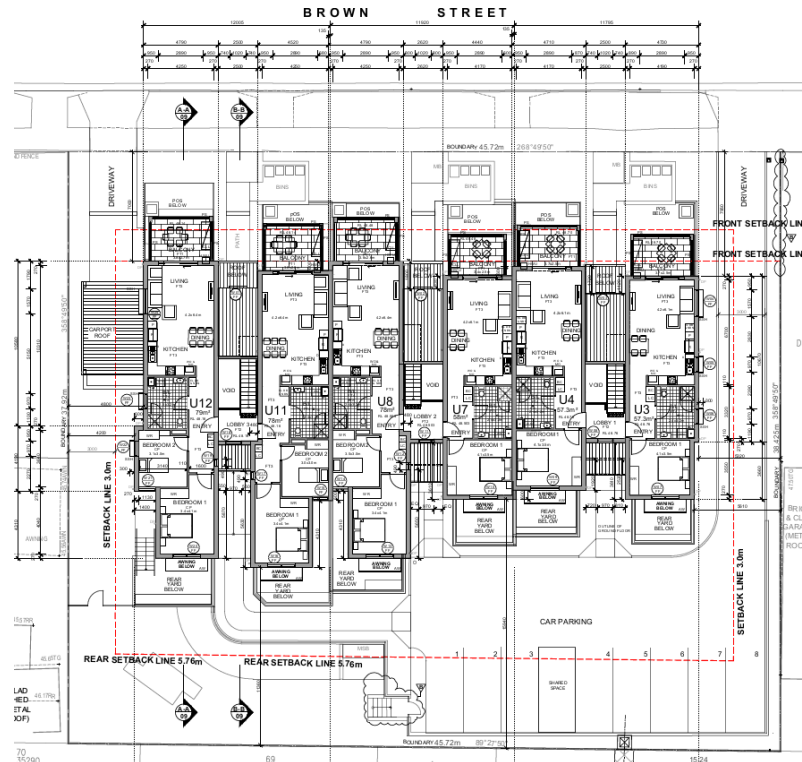


Figure 4 First Floor Plan (Source: LSB Architects)

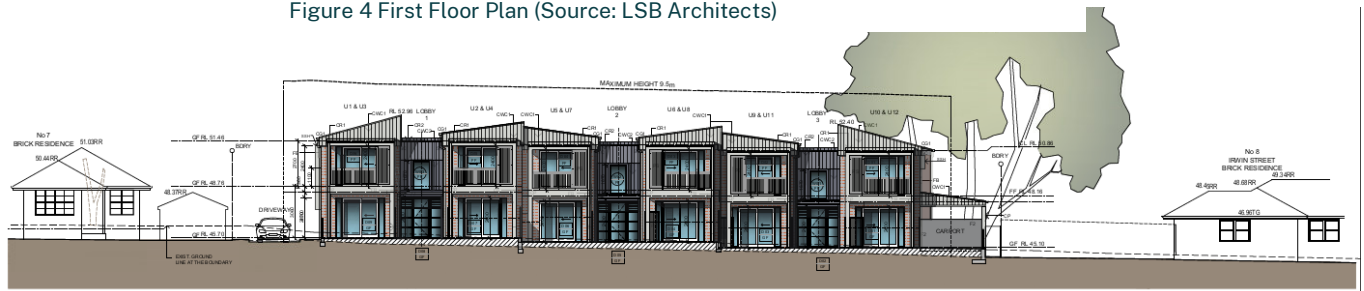


Figure 5 Street Elevation (Source: LSB Architects)

Moderate cut and fill is proposed to provide a level building platform. This degree of cut and fill is within Council's DCP standards. Retaining walls are wrapped around the car park for stabilisation as shown on the site plan above.

A variety of new landscape plantings are proposed to offset the proposed tree removal and also to enhance the appearance of the site and the microclimate for new occupants and neighbours. New plantings will consist of a mixture of native trees, shrubs and groundcovers, which will enhance landscaped setbacks and contribute to the streetscape.

Colourbond fencing up to 2.4m in height is to be installed to the site boundaries with tall shrub planting adjacent to the fencing which, in combination will provide privacy to neighbouring properties particularly along the rear boundary. An extract from the Landscape Plan is provided at **Figure 6**, over page.

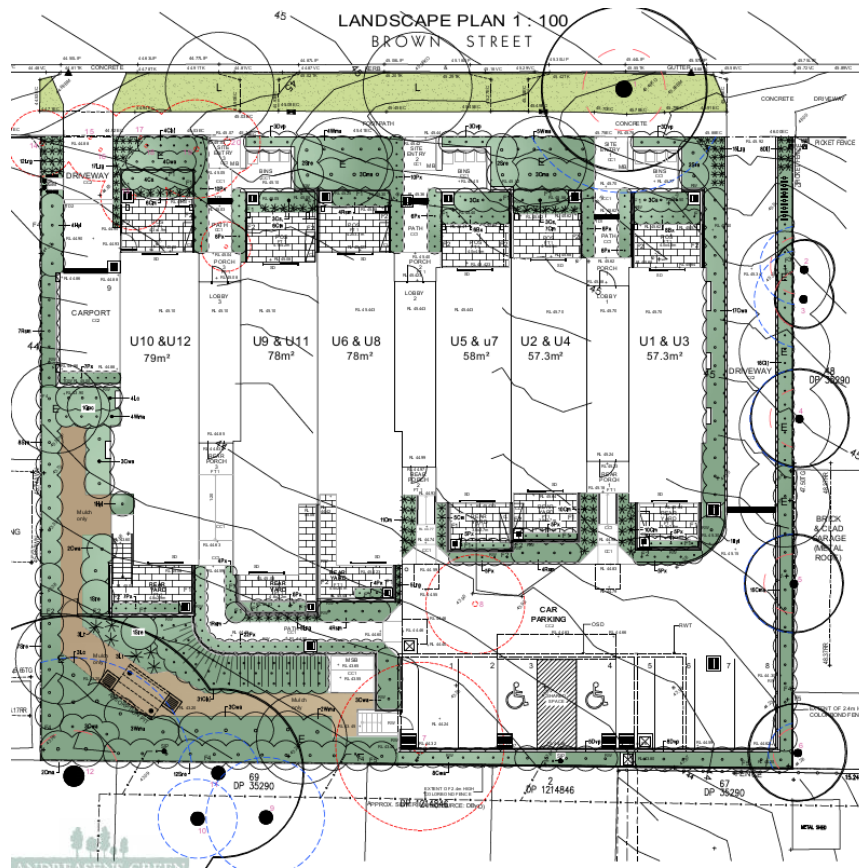


Figure 6 Landscape Plan (Source: LSB Architects)

Each unit will be provided with its own enclosed private open space area. All these spaces are directly accessible from the internal living areas. Ground floor level dwellings are provided with a secondary area of private open space directly accessible from Bedroom 1 at the rear of each dwelling.

A total of 9 at-grade car parking spaces will be provided on the site, including 3 accessible spaces. Two of the accessible spaces are located at the rear of the site, and the third is within the carport located adjacent to proposed Unit 10.

Stormwater will be collected via a series of stormwater pits and gutters on the site connected to an underground detention tank draining via a new drainage easement along the western boundary of 8 Jeffery Avenue (property owned by LAHC) to the Council stormwater network along Jeffery. Roof water will be collected from downpipes and connected to an underground rainwater tank of 4,000L capacity for recycling and use on landscaped areas with overflow connected to the underground detention tank.

A new 1.8m high Colorbond fence is proposed along the side and rear boundaries, with a section of fencing along the rear, southeast corner to be 2.4m in height. A combination of brick and slatted metal fencing will be provided at the front of the development within the setback to Brown Street.

3 Existing Site & Locality

3.1 Existing Site and Immediately Adjoining Development

The site is located in the Parramatta local government area (LGA) and comprises 3 residential allotments and drainage via an easement over an adjoining lot to the rear. A location plan is provided at **Figure 7** Error! Reference source not found.

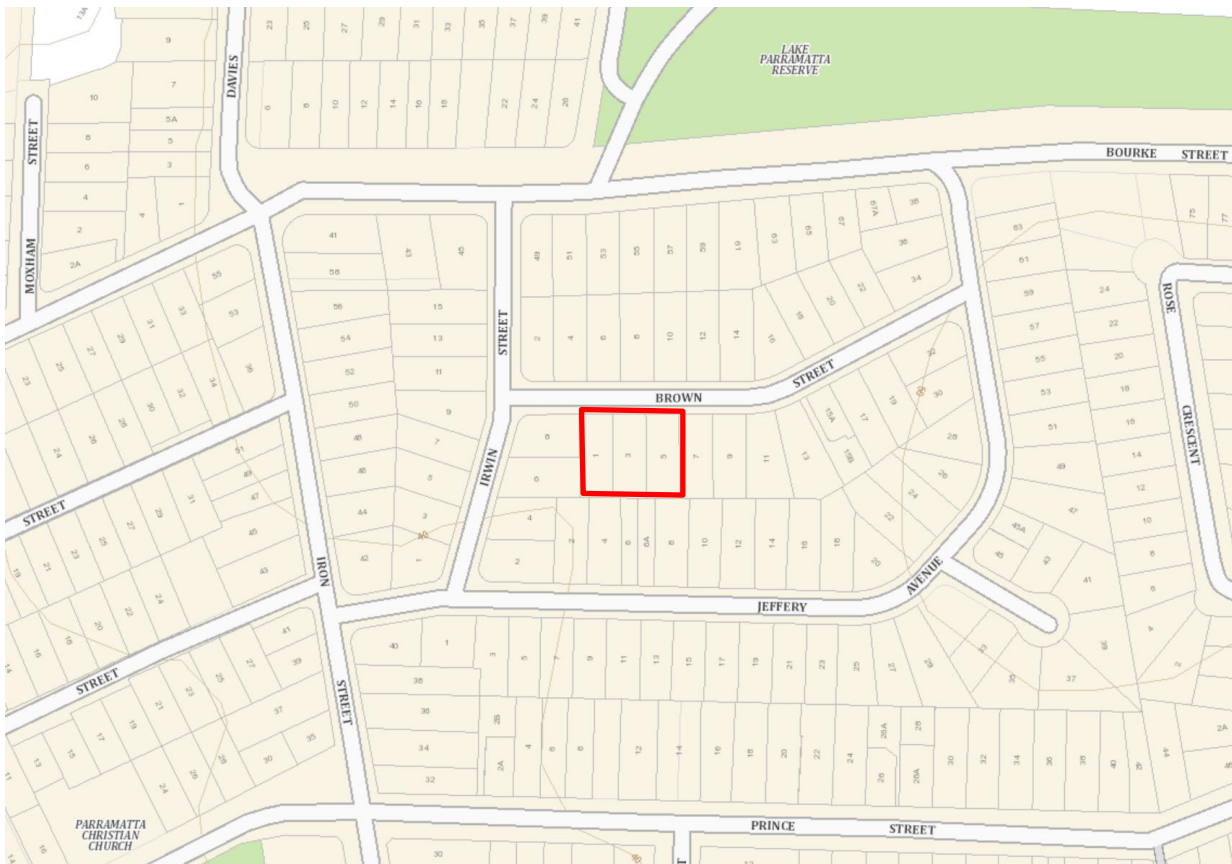


Figure 7 Location Plan (Source: SIX Maps)

The site currently contains 3 single storey brick dwellings with pitched tiled roofs and associated structures (refer to photographs at **Figure 8 & 9**).



Figure 8 Development site – No 1, 3 & 5 Brown Street, North Parramatta (Source: Google Street View)



Figure 9 No 1, 3 & 5 Brown Street, North Parramatta (Source: Google Street View)

There are 2 properties immediately to the west of the site, 6 and 8 Irwin Street. Both of these properties contain single storey brick dwellings with tiled roofs. There are also detached single storey ancillary structures to within the rear yard of 6 Irwin Street (refer to the images at **Figure 10** and **Figure 11**). The rear yard spaces of 6 and 8 Irwin Street adjoin the boundary shared with the site.



Figure 8 Adjoining property – No 6 Irwin St (Source: Google Street view)



Figure 9 Adjoining development – No 8 Irwin Street as viewed from Irwin Street, (Source: Google Street View)

Adjoining the site to the east is 7 Brown Street. This site contains a single storey brick residence with tile roof, and a detached brick and clad garage with metal roof located adjacent the shared boundary with 5 Brown Street. Refer to the image at **Figure 12**.



Figure 10 Adjoining development – No 7 Brown Street, (Source: Google Street View)

The southern rear boundary of the site adjoins residential properties oriented to Jeffery Avenue. These properties have addresses of 2, 2A, 4, 6, 6A and 8 Jeffery Avenue. There are 2 storey attached dual occupancy developments at 2/2A and 6 /6A Jeffery Avenue and 4 and 8 Jeffery Avenue each contain a single storey dwelling.

3.2 Site Description

Copies of the Section 10.7(2) & (5) Planning Certificates Nos 2023/1718 dated 15.03.2023, 2023/1625 and 2023/1626 dated 10.03.2023 are provided in **Appendix A**.

The site has a total area of 1,745.2m². The frontage to Brown Street is 45.72m, the eastern side boundary is 38.425m, the western side boundary is 37.92m and the rear boundary is 45.72m (refer to the submitted Contour and Detail Plan in **Appendix E**).

The site falls at approximately 3m towards the south western corner. An easement for the drainage of stormwater is required through 8 Jeffery Street to the south of the site.

There are 10 trees within the site, generally located within the front and rear yards. One street tree is located within the Brown Street road reserve.

Water, electricity, gas, sewer and telephone facilities are available to the site (refer to the submitted Contour and Detail Plan for the location of available services at **Appendix E**).

There are no encumbrances on title, section 10.7 certificates or indicated on the submitted Contour and Detail Plan.

