

Department of Planning and Environment

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# REVIEW OF ENVIRONMENTAL FACTORS

Proposed Seniors Housing Development

at

No. 26 Rose Crescent & Nos. 69-73 Bourke Street, North Parramatta  
NSW 2151

June 2023





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Postal address: Level 15, 4 Parramatta Square, Parramatta, NSW 2150

W [www.dpie.nsw.gov.au](http://www.dpie.nsw.gov.au)

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## DOCUMENT SIGN-OFF

### REF prepared and peer reviewed by:

Having prepared the Review of Environmental Factors:

- I have declared any possible conflict of interests (real, potential or perceived) to the A/Head of Policy and Innovation, NSW Land and Housing Corporation.
- I do not consider I have any personal interests that would affect my professional judgement.
- I will inform the A/Head of Policy and Innovation, NSW Land and Housing Corporation as soon as I become aware of a possible conflict of interest.

Name: Sophie Perry

Designation: Associate Director - Planning Ingenuity Pty Ltd

Signature:



Date: 9 June 2023

### REF peer reviewed by:

Name: Frances Beasley

Designation: Planner, NSW Land & Housing Corporation

Signature:



Date: 20 June 2023

### REF reviewed and endorsed by:

I certify that I have reviewed and endorsed the contents of this REF document and, to the best of my knowledge, it is in accordance with the EP&A Act, the EP&A Regulation and the Guidelines approved under clause 170 of the EP&A Regulation, and the information it contains is neither false nor misleading.

Name: Carolyn Howell

Designation: Manager, Planning & Assessment, NSW Land & Housing Corporation

Signature:



Date: 22 June 2023

**REF authorised for issue by:**

Having authorised the issuing of this Review of Environmental Factors:

- I have declared any possible conflict of interest (real, potential or perceived) to the A/Head of Policy and Innovation, NSW Land and Housing Corporation.
- I do not consider I have any personal interests that would affect my professional judgement.
- I will inform the A/Head of Policy and Innovation, NSW Land and Housing Corporation as soon as I become aware of a possible conflict of interest.

Name: Yolanda Gil

Designation: Director, Portfolio Services, NSW Land & Housing Corporation

Signature:



Date: 21 July 2023

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# 1 Executive Summary

The subject site is located at 26 Rose Crescent and 69-73 Bourke Street, North Parramatta, and is legally described as Lots 2, 3 & 4 in Deposited Plan 215342.

The proposed seniors housing development is described as follows:

*Demolition of 3 existing bedsits containing a total of 13 dwellings and associated structures, removal of trees, and the construction of 14 independent living seniors housing units comprising 6 x one bedroom and 8 x two bedroom units, with associated landscaping and fencing, at-grade parking for 11 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 2023. Therefore the proposed activity can 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 9.5 metres 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 *Design Requirements*;
- the site planning and design of the proposed activity adequately address the applicable local environmental planning and development controls of City 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 22 August 2022 and recommended conditions were provided on 2 May 2023. Comments on the response and conditions are provided in **Section- 6.1** of this REF. One submission was 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 the Activity Determination.

## 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 structures, removal of trees, and the construction of a 14 unit seniors housing development comprising 6 x one bedroom and 8 x two bedroom independent living units, with associated landscaping and fencing, at-grade parking for 11 cars, and consolidation of the 3 lots into a single lot at 26 Rose Crescent and 69-73 Bourke Street, North Parramatta.

The activity<sup>1</sup> 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.

### 2.1 Summary of Proposed Activity

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:
<b>Architectural Plans – Appendix A</b>				
Coversheet	A01 of A17	Rev B	08.12.2022	Barry Rush & Associates Pty Ltd
Site Analysis Plan	A02 of A17	Rev A	23.03.2022	Barry Rush & Associates Pty Ltd
Existing Site Plan	A03 of A17	Rev A	23.03.2022	Barry Rush & Associates Pty Ltd
Site / Ground Floor Plan	A04 of A17	Rev B	29.11.2022	Barry Rush & Associates Pty Ltd
First Floor Plan	A05 of A17	Rev B	29.11.2022	Barry Rush & Associates Pty Ltd
Roof Plan	A06 of A17	Rev B	29.11.2022	Barry Rush & Associates Pty Ltd
Elevations	A07 of A17	Rev B	29.11.2022	Barry Rush & Associates Pty Ltd
Sections	A08 of A17	Rev B	29.11.2022	Barry Rush & Associates Pty Ltd
Exterior Colour Schedule	A09 of A17	Rev A	23.03.2022	Barry Rush & Associates Pty Ltd
Demolition Plan	A10 of A17	Rev A	23.03.2022	Barry Rush & Associates Pty Ltd
Block Analysis Plan	A11 of A17	Rev A	23.03.2022	Barry Rush & Associates Pty Ltd
Shadow Diagrams – Mid Winter	A12 of A17	Rev A	23.03.2022	Barry Rush & Associates Pty Ltd

<sup>1</sup> **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*.