3.3 Neighbouring Development and Locality

The site is located within an established residential area which was first subdivided by the NSW Housing Commission in 1947. The area largely retains this original subdivision pattern. Built form in the locality is characterised by detached, single storey, brick dwelling houses with tiled roofs, built shortly after the original



Figure 11 Newer 2-storey duplex development at No 6 Jeffery Avenue (south of the site), (Source: Google Street View)



Figure 12 Recent development at No 14 Brown Street (north east of the site), (Source: Google Street View)

subdivision, interspersed with more recent two-storey residential dwellings and occasional dual occupancy developments (refer to images at **Figure 13 & 14**).

There are 4 bus stops within walking distance of the site on Iron Street and Bourke Street. Two of the bus stops are located on the eastern side of Iron Street approximately 260m and 270m walking distance, and two are located on the southern side of Bourke Street approximately 190m and 280m walking distance (refer to the Long Section Surveys provided at **Appendix E**). These stops are serviced by Transdev Route 609 which connects to the Parramatta city centre and train station.

4 Zoning and Permissibility

The site is zoned R2 Low Density Residential under *Parramatta Local Environmental Plan 2023* (PLEP 2023). The proposed development is defined as ‘seniors housing’ under the provisions of PLEP 2023 and is permissible with Council’s consent in the R2 zone. The zoning context of the site is shown at **Figure 15**

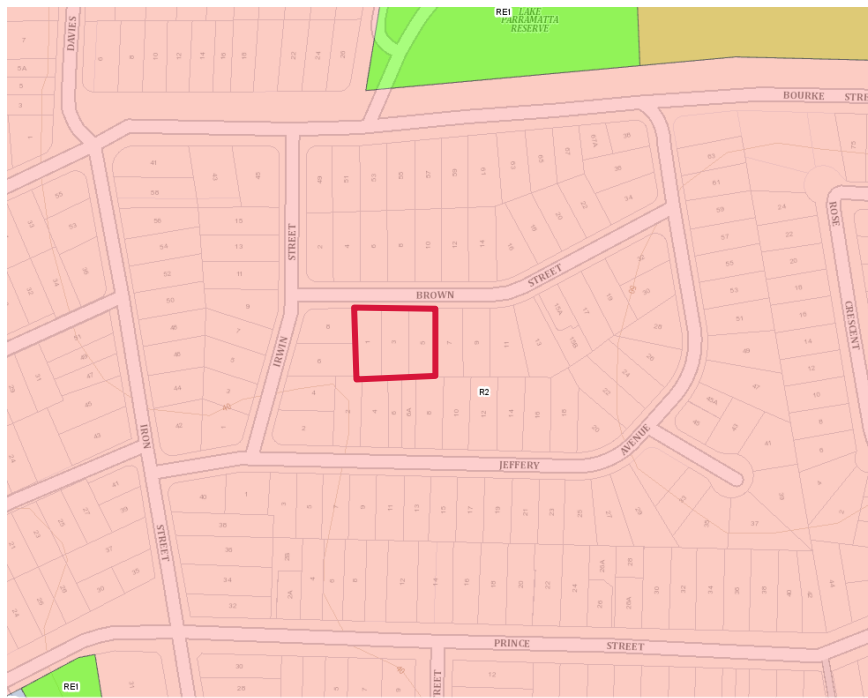


Figure 13 Extract from Land Zoning map of Parramatta LEP 2023 (Source: ePlanning spatial viewer)

Seniors housing is permitted in the R2 zone under PLEP 2023.

The relevant objective for development in the R2 zone, as set out in PLEP 2023 is:

- To provide for the housing needs of the community within a low density residential environment.

The proposed development provides seniors housing to some of the most vulnerable people in the community. This housing is designed specifically to meet the identified needs of senior residents and will therefore be consistent with this zone objective. Section 108B of the Housing SEPP permits seniors housing development that may be carried out ‘with consent’ to be carried out by LAHC as ‘development without consent’ subject to the provisions set out under that clause. **Table 3** in subsection 5.1.5 of this REF demonstrates compliance with the relevant provisions of section 108B of the SEPP

5 Planning and Design Framework

5.1 Environmental Planning and Assessment Act 1979

5.1.1 Duty to consider environmental impact [Section 5.5]

Section 5.5(1) states that, for the purpose of attaining the objects of the EP&A Act relating to the protection and enhancement of the environment, a determining authority in its consideration of an activity shall, notwithstanding any other provisions of the Act or the provisions of any other Act or of any instrument made under the EP&A Act or any other Act, examine and take into account to the fullest extent possible all matters affecting or likely to affect the environment by reason of that activity.

Table 1 below demonstrates the effect of the proposed development activity on the matters listed for consideration in subsection 3 of Section 5.5.

Table 1 Compliance with subsection 3 of Section 5.5 of the EP&A Act 1979

Matters for consideration under sub-section 3 of Section 5.5 of the EP&A Act	
Matter for consideration	Effect of Activity
Sub-section 3 Without limiting subsection (1), a determining authority shall consider the effect of an activity on any wilderness area (within the meaning of the <i>Wilderness Act 1987</i>) in the locality in which the activity is intended to be carried on.	No effect, as the site and surrounding areas are not within a wilderness area (within the meaning of the <i>Wilderness Act 1987</i>).

5.2 Biodiversity Conservation Act 2016 (BC Act)

Part 7 of the BC Act sets out the test for determining whether a proposed development or activity is likely to significantly affect threatened species, ecological communities or their habitats. For the purposes of Part 5 of the EP&A Act, an activity is to be regarded as an activity likely to significantly affect the environment if it is likely to significantly affect threatened species.

Based on the criteria set out in Section 7.3 of the BC Act, the proposed activity is unlikely to affect threatened species, ecological communities or their habitats and therefore no further assessment is necessary. This is because the land does not contain threatened species, endangered ecological communities or constitute habitat of threatened species or ecological communities. The proposed activity will neither be a key threatening process and the land is not part of or in the vicinity of any declared area of outstanding biodiversity value. Therefore no further assessment against the provisions of BC Act is necessary.

5.3 Other Acts

No other State and Commonwealth Acts are applicable to the proposed activity.

5.4 Environmental Planning and Assessment Regulation 2021

5.4.1 Factors that must be taken into account concerning the impact of an activity on the environment [Section 171]

For the purposes of Part 5 of the EP&A Act, the factors in **table 2** below have been taken into account in considering the likely impact of the proposed activity on the environment. The table and comments made in this section of the REF are not mutually exclusive and are to be read in conjunction with the other sections of the REF dealing with the environmental impacts of the proposed development activity.

Table 2 Compliance with Section 171 of the EPA Regulations 2021

Factors to be taken into account concerning the impact of an activity on the environment.	Relevant?	Impact		
	Yes/NA	Temporary	Minor	Significant [Note 1]
Is the activity of a kind for which specific guidelines are in force? If so the factors to be taken into account when considering the likely impact of the activity on the environment are those referred to in the guidelines. [Note 1]	N/A			
Is the activity of any other kind for which general guidelines are in force? If so the factors to be taken into account when considering the likely impact of the activity on the environment are those referred to in those guidelines. [Note 2]	Yes			
If no guidelines are in force, have the following been taken into account and any likely impact considered				
(a) environmental impact on the community	Y	x	x	
(b) transformation of a locality;	Y		x	
(c) environmental impact on the ecosystems of the locality;	Y		x	
(d) reduction of the aesthetic, recreational, scientific or other environmental quality or value of a locality;	Y	x	x	
(e) effect on a locality, place or building having aesthetic, anthropological, architectural, cultural, historical, scientific or social significance or other special value for present or future generations;	Y		x	
(f) impact on the habitat of protected animals (within the meaning of Biodiversity Conservation Act 2016);	N/A			
(g) endangering of any species of animal, plant or other form of life, whether living on land, in water or in the air;	N/A			
(h) long-term effects on the environment;	Y		x	
(i) degradation of the quality of the environment;	Y	x	x	
(j) risk to the safety of the environment;	N/A			
(k) reduction in the range of beneficial uses of the environment;	N/A			
(l) pollution of the environment;	Y	x	x	
(m) environmental problems associated with the disposal of waste;	Y		x	
(n) increased demands on resources (natural or otherwise) that are, or are likely to become, in short supply;	Y		x	
(o) cumulative environmental effect with other existing or likely future activities.	Y		x	

(p) impact on coastal processes and coastal hazards, including those under projected climate change conditions. [Note 3]	N/A			
(q) applicable local strategic planning statements, regional strategic plans or district strategic plans made under the Act, Division 3.1,	Y discussed below in 5.4.2		x	
(r) other relevant environmental factors.	Y		x	

Note 1: A significant impact triggers the preparation of an Environmental Impact Statement.

Note 2: This means Department of Planning and Environment issued “Guidelines for Division 5.1 assessments” made under Section 170 of the EPA regulation 2021 and excludes guidelines such as the Seniors Living Urban Design Guidelines, that are in force under other legislation or instruments.

Note 3: The *NSW Coastal Planning Guideline: Adapting to Sea Level Rise* provides guidance on considering projected climate change conditions such as sea level rise.

The proposed seniors housing development is not expected to generate any significant or long-term impacts on the environment. The short term impacts, during construction, will be offset by positive social outcomes in the long term social benefits of providing affordable housing that meets the needs of the community. The applicable Local Strategic Planning Statement (LSPS) and Community Strategic Plan are considered below at Section 5.4.2 of this report.

5.4.2 Strategic Planning Framework

City of Parramatta Local Strategic Planning Statement – City Plan 2036

The Parramatta Local Strategic Planning Statement came into effect on the 31 March, 2020. It is a 20 year plan that identifies 16 Planning Priorities for the LGA, focused around four themes:

1. Local Planning Priorities
2. Liveability Planning Priorities
3. Productivity Planning Priorities
4. Sustainability Planning Priorities

Of note are Priority 3.2.1 and Priority 3.2.2 which seek to promote diverse housing options and housing affordability, respectively. The proposed 12 seniors’ living units, will assist in diversifying housing options in the Parramatta LGA. Proposed seniors living housing will accommodate the ageing population in the locality. The site is well served by public transport options and the proposal includes an energy efficient and accessible design, helping the development meet LSPS priorities for sustainability, transport and access.

Parramatta Community Strategic Plan 2018-2038

The Parramatta Community Strategic Plan 2018-2038 was adopted by Council in June 2018. It is a 20 year plan which outlines the City of Parramatta’s key strategic planning goals and the actions the city will take to achieve them. These goals are informed by six broad themes being:

1. Fair
2. Accessible
3. Welcoming
4. Green
5. Thriving
6. Innovative

The proposed development aligns with a series of Council's strategic planning goals. Notably goal F.2 which seeks to increase the stock of affordable and diverse housing options that meet the needs of all ages.

5.5 State Environmental Planning Policy (Housing) 2021

5.5.1 Development without Consent

Section 108B of the Housing SEPP permits seniors housing to be carried out by LAHC as 'development without consent' subject to the provisions set out under that section.

Table 3 Compliance with relevant provisions under sections Part 5, Division 8 of the SEPP for 'seniors' housing development without consent' carried out by LAHC

Provision	Compliance
108A – Development to which Division applies This Division applies to development for purposes of senior housing involving the erection of a building on land -	
(a) on which development for purposes of seniors housing is permitted with consent under another environmental planning instrument, or	The development is permissible with consent within the site's R2 Zone under the PLEP 2023
(b) in a prescribed zone	The site is zoned R2 which is a prescribed zone in accordance with Part 5, Division 1, Clause 79 of the Housing SEPP
108B – Seniors housing permitted without development consent (1) Development to which this Division applies may be carried out by or on behalf of the Land and Housing Corporation without development consent if -	
(a) the Land and Housing Corporation has considered the applicable development standards specified in sections 84(2)(c)(iii), 85, 88, 89 and 108, and	Consideration of the standards is provided in Table 4 & 5 below.
(b) will not result in a building with a height of more than 9.5 m, and	The maximum proposed building height is 8 m
(c) the development will result in more than 40 dwellings on the site.	The development is for 12 dwellings
(2) State Environmental Planning Policy (Transport and Infrastructure) 2021, sections 2.15 and 2.17 apply to the development and, in the application of the clauses –	Sections 2.15 and 2.17 of State Environmental Planning Policy (Transport and Infrastructure) 2021 not applicable to the site or development.
(a) a reference in section 2.15 to "this Chapter" is taken to be a reference to this section, and	Noted.
(b) a reference in the sections to a public authority is taken to be a reference to the relevant authority.	Noted.
108C – Requirements for carrying out seniors housing (1) Before carrying out development to which this Division applies, a relevant authority must –	
(a) request the council to nominate a person or persons who must, in the council's opinion, be notified of the development, and	Advice was sought from City of Parramatta Council regarding additional persons or properties that should be notified of the development via an email sent to Council on 21 January 2022. Council provided a response on 3 February 2022 advising that the notification map is satisfactory

(b) give written notice of the intention to carry out the development to — (i) the council, and (ii) the person or persons nominated by the council, and (iii) the occupiers of adjoining land, and	A letter notifying City of Parramatta Council of the proposed development activity was sent by LAHC on 20 July 2022. Letters notifying occupiers of adjoining land of the proposed development activity were sent by LAHC on the same date.
(c) take into account the responses to the notice that are received within 21 days after the notice is given, and	Council responded to LAHC's notification by letter dated 5 September 2022. Comments on the response are provided in Section 7.1 of this REF. Two submissions were received from adjoining occupiers. Comments on the submissions are provided in Section 6.2 of this REF.
(d) take into account the relevant provisions of the Seniors Living Policy: Urban Design Guidelines for Infill Development, published by the Department in March 2004, and	Refer to checklist in Appendix D and subsection 5.5.2 of this REF. These conclude that the development complies with all relevant development standards relating to the <i>Seniors Living Policy: Urban Design Guidelines for Infill Development</i> with the exception of the minor variations discussed in subsection 5.5.2 of this report. In these cases, suitable alternatives are proposed which are necessary due to site specific constraints.
(d1) if the relevant authority is the Aboriginal Housing Office — consider the relevant provisions of the Aboriginal Housing Design Guidelines, published by the Aboriginal Housing Office in January 2020, and	Not applicable.
(e) if the relevant authority is the Land and Housing Corporation — consider the relevant provisions of — (i) Good Design for Social Housing, published by the Land and Housing Corporation in September 2020, and (ii) Land and Housing Corporation Dwelling Requirements, published by the Land and Housing Corporation in September 2020, and	Refer to section 5.5.3 and 5.5.4 and the Architect's Statement and Certificate of Building Design Compliance in Appendix P which indicate that the design and dwelling requirements have been considered
(f) consider the design principles set out in Division 6	Consideration of these principles is discussed in Table 9
(2) In this section, a reference to the council is a reference to the council for the land on which the development is proposed to be located.	Noted.
108D - Exempt development Development for purposes of landscaping and gardening is exempt development if it is carried out by or on behalf of the Land and Housing Corporation in relation to seniors housing	Noted
108E - Subdivision of seniors housing not permitted Development consent must not be granted for subdivision of seniors housing.	No subdivision proposed.

Housing SEPP requires LAHC to consider the applicable development standards specified in clause 84(2) (c) (iii), 85, 88, 89 and 108. Consideration of these sections of the SEPP is demonstrated in the **Table 4** and **Table 5** below:

Table 4 Compliance with section 84(2) (c) (iii), 85, 88, 89 of the Housing SEPP 2021

Provision	Compliance
<p>84 Development standards—general</p> <p>(2) Development consent must not be granted for development to which this section applies unless—</p> <p>(a) the site area of the development is at least 1,000m², and</p> <p>(b) the frontage of the site area of the development is at least 20m measured at the building line, and</p> <p>(c) for development on land in a residential zone where residential flat buildings are not permitted—</p> <p>(i) the development will not result in a building with a height of more than 9.5m, excluding servicing equipment on the roof of the building, and</p> <p>(ii) if the roof of the building contains servicing equipment resulting in the building having a height of more than 9.5m—the servicing equipment complies with subsection (3), and</p> <p>(iii) if the development results in a building with more than 2 storeys—the additional storeys are set back within planes that project at an angle of 45 degrees inwards from all side and rear boundaries of the site.</p>	<p>Not applicable to LAHC developments.</p> <p>Not applicable to LAHC developments.</p> <p>Proposed development is in R2 zone where residential flat buildings are not permitted.</p> <p>NA</p> <p>NA</p> <p>NA. Proposed development is two storey only.</p>
<p>85 Development standards for hostels and independent living units</p> <p>(1) Development consent must not be granted for development for the purposes of a hostel or an independent living unit unless the hostel or independent living unit complies with the relevant standards specified in Schedule 4.</p> <p>(2) An independent living unit, or part of an independent living unit, located above the ground floor in a multi-storey building need not comply with the requirements in Schedule 4, sections 2, 7–13 and 15–20 if the development application is made by, or by a person jointly with, a social housing provider.</p> <p>Note— Development standards concerning accessibility and usability for residential care facilities are not specified in this Policy. For relevant standards, see the Building Code of Australia.</p>	<p>The proposed development complies with relevant standards specified in Schedule 4 as demonstrated in Table 6 below.</p> <p>Not applicable to LAHC developments.</p>
<p>88 Restrictions on occupation of seniors housing</p> <p>(1) Development permitted under this Part may be carried out for the accommodation of only the following—</p> <p>(a) seniors or people who have a disability,</p> <p>(b) people who live in the same household with seniors or people who have a disability,</p>	<p>Complies. An identified requirement no. 74 is recommended to achieve compliance.</p>

<p>(c) staff employed to assist in the administration and provision of services to housing provided under this Part.</p> <p>(2) Development consent must not be granted under this Part unless the consent authority is satisfied that only the kinds of people referred to in subsection (1) will occupy accommodation to which the development relates.</p>	<p>An identified requirement no. 74 is recommended to achieve compliance.</p>
<p>89 Use of ground floor of seniors housing in business zones</p> <p>(1) This section applies to a building used for the purposes of seniors housing on land in a business zone.</p> <p>(2) Development consent must not be granted for development under this Part unless the part of the ground floor of the building that fronts a street will not be used for residential purposes.</p> <p>(3) Subsection (2) does not apply to a part of a building that —</p> <ul style="list-style-type: none"> (a) faces a service lane that does not require active street frontages, or (b) is used for 1 or more of the following purposes — <ul style="list-style-type: none"> (i) a lobby for a residential, serviced apartment, hotel or tenanted component of the building, (ii) access for fire services, (iii) vehicular access. <p>(4) Subsection (2) does not apply if another environmental planning instrument permits the use of the ground floor of the building for residential purposes.</p>	<p>Not applicable.</p>

Table 5 Non-Discretionary standards for Independent Living units (Section 108)

Development Standard	Required	Comment
Building Height:	9.5m or less	Maximum height 8.0m
Density and Scale:	Floor Space Ratio 0.5:1 or less	0.55:1, however non-compliance does not result in any adverse impacts on adjoining properties or the streetscape (refer to variation discussion below).
Landscaped Area:	Minimum 35m ² per dwelling (8 x 35m ² = 280m ²)	458m ²
Deep Soil Zone:	Minimum 15% of area of site (15% x 1,107m ² = 166.05m ²)	277.4m ² or 15.89%
	Minimum 65% (165.4m ²) to be preferably located at rear of site	205.7m ² provided at rear of site
	Minimum dimension 3m	Minimum dimension 3m

Solar Access:	% of living areas & main private open space to receive minimum 2 hrs direct solar access between 9 am and 3 pm at mid-winter	100% provided to living areas and private open space of all units
Private Open Space:	Ground level:	
	Minimum 15m ² per dwelling	Minimum 15.9m ²
	One area minimum 3m x 3m, accessible from living area	Minimum 3m x 3m
	Upper level/s:	
	1 bedroom: Minimum 6m ² Minimum dimensions 2m	Minimum 8.8m ² Minimum 2.6m
	2 or more bedrooms: Minimum 10m ² Minimum dimensions 2m	Minimum 10m ² Minimum 2.6m
Car parking:	Minimum 1 car parking space for each 5 dwellings (LAHC concession) – 2 car parking spaces required	9 car parking spaces for 12 dwellings, including four accessible parking spaces.

Non-Compliance with FSR Standard

The proposed FSR exceeds the required FSR control of 0.5:1 in the Housing SEPP 2021. In accordance with the definition of gross floor area in Housing SEPP 2021 the proposed FSR is 0.55:1. With consideration to Housing SEPP the proposed FSR equates to a variation of 10.93%.

While numerically non-compliant with Housing SEPP 2021, the proposal does not give rise to any adverse impacts on the amenity of adjoining properties and the proposed design is compatible with the characteristic of the emerging streetscape in the broader locality. The proposed two-storey development is consistent with the newer developments in the locality and the emerging character and context. The FSR exceedance has negligible impact on the bulk and scale of the development, noting that the PLEP does not have an FSR development standard for this site.

In Project Venture Developments v Pittwater Council [2005] NSWLEC 191 (Project Venture), Roeseth SC noted that compatibility does not necessarily mean sameness, rather its most apposite meaning in an urban design context is capable of existing together in harmony. To understand whether a proposal is compatible with its context two questions must be asked:

- *Are the proposal's physical impacts on surrounding development acceptable? The physical impacts include constraints on the development potential of surrounding sites.*
- *Is the proposal's appearance in harmony with the buildings around it and the character of the street?*

In terms of physical impacts, the proposal does not give rise to any impacts on the amenity of adjacent properties in terms of privacy, solar access or view loss and the works will not constrain the ability of adjacent sites to be redeveloped in the future as detailed below:

- In terms of solar access, shadow diagrams show that new shadows predominately fall upon the site with incursions into yards of surrounding properties affecting less than 50% of private open space areas in midwinter and not impacting neighbouring dwellings to the south. Throughout the day

surrounding sites will continue to receive compliant levels of solar access to their rear yards and north facing windows;

- The proposal is for a development that is residential in nature and therefore is unlikely to generate unreasonable levels of noise and disturbance;
- Windows and balconies have been predominately located to the front and rear of the site and therefore do not directly overlook habitable rooms or private open spaces of adjacent sites. Windows and balconies are screened to further mitigate privacy impacts;
- There are no known or significant views in the locality that can be impacted by the proposal;
- The side and rear setbacks exceed DCP requirements;
- The proposal sits within a compliant envelope, with setbacks and height meeting Housing SEPP and DCP requirements;
- the development will not impact the stability of adjacent sites;
- a portion of the gross floor area is dedicated to multiple common circulation and entry areas which help to break up the built form and reduce the number of households using each entry point. This design feature makes the development more socially intimate and also ensures the built form is divided into elements with proportions that create interest and aesthetic appeal in the streetscape; and
- the additional floor space does not contribute to excessive bulk and scale.

In terms of the second test, there are specific principles applying to the case of medium density housing for seniors fitting into the streetscape in a low-density housing area, established in *GPC No 5 (Wombarra) Pty Ltd v Wollongong City Council [2003] NSWLEC 268 (Wombarra)*. The four principles from Wombarra are reproduced and addressed below:

- *The medium density development does not have to be single-storey to be compatible with the streetscape even where most existing buildings are single-storey;*
- *The scale of the medium density it should be visually broken up;*
- *Existing site characteristics that reduce visual dominance should be retained; and*
- *Where new materials and forms are introduced, this should be done with sensitivity to the existing forms and materials.*

Firstly, while currently single story brick cottages dominate the area, there is an increasing prevalence of new, two-storey forms throughout the immediate area which the proposed development will add to. Newer, bulkier, two storey forms can be found throughout the area including at 11 Rose Crescent, 15 Rose Crescent, 69 Bourke Street, 53 Bourke Street and 17 Bourke Street. As such, the proposal will not be jarring in terms of scale.

Secondly, the scale of the development is visually broken up by a well-articulated design. The proposed bulk and scale of the building is articulated through a design utilising a variety of materials, colours, fenestration, balconies and protruding and recessed building elements. The proposal avoids any sections of sheer blank wall and minimises cut and fill to that required for accessibility. To the everyday observer, the bulk and scale of the development will appear appropriate in its context.

Thirdly, the proposal retains the existing street tree along Brown Street and new street trees are proposed that will improve the landscaped setting, further softening the new built form and minimising any impact on the streetscape.

Finally, the proposal does not introduce any new materials or forms to the locality, rather it takes cues from the aforementioned new development that has been built recently in the area. New development in the area is noted for its large site coverage, greater height and bulk and use of contemporary forms and materials. Therefore, the proposal can be seen as appropriately adding to the evolving character of the development in the locality.

In summary, the proposed development leads to no deleterious effects on the amenity of adjacent sites or their ability to be redeveloped and the design of the proposal is generally in compliance with the characteristics of the Jeffery Avenue Special Character Area, despite the minor variation to the FSR standard. Accordingly, the variation is acceptable in this instance.

Consideration of the development standards for accessibility set out in section 85 and Schedule 4 is demonstrated in **Table 6** below (Note: where referenced 'subject to identified requirement' in the table, refer to **Appendix C**).

Table 6 Accessibility and useability standards [Schedule 4]

Development Standard (Sch 4)	Required	Comment
2.Siting Standards:		
Wheelchair access 'Non-sloping' sites i.e. with gradients entirely <1:10	100% of ground floor dwellings to have wheelchair access by a continuous accessible path of travel as per AS 1428.1 to an adjoining public road	The development proposes accessible principal pedestrian entrances and internal walkways that enable wheelchair access to all ground floor dwellings and incorporate doorway landings with appropriate circulation spaces and accessible thresholds that comply with AS1428.1 to enter the dwellings and satisfy the Housing SEPP. This has been verified by the Access Report in Appendix G and further details will be provided with construction documentation.
'Sloping' sites i.e. with gradients entirely or partially >1:10	% of ground floor dwellings, equal to % of site with gradient <1:10 or minimum 50% (whichever is greater), to have wheelchair access by a continuous accessible path of travel as per AS1428.1 to driveway or public road that is accessible to all residents	Not applicable, as the site does not have a gradient of more than 1 in 10.
Common areas	All common areas and facilities to have wheelchair accessibility as per AS1428.1	All common areas have accessible paths of travel in accordance with AS1428.1. This has been verified by the Access Report in Appendix G and further details will be provided with Construction Documentation.
3. Security:		
Pathway lighting	Pathway lighting to be designed and located to avoid glare for	

	pedestrians and adjacent dwellings and to provide min 20 lux at ground level	Low level lighting along the entry pathways to be confirmed with construction documentation.
4. Letterboxes:		
	To be lockable, located in central location adjacent to street entry or in one or more central locations on a hard standing area and have wheelchair access and circulation by a continuous path of travel (as per AS1428.1)	The plans indicate that letterboxes will be installed adjacent to the front boundary, which will include a generally level 2500 X 2500 area adjacent to the letterboxes to comply with this requirement.
5. Private car accommodation:		
Disabled car parking	Car parking spaces must comply with the requirements for parking for persons with a disability set out in AS2890 and at least 5% of the total number of car parking spaces (or at least 1 space if there are fewer than 20 spaces) must be designed to enable the width of the spaces to be increased to 3.8m	Two accessible car parking spaces are provided within the shared parking area, which meet the requirements of AS2890. A third car parking space within a carport adjacent to Unit 10 has a width of 3.8m.
Garages	Must have power-operated door or there must be a power point and an area for motor or control rods to enable a power-operated door to be installed at a later date	Not applicable, as the proposal does not incorporate garages.
6. Accessible entry		
Every entry, whether front entry or not:	Must comply with clauses 4.3.1 and 4.3.2 of AS4299	Capable of compliance, as confirmed by the submitted Access Report prepared by Accessibility Solutions.
7. Interior: general Note: consideration only required for ground floor units in accordance with clause 85(2)		
	Internal doorways must have a minimum clear opening that complies with AS1428.1 Internal corridors must have a minimum unobstructed width of 1,000mm Circulation space at approaches to internal doorways must comply with AS1428.1	Internal doorways comply with AS 1428.1. Internal corridors meet the minimum 1000mm width. Circulation spaces comply as per the Access Report prepared by Accessibility Solutions.
8. Bedroom Note: consideration only required for ground floor units in accordance with clause 85(2)		
	At least one bedroom within each dwelling must have:	Complies.