Title / Name:	Drawing No. / Document Ref	Revision / Issue:	Date [dd.mm.yyyy]:	Prepared by:
Views from the Sun Diagrams	A13 of A17	Rev A	23.03.2022	Barry Rush & Associates Pty Ltd
Streetscape Perspectives	A14 of A17	Rev A	23.03.2022	Barry Rush & Associates Pty Ltd
Areas of Excavation and Fill	A15 of A17	Rev A	23.03.2022	Barry Rush & Associates Pty Ltd
Landscape Data Plan	A16 of A17	Rev A	23.03.2022	Barry Rush & Associates Pty Ltd
Cross Ventilation Diagram	A17 of A17	Rev A	08/12/2022	Barry Rush & Associates Pty Ltd
<b>Landscape Plan – Appendix B</b>				
Landscape Plans	LA1 Sheet 1 & LA2 Sheet 2	Rev E	07.12.2022	Greenland Design Pty Ltd
<b>Civil Plans – Appendix C</b>				
Cover sheet & notes	CC210393C - C1 -A	D	08.03.2023	ACOR Consulting Pty Ltd
Stormwater Management Plan	CC210393C C2 - A	D	08.03.2023	ACOR Consulting Pty Ltd
Stormwater Management Details Sheet No. 1	CC210393C C3 - A	D	08.03.2023	ACOR Consulting Pty Ltd
OSD Calculation Sheet and Maintenance Schedule	CC210393C C4 - A	D	08.03.2023	ACOR Consulting Pty Ltd
OSD Checklist – Sheet 1 of 2	CC210393C C5	D	08.03.2023	ACOR Consulting Pty Ltd
OSD Checklist Sheet 2 of 2	CC210393C C6	D	08.03.2023	ACOR Consulting Pty Ltd
Erosion & Sediment Control Plan	CC210393C C7	D	08.03.2023	ACOR Consulting Pty Ltd
Erosions and Sediment Control Notes and Detail	CC210393C C8	D	08.03.2023	ACOR Consulting Pty Ltd
Stormwater Quality Report Sheet 1 of 2	CC210393C_C9	D	08.03.2023	ACOR Consulting Pty Ltd
Stormwater Quality Report Sheet 2 of 2	CC210393C_C10	D	08.03.2023	ACOR Consulting Pty Ltd
<b>Surveys – Appendix D</b>				
Detail & Contour Survey and Longitudinal Sections	210719 Sheets 1 – 4		05.05.2021	Total Surveying Solutions
<b>Notification Plans – Appendix E</b>				
Notification Plans	N01 – N06	-	23.03.2022	Barry Rush & Associates Pty Ltd
<b>Specialist Reports</b>				
Access Report – Appendix H	-	-	15 March 2022	Accessibility Solutions
Aboriginal Impact Assessment – Appendix J	E314	C	10 June 2022	Creative Planning Solutions
BASIX Certificate – Appendix K	BASIX Certificate No 1275784M_04	-	31.05.2022	Building Sustainability Assessments

Title / Name:	Drawing No. / Document Ref	Revision / Issue:	Date [dd.mm.yyyy]:	Prepared by:
NatHERS Summary Certificate – Appendix K	Certificate No 0007711750	-	16.05.2022	Building Sustainability Assessments
BCA Compliance Assessment Report – Appendix L	P220035 (3)	-	6 June 2022	BCA Vision
Geotechnical Investigation and Acid Sulfate Soil Assessment - Appendix P	21/1342	-	May 2021	STS Geotechnics Pty Ltd
Waste Management Plan – Appendix R	-	-	2 June 2022	Barry Rush & Associates Pty Ltd
Traffic Impact Assessment- Appendix S	-	-	June 2022	Apex Engineers
Acoustic Report – Appendix T	220214	-	12 May 2022	DK Acoustics Pty Ltd
Hydraulic Services – Appendix U	HY-DA-000 & HY-DA-100	3	25.03.2022	Marline, Building Services Engineers
Electrical Services – Appendix V	EL-DA-000 & EL-DA-100	3	25.03.2022	Marline, Building Services Engineers
Flood Investigation Report – Appendix W	CC210393_FIA	4	17.03.2023	ACOR Consulting Pty Ltd

#### Section 10.7 Planning Certificates – Appendix F

Section 10.7(2)(5) Planning Certificate No 2022/3863 – No. 26 Rose Crescent, North Parramatta, NSW 2151, Lots 3 and 4 DP 215342, dated 19.06.2023

Section 10.7(2)(5) Planning Certificate No 2022/4188 – No 73 Bourke Street, North Parramatta, NSW 2151, Lot 2 DP 215342, dated 19.06.2023

#### AHIMS – Appendix I

AHIMS Search Result, 26 Rose Crescent & 69-73 Bourke Street, North Parramatta, date 22/03/2023

#### Titles and Deposited Plans – Appendix Q

Certificate of Title Folio 2/215342, search date 13.07.2020

Certificate of Title Folio 3/215342, search date 13.07.2020

Certificate of Title Folio 4/215342, search date 13.07.2020

Deposited Plan 215342

#### Design compliance and checklists – Appendix M, N & O

Housing for Seniors – Checklist (undated)

Part 5 Activity Package Submission Checklist (various signature dates)

Architect's Certificate of Building Design Compliance, dated 20.12.2022

Civil Design Certificate, dated 08.12.2022

Landscape Design Certificate, dated 08.12.2022

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## 2.2 Demolition

The proposed activity includes demolition of 3 single storey blocks of residential units (bedsits) and associated structures, as identified in the Demolition Plan (refer to *Appendix A*).

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## 2.3 Removal of Trees

There are 48 existing trees which are located either within the subject site or on neighbouring land within 5m of the site boundaries. Nineteen trees are proposed for removal from the site. It is noted that all 19 trees nominated for removal are classified as exempt from protection under Part 5.4 – *Preservation of Trees or Vegetation* under the Parramatta Development Control Plan 2011 (PDCP 2011) due to species, size classification or being located within 3m of a building.

The Arboricultural Impact Assessment (*Appendix J*) prepared for the proposed development recommends retention of 29 existing trees of which 12 are located on the site and the remainder are on neighbouring properties. Tree removal within the site boundaries is recommended primarily to accommodate the proposed development or the individual species were not considered to be significant or worthy of retention. Appropriate replacement plantings, including trees capable of reaching a mature height of 3 – 10m, will be provided as part of the proposed landscaping plan (*Appendix B*) to compensate for the loss of these trees.

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## 2.4 Proposed Development

Of the 14 independent living units, 8 (ground floor units) have been designed as units which are capable of being adapted to suit persons with a disability should the need arise in the future. A montage of the proposed development is provided at **Figure 1**.

The proposed housing represents a contemporary, high quality design, which will be an improvement on the quality, functionality and efficiency of existing dwellings and private open spaces. The use of face brick and metal cladding for external walls and Colorbond metal roofing is consistent with the developing character of the North Parramatta suburb and the Jeffrey Avenue Special Character Area.

Eight of the 14 proposed units will address Bourke Street (Units 1, 3, 5, & 7 on the ground floor and Units 2, 4, 6 & 8 on the first floor), while 4 of the proposed units will address Rose Crescent (Units 9 & 11 on the ground floor and Units 10 & 12 on the first floor) with living areas and living area windows and doors facing the streets for passive surveillance. The proposed design is illustrated at **Figure 2** to **Figure 5** below.

Minor cut and fill is proposed to provide level building platforms and appropriate grades for accessibility, car parking and vehicle access within the site. This level of cut and fill is within Council's DCP standards and is shown in **Figure 6**. Small retaining walls are proposed to assist with the stability of the site as shown on the Architectural Plans (refer to *Appendix A*).

A variety of new landscape plantings are proposed to offset the proposed tree removal and 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 Bourke Street and Rose Crescent streetscapes (refer to **Figure 7**).

Each unit will be provided with its own enclosed private open space area. All private open spaces are directly accessible from the living areas. A new 1.8m high Colorbond fence is proposed along the south,



east and west side boundaries. A combination of brick and slatted metal fencing will be provided at the Bourke Street and Rose Crescent frontages.

A total of 11 at-grade car parking spaces will be provided on the site, including 3 accessible spaces. Two of the accessible spaces are individual car spaces directly adjacent to Unit 11 and to Unit 13, and 1 accessible space is located in the carpark.

Stormwater will be collected via a series of stormwater pits and gutters on the site connected to an underground on-site detention (OSD) tank of 110m<sup>3</sup> capacity and on-site retention (OSR) tank of 33m<sup>3</sup> capacity. OSD and OSR tanks are located beneath the central common car parking area. Stormwater discharge will be to the existing local stormwater infrastructure on Bourke Street.



Figure 1 Montage of the Proposed Development, Source: Barry Rush & Associates Pty Ltd

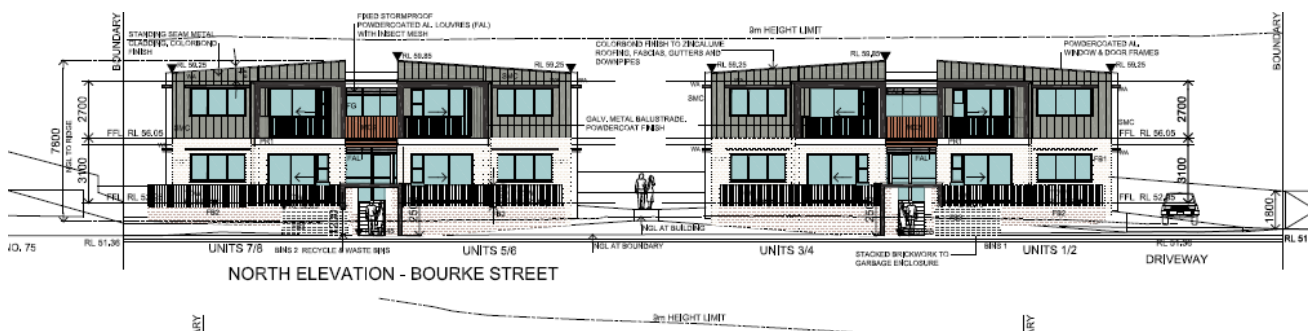


Figure 2 Proposed Bourke Street Elevation. Source: Barry Rush & Associates Pty Ltd



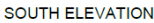


Figure 3 Proposed Rose Crescent Street Elevation. Source: Barry Rush & Associates Pty Ltd