	<p>(a) an area sufficient to accommodate a wardrobe and a bed sized as follows:</p> <ul style="list-style-type: none"> (i) in the case of a dwelling in a hostel-a single - size bed, (ii) in the case of a self-contained dwelling - a queen size bed, and <p>(b) a clear area for the bed of at least:</p> <ul style="list-style-type: none"> (i) 1,200mm wide at the foot of the bed, and (ii) 1,000mm wide beside the bed between it and the wall, wardrobe or any other obstruction, and <p>(c) 2 double general power outlets on the wall where the head of the bed is likely to be, and</p> <p>(d) at least 1 general power outlet on the wall opposite the wall where the head of the bed is likely to be, and</p> <p>(e) a telephone outlet next to the bed on the side closest to the door and a general power outlet beside the telephone outlet, and</p> <p>(f) wiring to allow a potential illumination level of at least 300 lux</p>	<p>Not applicable.</p> <p>Complies.</p> <p>Complies.</p> <p>Complies.</p> <p>Will be required to comply (refer to Identified Requirement No.73).</p> <p>Will be required to comply (refer to Identified Requirement No.73).</p> <p>Will be required to comply (refer to Identified Requirement No.73).</p> <p>Will be required to comply (refer to Identified Requirement No.73).</p>
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9. Bathroom

Note: consideration only required for ground floor units in accordance with clause 85(2)

	<p>At least 1 bathroom within a dwelling must be on the ground (or main) floor and have the following facilities arranged within an area that provides for circulation space for sanitary facilities in accordance with AS1428.1:</p> <ul style="list-style-type: none"> (a) a slip-resistant floor surface, (b) a washbasin with plumbing that would allow, either immediately or in the future, clearances that comply with AS1428.1, (c) a shower that complies with AS1428.1, except that the following must be accommodated either immediately or in the future: <ul style="list-style-type: none"> (i) a grab rail, (ii) portable shower head, (iii) folding seat, (d) a wall cabinet that is sufficiently illuminated to be 	<p>Bathrooms within ground floor dwellings comply with circulation requirements as per AS1428.1.</p> <p>Will be required to comply (refer to Identified Requirement No.73).</p> <p>Will be required to comply (refer to Identified Requirement No.73).</p> <p>Will be required to comply (refer to Identified Requirement No.73).</p>
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	<p>able to read the labels of items stored in it,</p> <p>(e) a double general power outlet beside the mirror</p> <p>The requirement under item (c) does not prevent the installation of a shower screen that can easily be removed to facilitate future accessibility</p>	<p>Will be required to comply (refer to Identified Requirement No.73).</p> <p>Noted.</p>
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10. Toilet

Note: consideration only required for ground floor units in accordance with clause 85(2)

	A dwelling must have at least 1 toilet on the ground (or main) floor and be a visitable toilet that complies with the requirements for sanitary facilities of AS4299	All ground floor dwellings will be provided with a visitable toilet within the combined bathroom / laundry that complies with AS4299.
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11. Surface finishes

Note: consideration only required for ground floor units in accordance with clause 85(2)

	Balconies and external paved areas must have slip-resistant surfaces	Will be required to comply (refer to Identified Requirement No.73).
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12. Door Hardware

Note: consideration only required for ground floor units in accordance with clause 85(2)

	Door handles and hardware for all doors (including entry doors and other external doors) must be provided in accordance with AS4299	Will be required to comply (refer to Identified Requirement No.73).
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13. Ancillary Items

Note: consideration only required for ground floor units in accordance with clause 85(2)

	Switches and power points must be provided in accordance with AS4299	Will be required to comply (refer to Identified Requirement No.73).
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15. Living and dining room

Note: consideration only required for ground floor units in accordance with clause 85(2)

	<p>A living room in a self-contained dwelling must have:</p> <p>(a) a circulation space in accordance with clause 4.7.1 of AS4299, and</p> <p>(b) a telephone adjacent to a general power outlet.</p> <p>A living room and dining room must have wiring to allow a potential illumination level of at least 300 lux</p>	<p>All living rooms comply with circulation requirements.</p> <p>Will be required to comply (refer to Identified Requirement No.73).</p> <p>Will be required to comply (refer to Identified Requirement No.73).</p>
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16. Kitchen

Note: consideration only required for ground floor units in accordance with clause 85(2)

	<p>A kitchen in a self-contained dwelling must have:</p> <p>(a) a circulation space in accordance with clause 4.5.2 of AS4299, and</p>	All units comply with kitchen circulation requirements.
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	<p>(b) a width at door approaches complying with clause 7 of this Schedule, and</p> <p>(c) the following fittings in accordance with the relevant subclauses of clause 4.5 of AS4299:</p> <p>(i) benches that include at least one work surface at least 800mm in length that comply with clause 4.5.5 (a),</p> <p>(ii) a tap set (see clause 4.5.6),</p> <p>(iii) cooktops (see clause 4.5.7), except that an isolating switch must be included,</p> <p>(iv) an oven (see clause 4.5.8), and</p> <p>(d) “D” pull cupboard handles that are located towards the top of below-bench cupboards and towards the bottom of overhead cupboards, and</p> <p>(e) general power outlets:</p> <p>(i) at least one of which is a double general power outlet within 300mm of the front of a work surface, and</p> <p>(ii) one of which is provided for a refrigerator in such a position as to be easily accessible after the refrigerator is installed</p>	<p>Not applicable, as kitchens are open plan.</p> <p>Will be required to comply (refer to Identified Requirement No.73).</p> <p>Will be required to comply (refer to Identified Requirement No.73).</p> <p>Will be required to comply (refer to Identified Requirement No.73).</p> <p>Will be required to comply (refer to Identified Requirement No.73).</p> <p>Will be required to comply (refer to Identified Requirement No.73).</p> <p>Will be required to comply (refer to Identified Requirement No.73).</p>
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17. Access to kitchen, main bedroom, bathroom and toilet

Note: consideration only required for ground floor units in accordance with clause 85(2)

	In a multi-storey self-contained dwelling, the kitchen, main bedroom, bathroom and toilet must be located on the entry level	Not applicable, as dwellings are not multi-storey.
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18. Lifts in Multi storey buildings

Note: consideration only required for ground floor units in accordance with clause 85(2)

	In a multi-storey building containing separate independent living units on different storeys, lift access must be provided to dwellings above the ground level of the building by way of a lift complying with clause E3.6 of the Building Code of Australia.	NA
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19. Laundry

Note: consideration only required for ground floor units in accordance with clause 85(2)

	<p>A self-contained dwelling must have a laundry that has:</p> <p>(a) width at door approaches that complies with cl.7 of this Schedule, and</p>	<p>Laundries are located within bathrooms and comply with AS1428.</p> <p>Complies.</p>
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	(b) provision for the installation of an automatic washing machine and a clothes dryer, and	Complies.
	(c) a clear space in front of appliances of at least 1,300mm, and	Complies
	(d) a slip-resistant floor surface, and	Will be required to comply (refer to Identified Requirement No.73).
	(e) an accessible path of travel to any clothes line provided in relation to the dwelling	Complies.

20. Storage for Linen

Note: consideration only required for ground floor units in accordance with clause 85(2)

	A self-contained dwelling must be provided with a linen storage in accordance with Clause 4.11.5 of AS 4299	Linen storage (min 600mm wide) will be available in all of the proposed dwellings.
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21. Garbage

	A garbage storage area must be provided in an accessible location.	Three bin storage areas have been provided at the pedestrian entries of the site along Brown Street adjacent to the letterboxes. These areas have compliant access and circulation space.
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5.5.2 Seniors Living Policy: Urban Design Guidelines for Infill Development

An assessment of the design of the activity against the *Seniors Living Policy: Urban Design Guidelines for Infill Development* is provided at **Appendix D**. The design has followed the Guidelines, except in relation to the following justifiable departures outlined in **Table 7**.

Table 7 Seniors Living Urban Design Guidelines departures

Guideline Requirement	Response
2.05 Have developments more modest in scale towards the rear of the site to limit impacts on adjoining neighbours?	All dwellings are well separated from the rear boundary by parking and landscaped areas. This generous rear setback limits impacts on adjoining neighbours.
2.07 Retain trees and planting on the street and in front setbacks to minimise the impact of new development on the streetscape?	While the proposal retains the existing street tree within the road reserve, all existing trees on site are proposed to be removed. As per the Arboricultural Impact Assessment, a number of these are exempt species or of low quality. While trees are removed, the landscape plan allows for the planting of a number of new trees as well as shrubs and groundcovers. The new trees are more suitable native species with mature height of 8 – 10m and will overall contribute to an improvement in landscaped character on site and as viewed from the streetscape. Trees and other vegetation planted within the front setback will soften and minimise the impact of the new development on the streetscape.

Guideline Requirement	Response
2.08 Retain trees and planting at the rear of the lot to minimise the impact of new development on neighbours and maintain the pattern of mid block deep-soil planting?	All existing trees on site are proposed to be removed. A number of these are exempt species or of low quality. The two trees in the rear of the site are of low quality and identified for removal. Landscaping including one tree, shrubs and groundcovers is proposed along the rear boundary and adjoining deep soil landscaping on properties to the south. This maintains a pattern of deep soil planting to the rear of lots. Plant species along the rear boundary have been selected to achieve privacy to rear neighbours in conjunction with higher colourbond fencing along the rear boundary.
2.15 Provide communal open space?	The landscaped area at the rear is solely for stormwater management and maintenance. Hence, it is not intended for social use. The site will contain 12 dwellings only, each of which is provided with more than the minimum private open space. Lake Parramatta is located closely within 400m walking distance from the site where residents can socialise.
2.20 Use semi-pervious materials for driveways, paths and other paved areas?	It is LAHC policy to provide concrete to these areas for maintenance and durability reasons as well as providing a stable non slip surface for access.
2.23 Maintain, where possible, existing crossings and driveway locations on the street?	New driveway locations are proposed to suit the layout of the development. Existing driveways not required will be removed, with the kerb, gutter and footpaths reinstated.
3.04 Allow breaks in rows of attached dwellings?	The proposed development articulates the built form in plan and elevation to achieve an appearance of four modules presented to the street. Common entry areas and foyers are well identified by pathways and articulation to the façade and material changes. The provided articulation is effective in breaking up building massing and includes varied setbacks, balconies, materials and finishes.
3.06 Set back upper levels behind the front building façade?	The second storey is not setback from the main building façade. However, the second storey incorporates balconies forward of the main façade which are roofed structures that provide the appearance of a recess in the building façade. Private open space areas at ground floor level also contribute to variation to Brown Street setback.

Guideline Requirement	Response
3.22 – Vary the alignment of driveways to avoid a “gun barrel” effect	Straight driveways are required due to the efficient configuration of the site and the need for safe sight lines. The driveway leading to the carport is short, and the driveway leading along the eastern boundary has landscaped strips along both sides and at the rear to soften this area and reduce any “gun barrel” effect. The shared driveway is a single width and will not be visually prominent in the streetscape.
3.27 Vary the driveway surface material to break it up into a series of smaller space? (eg to delineate individual dwellings)	The number of driveways is minimised and the LAHC policy is to provide concrete to driveways for maintenance and durability reasons.
3.29 Provide gates at the head of the driveways to minimise visual ‘pull’ of the driveway?	It is LAHC policy to not provide gates for ease of access for maintenance and security reasons. Landscaping softens driveway areas. The separation between shared and private spaces is clear and evident from the layout and design of the development. The driveway width and landscaping to the sides of the driveway will ensure it is not visually prominent in the streetscape.
4.05 Incorporate second stories within the roof space and provide dormer windows?	This arrangement is not prevalent within the locality and as such is not proposed for this development.
4.16 Design dwellings around internal courtyards	The dimensions of the site, the established pattern of setbacks and site orientation are not conducive to a centralised courtyard design.
5.11 Screen parking from views and outlooks from dwellings?	Passive surveillance of the car park is a LAHC requirement and will be effectively achieved from common spaces and habitable rooms. All dwellings also have primary views to the street and sight lines to the internal parking area will not detract from the amenity of the dwellings.
5.28 Provide private open space areas that retain existing vegetation where practical?	The majority of existing trees on site are located within the front setback and are proposed to be removed due to their low significance. This creates an opportunity to replace these planting with species of a suitable size and dimension for the individual private open spaces. The Landscape Plan proposes that the ground level private open spaces are surrounded by and provided with new plantings to contribute to the amenity of these spaces.

Guideline Requirement	Response
5.29 Provide private open space areas that use pervious pavers where private open space is predominantly hard surfaced to allow for water percolation and reduced run-off?	LAHC policy is to provide hard surface areas for maintenance and durability reasons and to provide stable, non-slip surfaces.
5.30 Provide communal open space that is clearly and easily accessible to all residents and easy to maintain and includes shared facilities, such as seating and barbecues to permit resident interaction?	The landscaped area at the rear is solely for stormwater management and maintenance. Hence, it is not intended for social use. The site will contain 12 dwellings only, each of which is provided with more than the minimum private open space. Lake Parramatta is located closely within 400m walking distance from the site where residents can socialise.

5.5.3 Good Design for Social Housing

An assessment of the proposed development against the *Good Design for Social Housing* document, published in September 2020, indicates that the proposed development has adequately considered the goals and principles as outlined in Table 8 below. Refer to Housing for Seniors Checklist in **Appendix D**.

Table 8 Good Design for Social Housing – Relevant Goals & Principles

Goals	Principles	Comment - Discussion on how the design responds to the principles:
Wellbeing	Healthy environments Good for tenants Quality homes	<ul style="list-style-type: none"> Multiple pathways for safe access are provided from the car park to entries of the building. The units have been designed to ensure residents have privacy and feel safe with clear separation between shared common space and private spaces. The development is compliant with BASIX requirements (Appendix H). The proposal includes high quality landscaping and outdoor areas to enhance the site amenity for residents and the streetscape. All dwellings can achieve natural cross ventilation. All dwellings are provided with north facing living and private open space areas for maximised solar access. The site is located within close proximity to open space and recreation areas including Lake Parramatta.
Belonging	Mixed tenure Good shared and public spaces Contribute to local character	<ul style="list-style-type: none"> Easily identified front entrances. Attractively designed landscaping along street frontage. The development is generally small in scale which minimises the resident density. The building design and landscaping integrates with the surrounding residential neighbourhood. Shared entries facilitate opportunities for social interaction between residents.

Goals	Principles	Comment - Discussion on how the design responds to the principles:
Value	Whole of lifecycle approach Sustainability and resilience Make every dollar count	<ul style="list-style-type: none"> • Low maintenance landscape species. • Durable building materials. • The orientation of each dwelling and private open space areas have been designed to optimise natural light and direct solar access to these areas. • Rainwater tank is provided for the development to assist with sustainability and on-site water retention. Collaboration and consultation with key stakeholders was incorporated at critical design milestones. • All dwellings meet BASIX requirements
Collaboration	<ul style="list-style-type: none"> • A good partner • Place making • Continuous improvement 	<ul style="list-style-type: none"> • The proposal is of a scale and character that assists with place making, and complements the surrounding development. • Collaboration with a number of stakeholders has been undertaken during the design and assessment process, with the development shaped by input from a wide range of consultants and stakeholders, including City of Parramatta Council.

5.5.4 Land and Housing Corporation Design Requirements 2023

The proposed development was designed in accordance with the Land and Housing Corporation Dwellings Requirements 2020 (refer Appendix D). These requirements were replaced by the Land and Housing Corporation Design Requirements in February 2023. The proposed development is generally in accordance with the provisions of the updated requirements. Further detail will be incorporated in the construction documentation.

5.5.5 Housing SEPP Design Principles

The proposed activity is located in an established urban area and there are no known natural environmental considerations affecting the subject land (including known significant environmental values, resources or hazards). The existing and approved uses of land in the vicinity of the proposed development is for residential purposes.

A site analysis was undertaken as part of the design process. The impact of the bulk, scale and built form is considered to be compatible with the existing uses, approved uses and the likely future character of the area.

There are services, facilities and infrastructure that will be available to meet the demands arising from the proposed activity.

The Housing SEPP articulates a range of design principles that the LAHC must consider in determining whether or not to proceed with a proposed seniors housing activity. **Table 9** below demonstrates how the principles have been considered in the design of the proposal.

Table 9 Response to Design Principles (Part 5, Division 8)

Design Principle	Response
Neighbourhood amenity and streetscape [Section 99]	
<p>Neighbourhood amenity and streetscape [section 99] Seniors housing should be designed to —</p> <p>(a) recognise the operational, functional and economic requirements of residential care facilities, which typically require a different building shape from other residential accommodation, and</p> <p>(b) recognise the desirable elements of —</p> <p>(i) the location's current character, or</p> <p>(ii) for precincts undergoing a transition — the future character of the location so new buildings contribute to the quality and identity of the area, and</p> <p>(c) complement heritage conservation areas and heritage items in the area, and</p> <p>(d) maintain reasonable neighbourhood amenity and appropriate residential character by —</p> <p>(i) providing building setbacks to reduce bulk and overshadowing, and</p> <p>(ii) using building form and siting that relates to the site's land form, and</p> <p>(iii) adopting building heights at the street frontage that are compatible in scale with adjacent buildings, and</p> <p>(iv) considering, where buildings are located on the boundary, the impact of the boundary walls on neighbours, and</p>	<p>N/A</p> <p>This site is located within 'Jeffery Avenue Special Character Area' as identified in PDCP 2011. The PDCP 2011 notes that this area was developed by the NSW Housing Commission in the Post-War era and is characterised by "detached dwellings, mostly in brick with some fibro cement bases. It has a high standard of amenity, and with good management, will become more special as time goes by". Much of the development in the area is owned by the LAHC (as successor to the Housing Commission). PDCP 2011, does not have a description of the desired future character for the precinct. In the absence of this, the development is designed as per Council's description of the special character and the transition of the precinct in recent years. The precinct has seen many of the modest, single storey dwellings replaced by larger, two-storey contemporary dwellings.</p> <p>The proposed development is contemporary and comprises of brick material, and a form and scale to fit in with the changing character of the neighbourhood. High quality finishes and the well-considered design add to the identity of the locality. Accordingly, the development responds appropriately to the emerging character of the Jeffery Avenue Precinct.</p> <p>The site is located within the Jeffery Avenue Special Character Area which provides guidance on development which is consistent or not consistent with the existing character of the area. No specific desirable characters are set for this Area. The proposed development comprises of brick material, and a form and scale which is compatible with the existing low density character of the area. Front fencing "other than low walls marking the boundary" is listed as not consistent with the existing character of the area, however there is no guidance as to the desired future character. Additionally, proposed front fencing is of a low height, includes open form elements, and is setback from the front boundary. This is to allow landscaping in front to soften the fence as viewed from Brown Street which will present positively to the street. The front fencing is compatible with existing fencing along Brown Street. The design has also sought to well articulate the front façade to break this up into clearly defined segments and maintains existing street trees.</p>

(e) set back the front building on the site generally in line with the existing building line, and

(f) include plants reasonably similar to other plants in the street, and

(g) retain, wherever reasonable, significant trees, and

(h) prevent the construction of a building in a riparian zone.

The site does not contain and is not in the vicinity of a heritage item. It is not located within a heritage conservation area.

The location of driveways and parking facilities will establish generous side and rear setbacks to minimise visual bulk and overshadowing.

The layout of development on site relates to the site's topography and orientation while also ensuring that design meets access requirements.

While adjacent buildings to the east and west are single storey and the proposal is two storeys, adjacent development is aged and recent developments in the locality (including at 2 and 6 Jeffery Avenue to the south of the site) are 2 storeys. The provision of 2 storeys is low scale and is considered compatible with the low density locality and likely future development.

The front setback to the building façade and to the balconies is in accordance with DCP requirements and is considered a reasonable outcome.

Refer to the submitted Landscape Plan. The proposed high quality landscape design will enhance the appearance of the site and represents a positive outcome for the streetscape. All neighbouring trees and street trees are retained. The removal of trees on site is in accordance with the recommendations of the Arboricultural Impact Assessment report, and trees proposed to be provided are of a more suitable species.

The site is not located within or adjacent to a riparian zone.

Visual and acoustic privacy [Section 100]

Seniors housing should be designed to consider the visual and acoustic privacy of adjacent neighbours and residents by —

(a) using appropriate site planning, including considering the location and design of windows and balconies, the use of screening devices and landscaping, and

The proposed development has been designed to maintain visual and acoustic privacy to adjoining properties and within the development. Design solutions include appropriate building setbacks and heights, dwelling layouts, placement and sizes of window openings and location and landscaping suitable to the site context. In particular, windows on side elevations are minimised and are provided with obscured glazing where necessary. Generous side and rear setbacks are demonstrated with separation created by driveways and parking. Screening is also provided between dwellings where appropriate for mutual privacy.

Boundary fencing will assist with mitigation of visual and acoustic impacts associated with the development including screening of the internal hard stand car

<p>(b) ensuring acceptable noise levels in bedrooms of new dwellings by locating them away from driveways, parking areas and paths.</p>	<p>parking. Perimeter landscaping will also act as a visual and acoustic buffer between adjacent developments.</p> <p>The proposed dwellings have been designed in accordance with the requirements of the <i>Building Code of Australia</i> for sound and impact transmission so that acceptable noise levels between dwellings and adjoining properties are achieved.</p>
<p>Solar access and design for climate [Section 101]</p>	
<p>Solar access and design for climate [section 101] The design of seniors housing should —</p> <p>(a) for development involving the erection of a new building — provide residents of the building with adequate daylight in a way that does not adversely impact the amount of daylight in neighbouring buildings, and</p> <p>(b) involve site planning, dwelling design and landscaping that reduces energy use and makes the best practicable use of natural ventilation, solar heating and lighting by locating the windows of living and dining areas in a northerly direction.</p>	<p>The design and siting of the proposed development will provide adequate daylight access to its living areas and private open spaces and the living areas and private open spaces of adjoining properties. The northern orientation of proposed living and main private open space areas will maximise solar access. 100% of the proposed dwellings will receive a minimum of three hours sunlight between 9am and 3pm on June 21 to their living area and private open space.</p> <p>Shadows to neighbouring development in the west will be confined to the morning period with no impact generated to 6 or 8 Irwin Street from 12pm. There will be no solar impact to the neighbouring dwellings south of the site other than minimal impact upon an outbuilding (shed) at 8 Jeffery Avenue. Private open space areas of properties to the south will retain high levels of solar access in midwinter with more than 50% of private rear yard areas maintaining direct solar access between 9am and 3pm. The property to the east will receive adequate solar access in the morning and midday periods with solar impacts to the western elevation of the dwelling at No 7 Brown Street limited to 3pm and after (refer to shadow diagrams at Appendix E).</p> <p>Landscaping will also assist in microclimate management.</p>
<p>Stormwater [Section 102]</p>	
<p>The design of seniors housing should aim to —</p> <p>(a) control and minimise the disturbance and impacts of stormwater runoff on adjoining properties and receiving waters by, for example, finishing driveway surfaces with semi-pervious material, minimising the width of paths and minimising paved areas, and</p> <p>(b) include, where practical, on-site stormwater detention or re-use for second quality water uses.</p>	<p>Impervious surfaces have been minimised in the design to reduce the potential generation of stormwater. Site stormwater will be drained as shown on the submitted stormwater drainage plans and incorporates on-site detention (and 4,000L rainwater tank) as well as an absorption pit (refer to the submitted stormwater drainage plans at Appendix E)</p>
<p>Crime prevention [Section 103]</p>	

<p>Seniors housing should —</p> <p>(a) be designed in accordance with environmental design principles relating to crime prevention, and</p> <p>(b) provide personal property security for residents and visitors, and</p> <p>(c) encourage crime prevention by —</p> <p>(i) site planning that allows observation of the approaches to a dwelling entry from inside each dwelling and general observation of public areas, driveways and streets from a dwelling that adjoins the area, driveway or street, and</p> <p>(ii) providing shared entries, if required, that serve a small number of dwellings and that are able to be locked, and</p> <p>(iii) providing dwellings designed to allow residents to see who approaches their dwellings without the need to open the front door.</p>	<p>Fencing will be constructed along the side and rear site boundaries, and along the edges of the ground floor private open space to each dwelling to provide an appropriate level of safety and security to residents.</p> <p>The design of the proposed development will allow for general surveillance of all common areas and the street from internal and external spaces of all dwellings.</p>
Accessibility [Section 104]	
<p>Seniors housing should —</p> <p>(a) have obvious and safe pedestrian links from the site that provide access to transport services or local facilities, and</p> <p>(b) provide attractive, yet safe, environments for pedestrians and motorists with convenient access and parking for residents and visitors.</p>	<p>The proposed development is well located with safe pedestrian links within and adjacent to the site that provide access to transport services / local facilities and will provide an attractive and safe environment for pedestrians and motorists with convenient access to car parking areas for residents. Despite not being a LAHC requirement the site meets access requirements as per Clause 93 of the Housing SEPP.</p> <p>Refer to the Access Report attached in Appendix G for confirmation.</p>
Waste management [Section 105]	
<p>Seniors housing should include waste facilities that maximise recycling by the provision of appropriate facilities.</p>	<p>Waste and recycling facilities will be provided in accordance with Council's requirements. The proposed development provides shared waste and recycling collection facilities on the site. It also provides for composting.</p>

5.6 Other State Environmental Planning Policies

Table 10 below outlines applicability of, and compliance with, other State and Environmental Planning Policies (SEPPs).

Table 10 Compliance with other applicable State and Environmental Planning Policies

State Environmental Planning Policy	Applicability
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SEPP (Building Sustainability Index: BASIX) 2004	A BASIX Certificate has been obtained for the development proposal, as required under the SEPP (refer to Appendix H).
SEPP (Transport and Infrastructure) 2021	The site is not located in close proximity to a State Classified Road nor is it defined as traffic generating development. Those other aspects of <i>Chapter 2 Infrastructure</i> , including <i>Division 15 Railways</i> and <i>Division 5 Electricity transmission or distribution</i> , have been reviewed and not considered applicable, or requiring further consideration/assessment.
SEPP (Biodiversity and Conservation) 2021	Clause 2.6(1) of this SEPP requires a permit from Council for clearing of vegetation required under the policy. Notwithstanding, Clause 6 of Housing SEPP specifies that development permitted without consent may be carried out without another consent or a licence, permission, approval or authorisation otherwise required under another environmental planning instrument. This means the proposed removal of trees within the site can be included within the REF scope and does not require a permit from Council.
SEPP (Resilience and Hazards) 2021	The site is located within a developed residential area of North Parramatta. The s10.7 planning certificates have not identified the sites as potentially contaminated. A standard recommended identified requirement requires implementation of management measures in the event of contamination during construction works.

5.7 Local Planning Controls

5.7.1 Parramatta Local Environmental Plan 2023 (PLEP 2023)

Parramatta LEP 2023 came into force from 2 March 2023. Compliance with the relevant provisions / development standards set out in the PLEP 2023 is demonstrated in **Table 11** below.

Table 11 Parramatta Local Environmental Plan 2023

Relevant Provisions / Development Standards for Seniors Housing			
Clause	Provision / Development Standard	Required	Provided
4.3	Height of Buildings	(2) The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map (9 metres)	Maximum building height (measured in accordance with the LEP definition) is 8.0 metres.