Figure 4 Proposed Ground Floor Plan. Source: Barry Rush & Associates Pty Ltd



Figure 5 Proposed First Floor Plan. Source: Barry Rush & Associates Pty Ltd

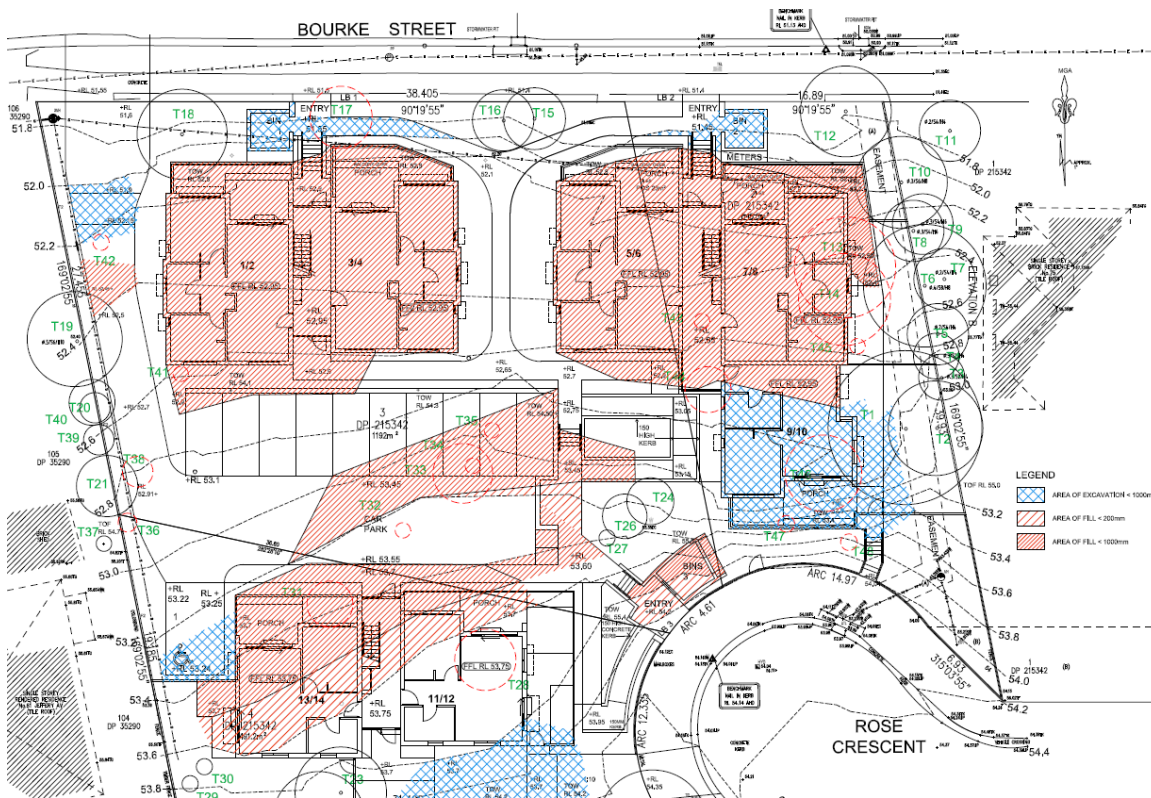


Figure 6 Proposed Cut and Fill

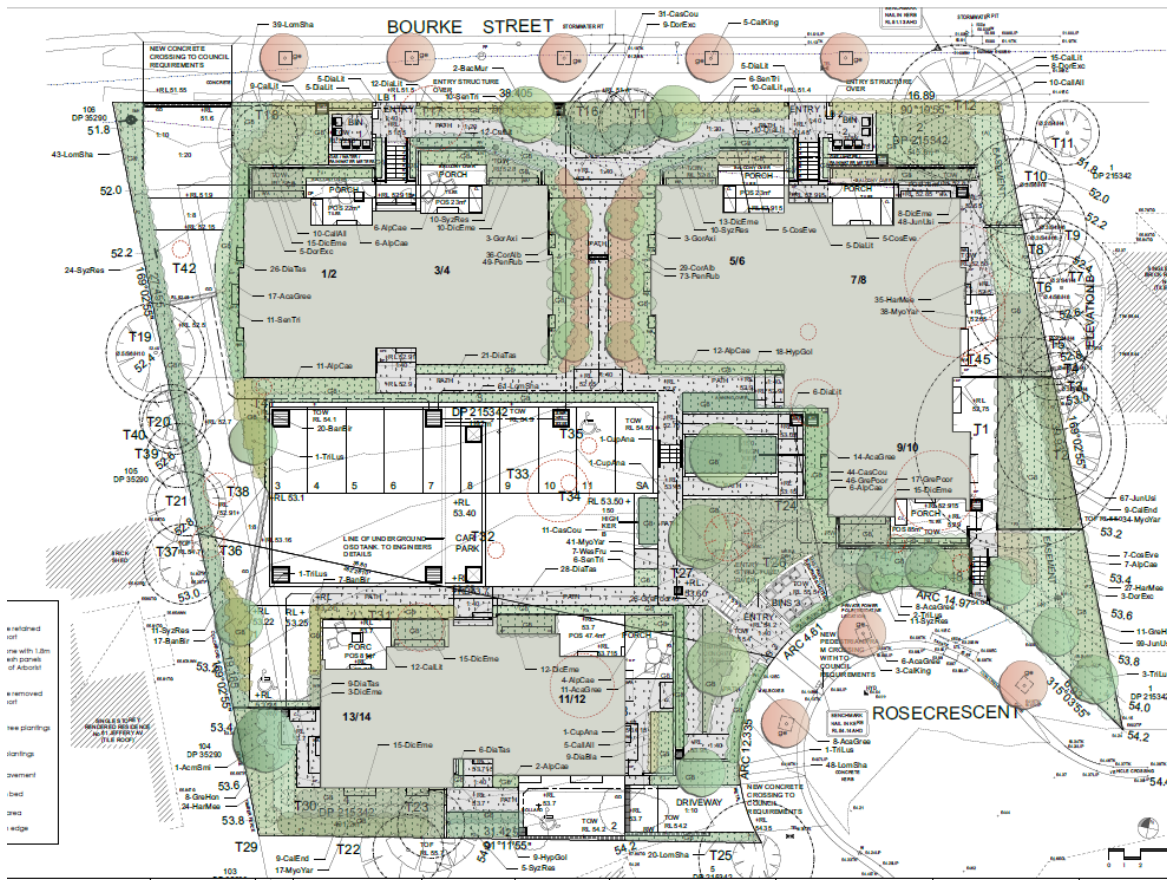


Figure 7 Landscape Plan (extract). Source: Greenland Design Pty Ltd



## 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 currently used as one parcel of land. Stormwater drainage is via an easement within the site and adjacent to the eastern boundary. A location plan is provided at **Figure 8**.

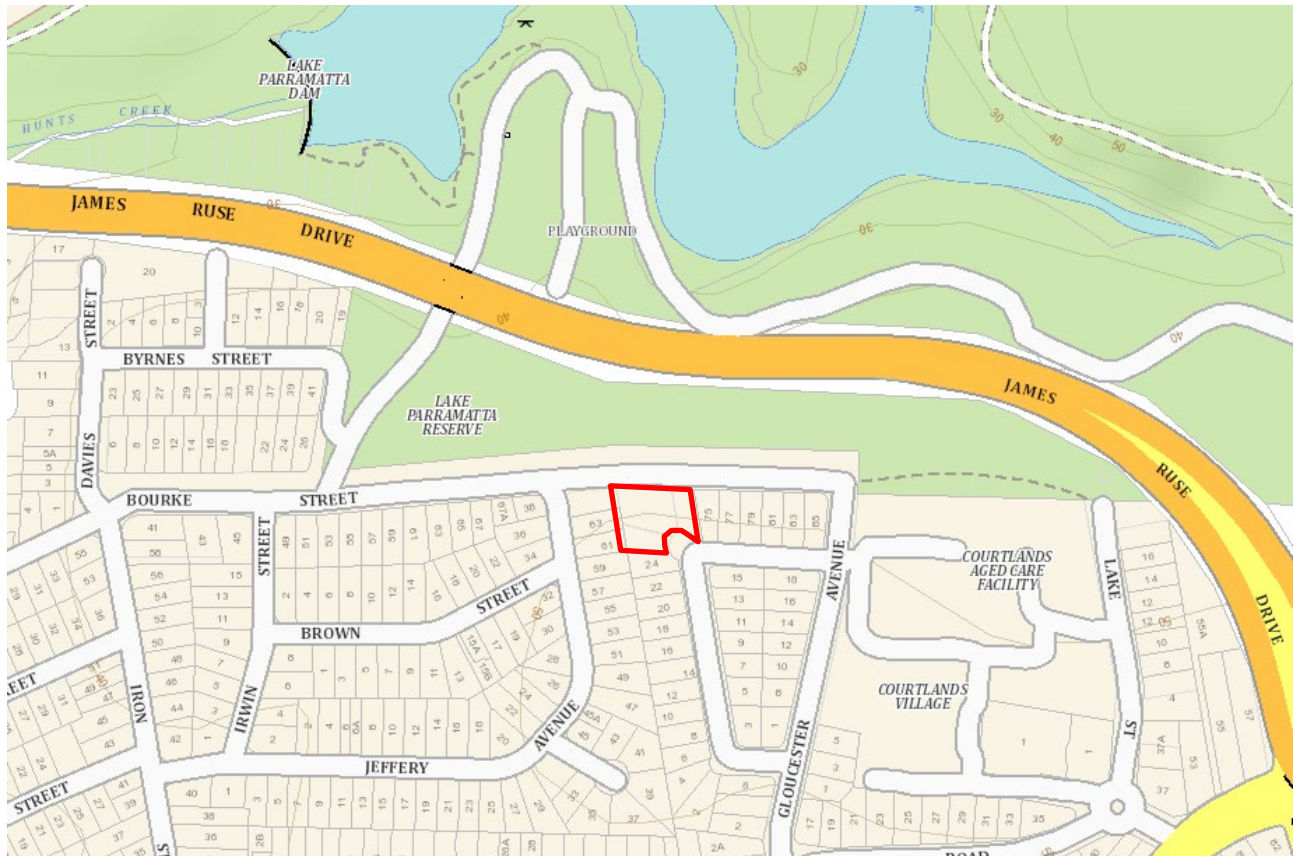


Figure 8 Location Plan (SIX Maps). Site outlined in red.

The site currently contains 3 single storey brick buildings with pitched tiled roofs and associated structures (refer to photographs at **Figure 9** & **Figure 10**). The existing buildings contain a total of 13 units.

The property immediately to the east (75 Bourke Street) contains a brick single storey dwelling with tiled roof (refer image at **Figure 11**).

There are 3 properties sharing the western boundary of the site. No 65 Jeffery Avenue contains 2 dwellings within a single storey brick building with tiled roof (refer to image at **Figure 12**). No 63 Jeffery Avenue contains a single storey brick dwelling with tiled roof and detached brick garage (refer to image at **Figure 13**). No 61 Jeffery Avenue contains a modern single storey single dwelling of brick and render finish with tile roof (refer to image at **Figure 14**).



Figure 9 Development site – No 26 Rose Crescent and Nos 69-73 Bourke Street viewed from Rose Crescent (Google Streetview) Image date October 2020)



Figure 10 Development site –Nos 69-73 Bourke Street viewed from Bourke Street (Google Streetview Image date October 2020)





Figure 11 Adjoining development – No 75 Bourke Street (Google Streetview Image date October 2020)



Figure 12: Adjoining development – No 65 Jeffery Avenue (Google Streetview Image date October 2020)





Figure 13 Adjoining development – No 63 Jeffery Avenue (Google Streetview Image date October 2020)



Figure 14 Adjoining development – No 61 Jeffery Avenue (Google Streetview Image date October 2020)



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## 3.2 Site Description

Copies of the Section 10.7(2) & (5) Planning Certificates (Nos 2023/4019 and 2023/4020) dated 19.06.2023 are provided in *Appendix F*.

The site has a total area of 2,228.7m<sup>2</sup>, a frontage to Bourke Street of 55.295m, frontage to Rose Crescent of 38.845m, eastern side boundary of 39.93m, and western side boundary of 46.64m (refer to the submitted Detail and Contour Survey Plan in *Appendix D*).

The site falls at less than 3.5m to Bourke Street. An existing easement for the drainage of stormwater is located along the eastern boundary, and easement for water supply is located at the south eastern corner of the site. Both easements will be maintained.

An Arboricultural impact assessment observed 48 trees located within the site and on adjoining land within 5m of its boundaries. These trees are generally located at the centre of the site and towards the boundaries. 12 trees within the site will be retained and protected, of which 1 is considered high retention value (T12) (refer to Arboricultural Impact Assessment in *Appendix J*).

Water, electricity, sewer and telephone facilities are available to the site (refer to the Detail and Contour Survey Plan for the location of available services at *Appendix D*). All services are located along the street alignments apart from sewer, which runs parallel to the western side boundary and along the front of the site within the setback from Bourke Street.

There are no encumbrances on title, section 10.7 certificates or indicated on the submitted Detail and Contour Survey Plan other than the easements noted above.

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## 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 single storey brick dwelling houses with tiled roofs, built shortly after the original subdivision, interspersed with more recent single and 2-storey residential dwellings and occasional dual occupancy developments (refer to images at **Figure 15** to **Figure 17**).