Relevant Provisions / Development Standards for Seniors Housing			
4.4	Floor Space Ratio	<p>(2) The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the Floor Space Ratio Map.</p> <p>The site is not mapped as containing a maximum floor space ratio on the Floor Space Ratio Map.</p>	<p>There is no maximum FSR control applicable to the site under Parramatta LEP 2023.</p> <p>Proposed FSR is 0.55:1 (calculated in accordance with the Housing SEPP definition).</p>

5.7.2 Parramatta Development Control Plan 2011

Parramatta Development Control Plan 2011 (PDCP 2011) does not contain specific development controls for seniors housing. As such, the building setbacks for *multi* dwelling housing have been used for comparative purposes to demonstrate the suitability of the site for the proposed scale of the development as shown in Table 12 below.

The general controls for all development set out in PDCP 2011 have generally been addressed in the various sections of this REF that address compliance with the provisions of the Housing SEPP.

Table 12 Parramatta Development Control Plan 2011

Compliance with setback controls for multi-unit housing		
Multi-dwelling housing and Attached Dwellings		
Clause	Requirement	Proposed
5. Setbacks	<p><u>Front setbacks</u></p> <p>Primary frontage: 5-7m and consistent with the prevailing setback along the street / secondary street / lane: 3-5m</p> <p><u>Side setbacks</u></p> <p>Minimum 3m, except where dwellings primarily address side boundaries, where the side setbacks must be a minimum of 4.5m. On corner allotments, to measure the site boundary setback, the side boundaries are taken to be those without a street frontage.</p> <p><u>Rear setbacks</u></p>	<p>There is no prevailing front setback in Brown Street. Front setbacks for established dwellings in Brown Street vary between 3 and 10 metres. The articulation of front building alignment is effective in reducing building bulk and provides opportunity for north facing communal open space provision. Proposed front setbacks to the Brown Street façade are a minimum 7m. Balconies and private open space extend to within 4.6m of the front boundary. Setbacks are compliant with Parramatta DCP.</p> <p>The majority of the building is setback at a minimum of 4m, well in excess of 3m required in the PDCP. The only exception is the proposed carport which has a 1.7m side setback. This is considered reasonable given the open nature of the structure and minor visual bulk of the carport, and the low intensity of use associated with this one parking space.</p>

Compliance with setback controls for multi-unit housing

	Minimum 15% of length of site (minimum 6m required)	8.86m or 23% of site area is provided for rear setbacks. Well in excess of the required rear setback in the PDCP
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6 Notification, Consultation and Consideration of Responses

6.1 Council Notification

In accordance with section 108C of the Housing SEPP, Parramatta City Council was notified of the development by letter dated 20/07/2022 (refer to **Appendix B**). The notification response period formally closed on 15/08/2022 and Council responded to the notification by letter dated 05/09/2022, which has been extracted below. A response is provided in relation to the comments and matters raised in Council's letter and where appropriate, these matters have been addressed in the identified requirements in **Appendix C**.

Table 13 Issues raised in Council submission

Issues raised	Response
<u>Density</u>	
The development appears to be an overdevelopment of the site.	<p>The proposal is a two-storey development across 3 sites with an FSR of 0.55:1 which is 0.05 more than the permissible. Despite the FSR exceedance, the proposal complies with all the setback requirements, does not give rise to any impacts on the amenity of adjacent properties in terms of privacy, solar access or view loss. The scale of the development is visually broken up by a well-articulated design and plantation of trees along the Brown street as well as within front setback helps further softening of the built form on the streetscape.</p> <p>The proposed development is considered to be a suitable outcome for the site. .</p>
<u>Built Form</u>	
The bulk and scale of the project is not considered compatible with the existing character of the area.	<p>The site is located within Jeffery Avenue Special Character area under Parramatta DCP 2011 which states distinctive characteristics for the area. The proposed development generally responds to these characteristics and is compatible with the emerging character of the area as explained in the Character Statement provided by the Architect (refer to Appendix O)</p> <p>Key considerations within the proposal:</p> <ol style="list-style-type: none">1. the proposed development is within the permissible height limit under Parramatta DCP 2011 and Housing SEPP,2. proposed two-storey development is consistent with the newer developments in the area and adds value to the emerging character of the area,3. the proposed front setback of 7m to the building line complies with the Parramatta DCP 2011

	<p>requirements where balconies are excluded within building envelope, and</p> <p>4. the proposed additional plantings along Brown Street and in the front setback softens the scale of the development from streetscape.</p> <p>The proposed activity is considered consistent with the developing character of the area.</p>
Prevailing setback on Brown Street is approx. 7m and the proposal appears to be not in line with this. Location of facilities within front setback to be reconsidered and minimised.	The Brown Street façade is a minimum 7m and complies with the DCP requirement. Balconies and private open space areas have variable front setbacks but are not less than the minimum 4.2m required by the DCP and bins enclosure areas are screened by appropriate plant species and fencing.
Floor to floor height to be 3.1m (ADG as guide)	Floor to ceiling heights are consistent with section 4C, design criteria 1 of the ADG which requires 2.7m high ceilings for habitable rooms.
Booster valves to be carefully designed and located so they are not visually obtrusive and do not obstruct opportunity to plant large trees	<p>Booster valves have been designed and located in the side setback towards the eastern boundary which does not obstruct opportunity to plant large trees.</p> <p>An Identified Requirement no. 83 is recommended to screen these booster valves to ensure a visual barrier.</p>
<u>Solar access and cross ventilation</u>	
Solar access and cross ventilation diagrams should be provided to show the quality and amenity of the dwellings. ADG and Housing SEPP should be used as a guide.	Shadow diagrams and ventilation diagrams have been provided and demonstrate compliance.
<u>Materials</u>	
The use of colorbond is not encouraged. Masonry elements and roof tiles should prevail to achieve a character sympathetic to the local context.	<p>The use of colorbond steel roofing is consistent with other recently constructed buildings in the locality and will not detract from the developing character of the local area.</p> <p>The proposed roof material is hard wearing and requires less maintenance and is considered acceptable.</p>
<u>Communal open space</u>	
25% of the site area to be provided as COS in continuous with the deep soil where possible.	<p>Each individual dwelling is provided with a very large area of Private Open space instead of communal open space.</p> <p>A large, continuous area of deep soil (exceeding requirements) is provided at the rear of the site.</p> <p>Further, large areas of publicly accessible communal public space are located within easy walking distance of the site at Lake Parramatta.</p>

<i>Communal open space should offer gathering areas to provide opportunity for social interaction amongst residents, connection to natural environment and breathing space to the seniors blocks.</i>	Paved areas are provided through out the site that allow for incidental socialising and interaction. Further, the site close to Lake Parramatta and its surrounding parkland which includes facilities such as seating and barbecues for social interaction between residents.
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Car Parking

<i>Relocate the car parking to basement under one of the two separate blocks.</i>	<p>Basement car parking is not a characteristic of the surrounding area and therefore parking is proposed to remain above ground so as not to require unreasonable levels of cut that may impact on adjacent sites. The provision of parking at the rear does not impact the streetscape and provides physical separation from and avoids overlooking into the rear neighbouring properties.</p> <p>The proposed surface parking at the rear is a practical solutions which provides ease of access to residents as well as good observation of this common facility and is considered appropriate for this development.</p>
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Trees

<i>The proposed development should not impinge TPZ of the trees retained and tree protection measures should demonstrated on the plans.</i>	All the trees within the subject site are recommended for removal. However, measures to protect TPZs of retained trees within adjoining properties are detailed in the Arboricultural Impact Assessment and in Identified Requirement no. 44.
<i>Some of the newly proposed plants are located too close to the existing tree which will affect the trees and should be relocated.</i>	Proposed new plantings have been either relocated or replaced with smaller species so as not to impinge TPZ of existing trees within adjoining properties.

Deep Soil and internal Landscape area

<i>Deep soil zone to be 15% of the site and 65% at the rear</i>	<p>Total proposed deep soil area is 265.8m² (15%) of which 205.7m² (77%) is proposed at the rear of the site.</p> <p>The proposed deep soil area is in compliance with the Housing SEPP.</p>
<i>The applicant is required to provide trees at the rate of 1/80m². Tree species with mature height of 13m and size of 4mX4m is required to be planted.</i>	A total of 10 trees with a mature height of 13m has been proposed wherever possible along the east, west and northern boundaries. This ensures 1:1 replacement ratio for removal of 10 trees within the site. In addition to this a variety of smaller plant species within mature heights ranging from 1.5 to 3m are proposed throughout the site. Details are provided in the Landscape Plan at Appendix E .

Private open space

Concerns are raised regarding usability and accessibility of the proposed POS areas they are densely landscaped and not usable, not accessible hence does not achieve the design objective of Housing SEPP.	The proposed POS areas comply with the requirements of the Housing SEPP and the paved areas are also consistent with the LAHC design requirements. The portion of the POS which is densely landscaped is intended for visual privacy from the street, and provides added amenity to the residents. Such landscaping provides ease of maintenance to future residents but also creates small areas for them to “potter” in if they wish to do so.
Public Domain	
<i>A minimum 1.5m footpath to be constructed partly along the boundary to replace the existing footpath, remove the existing redundant driveways and construct new kerb as per Council's standards.</i>	Addressed in Identified Requirements No. 77.
<i>Plant new street trees 8-10m apart along the site frontage</i>	Three Liquidambar trees with a mature height of 15m are proposed in the street verge.. Refer to Landscape plan at Appendix E for further details.
<i>Driveway – maximum preferred width of 6m</i>	The proposed driveway is less than 30m in length and has been assessed as meeting the required sight lines by our traffic consultant. . The proposed width of 3m is considered acceptable as it complies with the Australian Standards of single manoeuvre entry and exit for car parking areas containing less than 25 spaces.
<i>Details of the public domain to be included in Landscape Plan and to be submitted to the Council.</i>	Public domain improvements are shown on the Landscape Plan including footpath works and street trees. A complete set of plans along with a copy of the REF is provided to Council as Decision to Proceed notification once the activity is determined.
<u>Universal Access</u>	
1. Ensure compliance with the Accessibility Solutions Access Report	An Identified Requirement no. 73 is included to ensure compliance with accessibility and useability standards referenced in Section 85 and set out in Schedule 4 as detailed in Access Report at Appendix G .
2. Ensure low level thresholds are provided at the doors accessing the outdoor areas	An Identified Requirement no. 76 is included to ensure compliance with AS 1428.1
3. the abutments of varying surfaces are to provide level transitions	An Identified Requirement no. 76 is included to ensure compliance with AS 1428.1
4. ensure equipment and furniture provide accessible and inclusive features	Not applicable. This proposal does not include common open space with outdoor furniture and/or equipment. Construction documentation is required to demonstrate that the universal access requirements

of the SEPP and relevant Australian Standards are achieved, refer to Identified Requirements 2 and 3.

Tree Management	
Proposed removal of 10 trees is supported	Noted.
Only 3 replacement trees are shown. The replacement tree ratio should be 1:1. It is recommended 2X replacement street tree planting of Liquidambar Styraciflua on the grass verge adjacent to the site to maintain the tree canopy.	Ten trees with mature height of 13m are proposed within the site and 3 Liquidambar Styraciflua are proposed in the street verge of Brown Street as shown on the Landscape plan at Appendix E .
Within the proposed easement, the SW pipes will impact 4 small fruit trees. Non-destructive construction method such as hydro vac or under-boring is required to ensure roots over 25mm are retained.	Notwithstanding that the fruit trees located within 8 Jeffery Street are not protected by the DCP, Identified Requirements no. 82, requires under boring to ensure the long term health and viability of these trees.
Landscape	
Access to the turfed area seems restricted to the people who can use stairs. DDA compliance and consideration should be given to allow people to access the turfed area.	<p>The proposed landscaped area at the rear accommodates a storm water absorption pit and a meter box. It is not intended to be used as a communal open space. A gated staircase access is provided for maintenance work only.</p> <p>Ground covers are now proposed instead of turf and a mulch pathway is proposed to access the absorption pit for maintenance.</p> <p>The site levels result in it being difficult to achieve a compliant accessible pathway to this landscaped area and therefore access has been restricted to maintenance only.</p> <p>Despite there being no resident access to this area it provides a high level of amenity to the development by creating an attractive environment for residents. It also provides a landscape buffer for the neighbouring properties.</p>
Tree sizes to be increased to min 75L, preferably 100L contained sizes	Plant sizes have been selected to optimise establishment and survival rates.
All shrubs and ground cover to be provided in 200mm pots	Plant sizes have been selected to optimise establishment and survival rates.
Proposed Elaeocarpus eumindii is too close to the proposed OSD tank and should be moved at least 2m away from SW pipes.	Tree E, previously located behind the car parking spaces. 1 & 2 has been relocated approximately 9.5m away from the OSD tank to the landscaped area at the rear. Refer to the Landscape Plan for further details.
It is recommended the bin areas at the front to be suitably screened.	Bins are suitably screened by plantings.

Tree no. 12 located in neighbouring property is proposed to be pruned excessively and it is recommended to reduce the pruning.	Pruning will be conducted under the supervision of the Project Arborist and will be in accordance with relevant standards. Addressed in identified Requirement no. 80.
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6.2 Notification of Occupiers of Adjoining Land and Other Persons

Under section 108C (1) (a) of the Housing SEPP, the Council for the area was requested to nominate any other persons who should, in the Council’s opinion, be notified of the development.

Advice was sought from Council regarding additional persons or property that should be notified of the development via an email dated 21/01/2022. Council provided an email response on 03/02/2022 advising that the notification map is consistent with Council’s Community Participation Plan and acceptable to Council. Figure 16 illustrates the properties in which the occupiers were notified of the development.



Figure 14 Map of Properties Notified of the Proposed Development, Source: LAHC

Under section 108C(1)(b) of Housing SEPP, occupiers of adjoining land, as identified in the above map, were notified of the proposed development activity by letter dated 20 July 2022. Copies of the notification letters are provided at **Appendix B**.

The notification response period formally closed on 15 August 2022 and submissions are discussed in **Table 14**.

Table 14 Issues raised by adjoining owners / neighbours

Issues raised	LAHC Response
Roof Form and cladding	<p>A concern was raised that the cladding and skillion roof design are not in keeping with the current streetscape.</p> <p>The roof form and cladding proposed are consistent with other recently constructed buildings in the locality and will not derogate the developing character of the local area.</p>
No stopping zones	<p>A neighbour requested that a no stopping zone be provided opposite their driveway for safe reversing.</p> <p>This is within Council's purview and City of Parramatta Council will be notified of the determination.</p>
Lighting	<p>A neighbour requested that street lamps not be provided out the front that would shine into their bedroom.</p> <p>The proposed development does not propose any new street lighting. Bollard lighting within the development will be designed to point downwards to minimise light spillage.</p>
Bin areas	<p>A concern was raised regarding the mature height of the plantings adjacent to the bin areas and their ability to screen the bin enclosures. A further concern was raised about the location of bins in the front setback being unsuitable for the streetscape. It was also suggested that a taller and thicker growing shrub to be established to prevent unauthorised dumping and improve streetscape.</p> <p>To address these concern each bin enclosure has 3 Purple Hop Bush (<i>Dodonea viscosa "Purpurea"</i>) planted between the wall and the road reserve to ensure that the bins areas are appropriately screened. These plants have a mature height of 2m which will ensure that this area is suitably screen from the street. . Refer to Landscape plan at Appendix E for further details.</p> <p>A concern was also raised that the proposed bin storage area is not future proofed to accommodate FOGO bins.</p> <p>The bins are compliant to the current DCP requirements. It is anticipated any future introduction of organics waste bins would be accompanied by corresponding reduction in general waste bins. Therefore, should be able to be accommodated on site.</p>
Tenant management	<p>A concern was raised about importance of getting suitable tenants that won't cause social disturbance.</p> <p>The proposed development is for seniors and their households and they will be managed by the NSW Department of Communities and Justice who have developed a 'local allocation strategy'. This is to ensure the right tenants are allocated to these new dwellings.</p>
Tree loss Compensation	<p>This submission relates to work within 10 Brown Street from the LAHC project at 57-61 Bourke Street. This submission is not relevant to this project at 1-5 Brown Street.</p>

Issues raised	LAHC Response
Floor Space Ratio	<p>A concern was raised about FSR exceedance and clause 87 of Housing SEPP 2021 not being justified clearly.</p> <p>Clause 87 is not relied upon for additional FSR. The FSR variation is justified above in this report</p>
Clothes Drying	<p>A neighbour suggested that clothes drying areas be located at the rear of the site.</p> <p>All units are supplied with clothes drying facilities and these areas are located to ensure accessibility for future tenants. The clothes drying areas have been suitably screened to ensure minimal impact on the streetscape.</p>
Common open space	<p>A concern raised regarding accessibility for seniors to the proposed common open space at the rear.</p> <p>The proposed landscaped area at the rear accommodates a storm water absorption pit and a meter box. It is not intended to be used for communal open space. A gated staircase access is provided for maintenance work only.</p> <p>Ground covers are now proposed instead of turf and a mulch pathway is proposed to access the absorption pit for maintenance.</p> <p>The site levels result in it being difficult to achieve a compliant accessible pathway to this landscaped area and therefore access has been restricted to maintenance only.</p> <p>Despite there being no resident access to this area it provides a high level of amenity to the development by creating an attractive environment for residents to look into. It also provides a landscape buffer for the neighbouring properties.</p> <p>Paved areas are provided through out the site that allow for incidental socialising and interaction. Further, Lake Parramatta and its surrounding publicly accessible parkland which includes facilities such as seats and barbecues for social interaction between residents is located within 400m walking distance from the site.</p>
Garden maintenance	<p>A concern is raised regarding maintenance of proposed landscaping work for first 12-24 months and a maintenance plan to be prepared.</p> <p>As addressed in the Identified Requirement No. 18, the building contractor will provide maintenance services for first 12 months after the planting. After this, LAHC maintenance contractor is appointed for ongoing maintenance.</p>
Sightlines	<p>Concern was raised about whether appropriate sight lines have been achieved.</p> <p>To ensure that clear sight line are achieved a 1.2m high open form (pool type) fencing has been provided together with low level planting within the sight line triangles of each driveway.</p>
House Numbers	<p>Concern was raised in relation to the allocation of house numbers.</p> <p>The house numbers will be assigned as per Council requirements.</p>

6.3 Notification of Specified Public Authorities

The development is “seniors housing” under section 108A of the Housing SEPP. As required by Section 108B (2) of the Housing SEPP, consideration has been given to the need to notify the “specified public authorities” identified in State Environmental Planning Policy (Transport and Infrastructure) 2021, Sections 2.15 and 2.17. The development is not located in an area that triggers the requirement to notify public authorities other than Council.

7 Review of Environmental Factors

Environmental factors associated with the proposed activity in terms of location, character, bulk and density, privacy, solar access and overshadowing have been considered in accordance with the provisions of the Housing SEPP and discussed in Section 5.1.10 of this REF. A review of other environmental factors associated with the proposed activity, and the measures required to mitigate any adverse impacts to the environment, are provided below.

7.1 Neighbourhood Character

The site is located within an established residential area generally supporting single and 2-storey detached dwelling houses. The area was first subdivided by the NSW Housing Commission in 1947, with the locality largely maintaining this historic subdivision pattern. The dominant form of development is detached, single-storey, brick dwellings, built by the Housing Commission in post-war period. These dwellings tend to sit within lightly landscaped and lawned allotments and have tiled, pitched roofs. The character of the area is evolving, with a number of newer, two-storey dwellings and dual occupancy developments interspersed throughout the locality. These dwellings take a more contemporary form and introduce new design features to the area, including flat roofs, rendered finishes and muted grey and white tones.

The bulk and scale of the proposed development will be compatible with the evolving character of the neighbourhood and will deliver a built form outcome permissible within the planning controls for the locality and character. The 2-storey design, siting, layout and landscape setting of the proposed development aligns with that of emerging development in the locality.

No mitigation measures are required, as the design of the proposed development is sympathetic to the emerging neighbourhood character and complies with setback requirements under Parramatta DCP. Suitable design treatments, including fencing, landscaping both within the site with a considered planting mix and planting of new street trees along Brown Street will ensure the proposal contributes to the emerging neighbourhood character.

7.2 Bulk and Density

The proposed development is consistent with the bulk and scale of surrounding newer developments in the locality of North Parramatta. The 2-storey building incorporates compliant setbacks distinguished by a variety of articulation features, landscaping, external finishes and materials to reduce the visual bulk of the development.

LAHC is required to consider the FSR control of 0.5:1 contained within the Housing SEPP 2021. In accordance with the definition of gross floor area in Housing SEPP the proposed FSR is 0.55:1, representing a variation of 10.93%. The proposed development causes no adverse impacts on surrounding properties, exhibits compliant setbacks from all boundaries, proposes extensive landscaping in the front setback, provides new street tree plantings along Brown Street, provides expansive deep soil areas, which will all minimise its perceived bulk. Moreover, the development is in line with the planning principles established in *GPC No 5 (Wombarra) Pty Ltd v Wollongong City Council [2003] NSWLEC 268*, in that it generates no physical impacts on nearby sites, takes a design that reflects newer developments in the area and ensures that it is softened by landscaping, within the site as well as along the street, and articulating elements such as recessed lobby areas, variety of materials, colours and fencing.

Accordingly, the proposal is for a development of a bulk, scale and density that does not constitute an overdevelopment of the site. The proposal will suitably increase housing density which is consistent with State and regional strategies and the development controls applying to the site.

Mitigation measures

None required.

7.3 Streetscape

The architectural style of the proposed development activity is compatible with the evolving form and treatment of development in the surrounding locality. The street façade is divided into a number of distinct elements, separated with landscaping resulting in a finer grained streetscape appearance, consistent with existing dwellings in the area. In addition, the hard stand car parking area will be obscured from street view, resulting in a built form that integrates with the evolving streetscape.

With its strong articulation and modulation along the front façades and improved landscaping proposed within the street setback areas, the proposed development makes a positive contribution to the streetscape of Brown Street. The proposed development will replace ageing housing stock that has reached the end of its economic life with a new contemporary residential development.

The built form has been designed to address the street frontages through incorporation of street facing windows and doors, as well as courtyards and balconies within the front setback, improving casual surveillance of the street.

Mitigation measures

None required.

7.4 Visual Impact

The proposed development will generate some short-term visual impact on the surrounding area during construction, with a long-term positive visual impact associated with the establishment of new dwellings in an existing urban residential context.

The proposed development will make a positive contribution to the residential streetscape through construction of new contemporary dwellings that respond to the site context and emerging neighbourhood character. Articulation, diverse mix of materials and a neutral colour palette will assist with the overall aesthetic of the site.

Substantial new landscaping is proposed in the Brown Street, in the form of street trees, and within the front setback area including new, native canopy trees that will soften the visual impact of dwelling when viewed from the public domain. The rear and side setbacks will also be heavily landscaped adding to the long-term visual amenity of the surrounding properties and further improving the appearance of the site from the street.

Mitigation measures

None required.

7.5 Privacy

A high level of internal and external privacy is maintained by the proposed development activity through a range of measures including careful and considered site landscaping, new 1.2-1.8m high fencing, adequate site setbacks and strategic placement of windows so as to avoid direct overlooking of neighbours.

Private open spaces and balconies have been oriented to the front and rear of the site, and as such will not directly overlook the windows or private open space at adjacent sites. Extensive landscaping has been provided in side and rear setbacks to provide a visual buffer between the windows, balconies and terraces on the subject site and properties to the east, west and south.

The building is setback more 3m from side boundaries in accordance with the setback requirements from multi-dwelling developments in the Parramatta Development Control plan 2011. Rear setbacks are generous, being at a minimum of 23% of the site depth. Finally, the front setback is consistent with the prevailing building line on Brown Street and includes substantial landscaping to further mitigate privacy impacts.

Noise generating areas, such as living rooms, kitchens and driveways have either been located centrally within the building or do not face adjacent dwellings.

Proposed 1.8m and 2.4m Colorbond fencing will mitigate unacceptable overlooking from ground level units into properties to the west, and south and east, respectively.

Mitigation measures

None required.

7.6 Solar Access

The design and siting of the proposed development will provide adequate daylight access to the proposed dwellings living areas, private open spaces and the private open space areas of neighbouring properties in accordance with the *Seniors Living Policy: Urban Design Guidelines for Infill Development*. The submitted Architectural Plans indicate that 100% of dwellings receive at least 3 hours direct solar access to the living and POS areas on June 21, which meets the requirement for 70% of dwellings to achieve 3 hours of direct solar access to the living and POS areas on June 21.

Shadow diagrams also confirm the proposed development will facilitate sunlight to living areas and private open space of the dwellings on adjoining sites.

Proposed living and open space areas have been carefully sited to maximise solar access and the proposal is consistent with the Housing SEPP requirements.

Mitigation measures

None required.

7.7 Overshadowing

The shadow diagrams confirm the development has been designed to minimise overshadowing of surrounding development. Shadow diagrams in Appendix E confirm the proposed development will not generate unacceptable shadow impacts to living areas and private open space of dwellings on adjoining sites.

The shadow diagrams show that throughout the day shadows will largely be contained within the subject site, with very small incursions into 8 and 6 Irwin Street to the west between in the morning and a minor impact

upon 7 Brown Street to the east in the afternoon. The favourable orientation of the site and surrounding properties means that north facing windows are unaffected by the proposal and overall, all adjacent properties will continue to receive substantial areas of sunlight to their private open spaces, in excess of three hours, at mid-winter.

The level of additional overshadowing of 6 Irwin Street in the morning completely covers this site's private open space. However, shadows will move to the east around midday, meaning that this site will achieve sunlight to more than 50% of their private open space in the afternoon. Conversely, 7 Brown Street will lose sunlight in the afternoon, but maintain more than 3 hours in the morning. Accordingly, there are no unacceptable impacts.

Mitigation measures

None required.

7.8 Traffic & Parking

A total of 9 surface car parking spaces for residents, including 3 accessible spaces, will be available on site to serve the proposed development. The level of provision of on-site car parking will satisfy the parking requirements set out in the Housing SEPP for developments carried out by LAHC. Unrestricted street parking is available on Brown Street directly adjacent to the site to accommodate any overflow parking demand generated by the proposed development.

Proposed on-site parking provision (9 spaces) exceeds the HSEPP requirement.

The Traffic and Parking Impacts Report (**Appendix L**) indicates that the projected net increase in traffic as a consequence of the proposed seniors' housing development is acceptable and any increase can be accommodated within the capacity of the existing local street network.

The Traffic and Parking Impacts Report concludes compliance with the requirements of SEPP (Housing) 2021 and Parramatta DCP 2011 as well as relevant standards. The proposed development is only expected to generate 5-6 peak hour vehicle trips (less at other times), which is described as having "no discernible effect on the existing road network operation nor on the safety risks".

Mitigation measures

An Identified Requirement (No. 79) is applied requiring the installation of a convex mirror as per the Traffic and Parking Impacts Report (refer to drawing 21123/01 dated 7 April 2022 within the Appendix).

7.9 Flora and Fauna

Separate Arboricultural Impact Assessments have been prepared for the site and for 8 Jeffery Avenue by Urban Tree Management (**Appendix F**).