There is one bus stop immediately to the north west of the site in front of 65 Bourke Street (stop ID 2151131), and a second bus stop to the south east on Gloucester Avenue (stop ID 2151130). These bus stops are approximately 1m and 178m walking distance from the site's Bourke Street frontage respectively (refer to the Long Section Surveys provided at *Appendix D*). These stops are serviced by Bus Route 609 which provides a loop service to the Parramatta city centre.

Further afield, within 700m walking distance to the west on Church Street, services can be accessed on Bus Routes 601, 603, 604, 606 and 706, connecting to Blacktown, Hornsby, Dural, Rouse Hill, Winston Hills and Parramatta.



Figure 15: Recent development at No's 13 & 15 Rose Crescent (south east of the site) (Google Streetview Image date October 2020)



Figure 16 Recent development at No 38 Jeffery Avenue (west of the site) (Google Streetview Image date October 2020)



Figure 17 Typical 1950's single-storey brick dwelling at 7 Rose Crescent (Source: Google Streetview Image date October 2020)

## 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 site’s zoning context is shown at **Figure 18**.

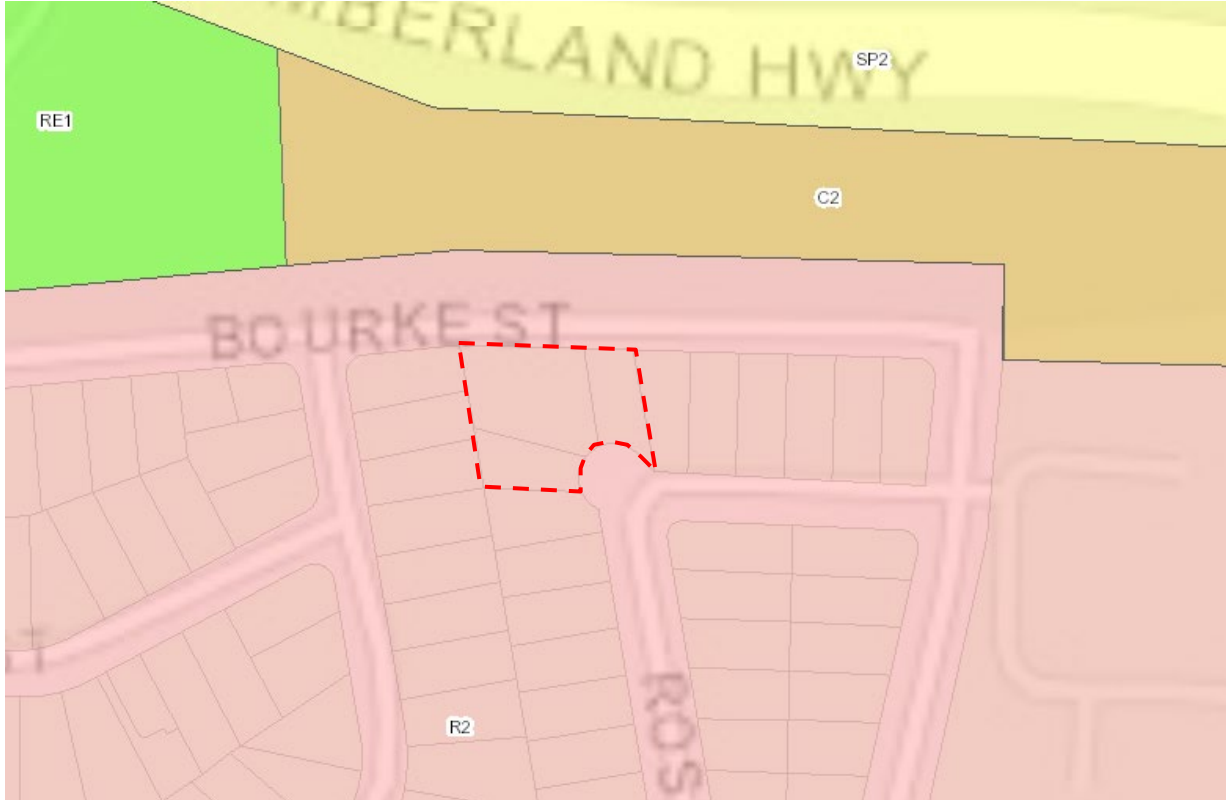


Figure 18 Extract of zoning map from Parramatta LEP 2023 (site outlined in red). Source: NSW Planning Portal

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 housing that meets the identified needs of the community and will be consistent with the 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 5.5.1 of this REF demonstrates compliance with the relevant provisions of Division 8 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 relevant matters listed for consideration in subsection 3 of Section 5.5 of the EP&A Act, 1979.

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
<i>Sub-section 3</i>  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 the 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** and **Table 3** 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 Environmental Planning and Assessment Regulation 2021 Section 171

Factors to be taken into account concerning the impact of an activity on the environment.	Comment
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.	No specific guidelines. This does not include guidelines such as the Seniors Living Urban Design Guidelines that are in force under other legislation or instruments.
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.	Yes - Department of Planning and Environment issued "Guidelines for Division 5.1 assessments" made under Section 170 of the EPA regulation 2021

Table 3 Factors to be taken into account concerning the impact of an activity on the environment

Guidelines for Division 5.1 assessments require the following Environmental factors to be taken into account:	Relevant?	Impact		
	Yes/NA	Temporary	Minor	Significant [Note 1]
(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 2]	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 section 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:** 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 particularly social benefits of providing affordable housing that meets the needs of the community and environmental benefits of improving the thermal and water efficiency performance of dwellings. 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 14 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. Furthermore, the housing will be managed by the LAHC, ensuring it remains affordable for the foreseeable future. The site is well served by public transport options and the proposal is 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 Council's key strategic planning goals and the actions the Council will take to achieve them. These goals are informed by six broad themes being Fair; Accessible;



Welcoming; Green; Thriving and 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.