The report in relation to 1-5 Brown Street considers 20 trees, 10 of which are located within the subject site while the remaining include 1 street tree and 9 trees on neighbouring properties. The report recommends the removal of the 10 existing trees on the subject site (4 of which are exempt, 1 of which is in poor health, and 1 recent planting). It also recommends the retention of all neighbouring trees and 1 street tree adjacent 5 Brown Street (Tree 1). Minor pruning (less than 10%) to the Tree no. 1 (Street tree) and Tree 12 (at 2 Jeffery Avenue) is proposed.

The report in relation to 8 Jeffery Avenue considers 6 trees on that site with regards to impacts upon these relating from the 1200mm wide drainage easement proposed through that site containing a 600mm diameter

storm water drainage pipe. This report states that 4 of the 6 trees are located within the drainage easement however can be protected by use of directional drilling. While each of the trees are an exempt species, each are to be retained.

This proposal includes new plantings including 10 trees to replace those being removed from site, as indicated on the Landscape Plan and details. The new plantings within the site and new street trees along the Brown Street includes native species, which will provide additional habitat for fauna in the long-term.

There will be no significant impact on native fauna as a result of the proposed development, given that compensatory planting is proposed.

Mitigation measures

- Works within the Tree Protection Zone of retained trees within adjoining properties are to be undertaken using tree sensitive excavation and construction techniques, and shall be undertaken in accordance with the Tree protection Plan contained within Arboriculture Impact Assessment (refer **Appendix F** and Identified Requirement No. 44).
- To ensure the proposed pruning works are to be undertaken as per Tree Protection Plan contained within Arboricultural Impact Assessment an Identified Requirement (No. 80) is recommended
- Where Pruning works are proposed to trees located off the subject site, owner's consent must be obtained prior to these works being undertaken (refer to Identified Requirement No. 80).
- If associated infrastructure or services are to be installed within the Tree Protection Zone of any retained specimen, they are to be installed as per the requirements of the Project Arborist. (Identified Requirement No. 81)
- Works upon No. 8 Jeffery Avenue are required to be undertaken as per the Arboricultural Impact Assessment in relation to this site (refer to Identified Requirement No. 82).

7.10 Heritage (European / Indigenous)

No heritage items are identified City of Parramatta Council's Section 10.7(2) & (5) Planning Certificates located on or in the vicinity of the site.

Aboriginal Heritage

An Aboriginal Heritage Information Management System (AHIMS) search, dated 10 November 2021 (Appendix J within the Arboricultural Impact Assessments) did not find any record of Aboriginal Sites or Places on the site or in the surrounding locality and the site is considered to be disturbed land. Consideration of the Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales, determined that no additional investigation was warranted. Discovery of cultural material during development activities cannot be ruled out, however, an identified requirement has been applied should any Aboriginal relics be discovered on the site during excavation/construction.

Other Cultural Heritage

No cultural heritage items have been identified in City of Parramatta Council's Section 10.7(2) & (5) Planning Certificates and the likelihood of any heritage relics being discovered during excavation / construction is considered to be minimal.

Mitigation Measures

A standard Identified Requirement (No. 47) has been applied should any cultural heritage relics be discovered on the site during excavation / construction.

7.11 Soils / Contamination / Acid Sulfate Soils / Salinity

Geotechnical

A Geotechnical Investigation and Acid Sulfate Soil Assessment, prepared by STS GeoEnvironmental indicates the following:

The subsurface conditions consist of topsoil and fill overlying silty clays and weathered sandstone. Topsoil was encountered to an approximate depth of 0.3 metres. Natural silty clays underlie the topsoil to approximate depths of 1.4 to 1.5 metres. Hand auger refusal occurred in BH2 and BH5 at a depth of 0.7m. The consistency of the clayey materials vary between stiff and very stiff. Weathered sandstone underlies the natural soils to the auger refusal depths of 1.6 to 1.8m.

No groundwater was observed in the boreholes during the fieldwork.

Mitigation Measures

No mitigation measures are proposed.

Contamination

According to Council's Section 10.7(2) & (5) Planning Certificates, the land is not affected by a policy restriction relating to contaminated land.

Mitigation Measures

A standard Identified Requirement (No. 17) has been recommended to cover the possibility of discovering site contamination during demolition / construction works.

Acid Sulfate Soils

According to Council's Section 10.7(2) & (5) Planning Certificates, the land is identified as being within Class 5 Land on the Acid Sulfate Soil Map under the PLEP2023.

Clause 6.1 of PLEP 2023 requires an Acid Sulfate Soil Management Plan for works on Class 5 Land that is within 500m of adjacent Class 1-4 Land below 5m AHD and by which the water table on adjacent Class 1-4 Land is likely to be lowered by 1m AHD.

The site is located more than 500m from any from Class 1-4 Land and no substantial excavation is proposed. Therefore, it is unlikely that the proposed works will lower the water table of any nearby Class 1-4 Land. Therefore, an Acid Sulfate Management Plan is not required.

Mitigation Measures

No mitigation measures are required.

Salinity

Council's Section 10.7(2) & (5) Planning Certificates indicate that the site is not affected by salinity.

Mitigation Measures

No mitigation measures are required.

7.12 Drainage / Flood Prone Land / Hydrology/ Water Quality

Stormwater drainage for the proposed development has been designed in accordance with Council's requirements. Stormwater will be collected via a series of stormwater pits and gutters on the site connected to an underground detention tank draining via a drainage easement along the western boundary of 8 Jeffery Avenue to the Council stormwater pipe within the Jeffery Avenue road reserve. An underground rain water tank is located to the east of the OSD tank, and an absorption trench is provided in the south western corner of the site.

The Section 10.7(2) & (5) Planning Certificates issued by Council for the subject site indicate that the land is identified on the Drainage and Flooding Constraints Map as being within a grey/grey hatched area which experiences drainage problems from the local catchment. Development of properties within such areas are subject to additional drainage controls to manage this. The stormwater design has been undertaken in accordance with this.

The proposed development has been designed to have no adverse impact on the hydrology or water quality within the local area.

Mitigation Measures

Identified Requirements (Nos. 6-9, 14, 34, 35 & 72) have been recommended to ensure that stormwater drainage is managed in accordance with legislative requirements.

7.13 Bushfire Prone Land

The Section 10.7(2) & (5) Planning Certificates issued by City of Parramatta Council for the subject site advise that the land is not bushfire prone.

Mitigation Measures

No mitigation measures are required.

7.14 Noise and Vibration

During Demolition / Construction

During demolition/construction typical noise levels associated with demolition/ building works will be generated within the hours prescribed under former Department of Environment, Energy and Science guidelines and/or in accordance with the local Council requirements.

During Occupation

Noise generated when the proposed buildings are completed and occupied will be entirely in keeping with their residential surroundings. No major plant or equipment, which would generate unacceptable noise during occupation, will be installed in the proposed development.

Buildings will be constructed to comply with the deemed-to-comply provisions of *the Building Code of Australia* with respect to noise transmission.

Mitigation Measures

Demolition/construction noise will be controlled to within acceptable limits by sound attenuation measures and undertaking construction activities within EPA/local council requirements.

Buildings will be constructed to comply with the deemed-to-comply provisions of the *Building Code of Australia* and EPA criteria with respect to noise transmission.

Appropriate standard Identified Requirements (Nos. 2, 58 & 60) have been applied to ensure compliance with the above mitigation measures.

7.15 Air Quality

Temporary and localised air quality impacts including dust, smoke, grit, odours, and fumes might be generated during the clearing and excavation of the site and construction of the proposed development.

Mitigation Measures

Appropriate standard Identified Requirements (Nos. 61 & 65) have been applied that will satisfactorily mitigate any potential or adverse impacts on air quality.

7.16 Waste Minimisation

The following waste minimization and management measures have been identified and are to be considered in conjunction with the specific details, including the estimated quantities of waste, provided in the final waste management plan to be prepared by the demolition/building contractor.

During Demolition

Demolition materials will be stored wholly within the site prior to removal for recycling or disposal. Demolition waste will be removed from the site to an approved waste management facility or will be recycled, as follows:

- concrete and bricks will be transported to an approved building waste collection facility;
- any asbestos sheeting and fibrous insulation will be handled according to SafeWork NSW requirements and disposed of to an approved building waste collection facility;
- mixed demolition materials will be transported to an approved building waste collection facility; and
- timber, metal, wall and roof cladding and other salvageable materials will be resold to various salvage yards where appropriate or disposed of at an approved building waste collection facility.

Specific intentions for recycling / re-use / disposal of demolition waste will be determined by the demolition contractor prior to commencement of demolition.

During Construction

Construction materials must be stored wholly within the site prior to removal for recycling or disposal. Construction materials waste must be removed from the site to an approved waste management facility or shall be recycled as follows:

- bricks, tile and concrete to be transported to building recycling facility;
- concrete shall be crushed and reused for filling, levelling or temporary road base;
- tiles shall be crushed and reused for filling, levelling or temporary road base;
- timber shall be sent to second hand suppliers;
- plasterboard shall be sent to building recycling facility; and
- metal offcuts from gutter and downpipes, etc. shall be recycled wherever possible.

During Occupation

General and non-recyclable waste will be disposed of in Council's standard waste storage bins located in the garbage storage enclosures and placed on the street kerb by LAHC contractor for collection by Council's waste services.

Paper / metal / glass will be disposed of in Council's standard waste recycling bins to be located in the garbage storage enclosures and placed on the street kerb by LAHC's contractor for collection by Council's waste services.

Mitigation Measures

Standard Identified Requirements (Nos. 45, 49-55) are recommended to ensure construction/demolition waste is appropriately managed and disposed of.

A standard Identified Requirement (No. 45) is recommended to require the preparation of a final waste management plan for the demolition, construction and occupation phases of the development.

7.17 Resource Use & Availability

The proposed activity will not result in any discernable depletion or degradation of natural resources. The proposal has been designed to meet water and energy efficiency targets as demonstrated by the BASIX certificate for the proposal.

The recycling and reuse of materials during demolition, construction and on-going occupation of the proposed development will reduce the consumption of natural resources.

The proposed development is for the replacement of existing housing that has reached the end of its economic lifespan. The proposed development will provide contemporary housing that will satisfy current State Government environmental sustainability requirements, particularly through improved energy and water efficiency. These factors will ensure reduced depletion and degradation of natural resources in the long term.

Mitigation Measures

No additional mitigation measures are required.

7.18 Community / Social Effects

The proposed development will generate a number of positive community and social effects, including:

- assist LAHC in meeting its significant, long-standing and continually-growing demand for social housing in the Parramatta local government and surrounding area;
- assist LAHC in improving the amenity of accommodation for its tenants, by providing new, more appropriate housing aligning with demand for social housing;
- improve the environmental sustainability of housing on the site, particularly through improved energy and water efficiency; and
- provide more accessible housing on the site.

Mitigation Measures

No mitigation measures are required.

7.19 Economic Impact

The proposed development is likely to contribute to a range of economic benefits in the Parramatta local government and surrounding areas through:

- more efficient use of land resources, existing infrastructure and existing services;
- local sourcing of construction materials, where available;
- the local sourcing of tradespeople and other construction-related professionals, where possible;
- on-going consumption from new/ additional households;
- the reduced maintenance costs of the newer housing; and
- Savings associated with improved energy and water efficiency.

Mitigation Measures

No mitigation measures are required.

7.20 Cumulative Impact Assessment

The proposed activity is not likely to have singular or cumulative environmental impacts which would result in unacceptable adverse effects for the following reasons:

- the proposed activity will not result in any adverse cumulative impact when considered in conjunction with any other proposals or developments in the area;
- there will be no synergistic effects of individual project impacts from the proposed activity when considered in combination; and
- There are no known environmental stresses in the area of the proposed activity that would be increased.

Mitigation Measures

No mitigation measures are required.

8 Conclusion

8.1 Summary of Key Issues Raised in Assessment

It is considered that the proposed activity, given its scale, location and design, will be sympathetic with its residential environment. Following a review of the site constraints, it has been determined that the subject land does not contain any significant environmental hazards and that there are no key issues that have been identified that require further assessment.

The proposed activity has been considered in terms of the provisions of Section 5.5 of the EP&A Act and Section 171 of the EP&A Regulation. In this regard, it should be noted that following an analysis of the potential impacts associated with the proposed activity it was determined that an environmental impact statement is not required.

As demonstrated in this REF, the proposed activity is considered to be consistent with the relevant objectives and standards set out in the Housing SEPP, PLEP 2023, and the design principles and better practices set out in the relevant guidelines.

In addition, and as demonstrated by the environmental impact analysis and assessment undertaken in this REF, the proposed activity will have environmental impacts that can be mitigated to an acceptable level in accordance with current applicable standards, will have a number of positive environmental effects in terms of the built environment and will deliver a range of social and economic benefits.

The proposed development will enable LAHC to meet the increasing demand for one and two bedroom seniors housing dwellings in the local area. Therefore, the proposed development is considered to be clearly in the public interest.

9 Recommendation

Given the above review of environmental factors, it is recommended that LAHC proceed with the proposed activity subject to the implementation of the Identified Requirements listed in **Appendix C** of this REF.

APPENDIX A – SECTION 10.7 CERTIFICATES

APPENDIX B – NOTIFICATIONS & SUBMISSIONS

APPENDIX C – IDENTIFIED REQUIREMENTS

APPENDIX D – SENIORS LIVING CHECKLIST

APPENDIX E – DEVELOPMENT PLANS

APPENDIX F – ARBORICULTURAL IMPACT ASSESSMENT

APPENDIX G – ACCESS REPORT

APPENDIX H – BASIX & NATHERS CERTIFICATES

APPENDIX I – BCA REPORT

APPENDIX J – GEOTECHNICAL INVESTIGATION AND ACID SULFATE SOIL ASSESSMENT

APPENDIX K – WASTE MANAGEMENT PLAN

APPENDIX L – TRAFFIC AND PARKING IMPACT ASSESSMENT

APPENDIX M – AHIMS SEARCH

APPENDIX N – TITLES AND DEPOSITED PLAN

APPENDIX O – DETAILED SURVEY

APPENDIX P - DESIGN COMPLIANCE CERTIFICATES