### 5.4.3 Activities in Catchments [Section 171A]

The site is located within a regulated catchment, namely, the Sydney Harbour Catchment, as defined in Part 6.2 of *State Environmental Planning Policy (Biodiversity and Conservation) 2021* (Biodiversity and Conservation SEPP).

LAHC, as determining authority, when considering the likely impact on the environment of an activity proposed to be carried out in a regulated catchment, must take into account the controls on development set out in Part 6.2, Division 2 of the Biodiversity and Conservation SEPP.

An assessment of these controls on development is provided in **Table 11** of this REF. The assessment concludes that the proposed activity is unlikely to significantly impact the Sydney Harbour Catchment.

## 5.5 State Environmental Planning Policy (Housing) 2021

### 5.5.1 Development without Consent

The proposed activity includes demolition of existing structures on the site. Section 42(2)(a) of the Housing SEPP permits LAHC to undertake demolition as '*development without consent*' provided the land the structures are located on is '*non-heritage land*' and is not '*identified in an environmental planning instrument as being within a heritage conservation area*'.

The subject site contains neither of these heritage notations and therefore demolition can be undertaken by LAHC as '*development without consent*'. A Waste Management Plan (**Appendix R**) in conjunction with the relevant Identified Requirements contained in the Activity Determination will ensure site safety and environmental protection during demolition and construction.

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 within Part 5, Division 8.

Table 4 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
<b>108A – Development to which Division applies</b>	
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.
<b>108B – Seniors housing permitted without development consent</b>	
(1) Development to which this Division applies may be carried out by or on behalf of a relevant authority without development consent if -	
(a) the relevant authority 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 <b>Table 7</b> and <b>Table 8</b> below.

(b) the development will not result in a building with a height of more than – (i) 9.5 m, or (ii) if the roof of the building contains servicing equipment resulting in the building having a height of more than 9.5m and the servicing equipment complies with section 84(3) – 11.5m, and	The maximum proposed building height is 7.8m.
(c) the seniors housing will not contain more than 40 dwellings on the site.	The development is for 14 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 is 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.
<b>108C – Requirements for carrying out seniors housing</b>	
(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 24 February 2022. Council provided a response on 14 March 2022 advising that the notification map was 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 22 August 2022. Comments on the response are provided in <b>Section 6.1</b> of this REF. One submission was received from adjoining occupiers. Comments on the submission are provided in <b>Section 6.2</b> of this REF.
(d) take into account the relevant provisions of the <i>Seniors Living Policy: Urban Design Guidelines for Infill Development</i> , published by the Department in March 2004, and	Refer to checklist in <b>Appendix N</b> and <b>Section 5.5.2</b> 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 <b>Section 5.5.2</b> of this report. In these cases, suitable alternatives are proposed which are necessary due to site specific conditions.
(d1) if the relevant authority is the Aboriginal Housing Office—consider the relevant provisions of the <i>Aboriginal Housing Design Guidelines</i> , 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) <i>Good Design for Social Housing</i> , published by the Land and Housing Corporation in September 2020, and (ii) the <i>NSW Land and Housing Corporation Design Requirements</i> , published by the Land and Housing Corporation in February 2023, and	Refer to <b>Section 5.5.3</b> and <b>5.5.4</b> and the Architect's Statement and Certificate of Building Design Compliance in <b>Appendix M</b> 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 <b>Table 10</b> .
(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
<b>108D - Exempt development</b> 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
<b>108E - Subdivision of seniors housing not permitted</b> Development consent must not be granted for subdivision of seniors housing.	No subdivision proposed.

The 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 **Table 5** and **Table 6** below.

Table 5 Compliance with section 84(2)(c)(iii), 85, 88, 89 of the Housing SEPP 2021

Provision	Compliance
<b>84 Development standards— general</b> (2) Development consent must not be granted for development to which this section applies unless — (a) the site area of the development is at least 1,000m <sup>2</sup> , and  (b) the frontage of the site area of the development is at least 20m measured at the building line, and  (c) for development on land in a residential zone where residential flat buildings are not permitted — (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 (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 (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.	 Not applicable to LAHC developments.  Not applicable to LAHC developments.  Proposed development is in R2 zone where residential flat buildings are not permitted therefore (c) applies. N/A N/A N/A. The proposed development is two storey only.
<b>85 Development standards for hostels and independent living units</b>	

Provision	Compliance
<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 all the standards specified in Schedule 4 as demonstrated in <b>Table 7</b> below.</p> <p>Noted</p>
<p><b>88 Restrictions on occupation of seniors housing</b></p> <p>(1) Development permitted under this Part may be carried out for the accommodation of only the following —</p> <ul style="list-style-type: none"> <li>(a) seniors or people who have a disability,</li> <li>(b) people who live in the same household with seniors or people who have a disability,</li> <li>(c) staff employed to assist in the administration and provision of services to housing provided under this Part.</li> </ul> <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>Complies. Identified Requirement No. 74 is recommended to achieve compliance.</p> <p>Identified Requirement No. 74 is recommended to achieve compliance.</p>
<p><b>89 Use of ground floor of seniors housing in business zones</b></p>	<p>Not applicable, the site is not in a business zone.</p>

Table 6 Consideration of Non-discretionary standards for Independent Living Units (Section 108)

Development Standard	Required	Comment
Building Height:	9.5m or less	Maximum height 7.8m
Density and Scale:	Floor Space Ratio 0.5:1 or less	0.49:1
Landscaped Area:	Minimum 35m <sup>2</sup> per dwelling (14 x 35m <sup>2</sup> = 490m <sup>2</sup> )	762m <sup>2</sup>
Deep Soil Zone:	Minimum 15% of area of site (15% x 2228.7m <sup>2</sup> = 334.3m <sup>2</sup> )	342m <sup>2</sup> or 15.3%

Development Standard	Required	Comment
	Minimum 65% (217.3m <sup>2</sup> ) to be preferably located at rear of site	179m <sup>2</sup> (52%) provided at "rear" (Rose Crescent side) of site. It is noted the site is a dual frontage allotment with no "rear" boundary. Deep soil is provided in excess of requirements throughout the site.
	Minimum dimension 3m	Minimum dimension 3m
Solar Access:	70% of living areas & main private open space to receive minimum 2 hrs direct solar access between 9 am and 3 pm at mid-winter	93% of living areas and private open spaces receive 3 hours direct solar access between 9am to 3pm mid-winter which is more than the minimum 2 hours required.
Private Open Space:	Ground level:	
	Minimum 15m <sup>2</sup> per dwelling	Minimum 22m <sup>2</sup>
	One area minimum 3m x 3m, accessible from living area	Minimum 3m x 3m accessible from living area
	Upper level/s:	
	1 bedroom: Minimum 6m <sup>2</sup> Minimum dimensions 2m	Minimum 11m <sup>2</sup> Minimum dimension 2.6m
	2 or more bedrooms: Minimum 10m <sup>2</sup> Minimum dimensions 2m	Minimum 11m <sup>2</sup> Minimum dimension 2.6m
Car parking:	Minimum 1 car parking space for each 5 dwellings (LAHC concession) – 3 car parking spaces required	11 car parking spaces for 14 dwellings, including three accessible parking spaces.

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 the Activity Determination).

Table 7 Accessibility and useability standards [Schedule 4]

Development Standard (Sch 4)	Required	Comment
2. Siting Standards: Note: consideration only required for ground floor units in accordance with clause 85(2)		
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. It also incorporates 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 <b>Appendix H</b> and further details will be provided with construction documentation.

Development Standard (Sch 4)	Required	Comment
'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 <b>Appendix H</b> and further details will be provided with construction documentation.
<b>3. Security:</b>		
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.
<b>4. Letterboxes:</b>		
	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 in the front setback at both the Bourke Street and Rose Crescent frontages, next to the bin bay for each block.
<b>5. Private car accommodation:</b>		
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.	Three accessible car parking spaces are provided with one of these within the common parking area, one adjacent to unit 11 and one adjacent to unit 13. One complies with the requirements of AS2890 and two comply with AS4299. The two accessible spaces that comply with AS4299 have widths of at least 3.8m.  The proposed parking space arrangements are supported by the Access consultant as detailed in <b>Appendix H</b> .
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.



Development Standard (Sch 4)	Required	Comment
6. Accessible entry		
Accessible entry (every entry, whether front entry or not):	Must comply with clauses 4.3.1 and 4.3.2 of AS4299	<p>The plans confirm that the entry doorway landings for each dwelling provide 1,550mm x 1,550mm minimum circulation space with 530mm minimum latch side clearance in accordance with AS4299.</p> <p>The internal unit foyer areas also provide at least 1,650mm x 1,550mm circulation space with the required 530mm latch side clearance in accordance with AS4299 and the Housing for Seniors Policy. This has been verified by the Access Report in <i>Appendix H</i>.</p>
7. Interior: general Note: Consideration only required for ground floor units in accordance with clause 85(2)		
	<p>Internal doorways must have a minimum clear opening that complies with AS1428.1.</p> <p>Internal corridors must have a minimum unobstructed width of 1,000mm.</p> <p>Circulation space at approaches to internal doorways must comply with AS1428.1.</p>	<p>Internal doorways comply with AS 1428.1.</p> <p>Internal corridors have a minimum width of 1240mm.</p> <p>Circulation spaces comply as verified in <i>Appendix H</i>.</p>
8. Bedroom Note: Consideration only required for ground floor units in accordance with clause 85(2)		
	<p>At least one bedroom within each dwelling must have:</p> <p>(a) an area sufficient to accommodate a wardrobe and a bed sized as follows:</p> <p>(i) in the case of a dwelling in a hostel-a single - size bed,</p> <p>(ii) in the case of a self-contained dwelling - a queen size bed, and</p> <p>(b) a clear area for the bed of at least:</p> <p>(i) 1,200mm wide at the foot of the bed, and</p> <p>(ii) 1,000mm wide beside the bed between it and the wall, wardrobe or any other obstruction, and</p> <p>(c) 2 double general power outlets on the wall where the head of the bed is likely to be, and</p>	<p>Complies.</p> <p>Not applicable.</p> <p>Complies.</p> <p>Complies.</p> <p>Complies.</p> <p>Identified Requirement No.73 requires compliance with the requirements of (c) – (f).</p>

Development Standard (Sch 4)	Required	Comment
	(d) at least 1 general power outlet on the wall opposite the wall where the head of the bed is likely to be, and (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 (f) wiring to allow a potential illumination level of at least 300 lux	
<b>9. Bathroom</b> Note: Consideration only required for ground floor units in accordance with clause 85(2)		
	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: (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: (i) a grab rail, (ii) portable shower head, (iii) folding seat, (d) a wall cabinet that is sufficiently illuminated to be able to read the labels of items stored in it, (e) a double general power outlet beside the mirror  The requirement under item (c) does not prevent the installation of a shower screen that can easily be removed to facilitate future accessibility.	Bathrooms within ground floor dwellings comply with circulation requirements as per AS1428.1.  Identified Requirement No. 73 requires compliance with the requirements of (a) – (e).  Noted
<b>10. Toilet</b> 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.

Development Standard (Sch 4)	Required	Comment
<b>11. Surface finishes</b> 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).
<b>12. Door Hardware</b> 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).
<b>13. Ancillary items</b> 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).
<b>15. Living and dining room</b> Note: Consideration only required for ground floor units in accordance with clause 85(2)		
	A living room in a self-contained dwelling must have:  (a) a circulation space in accordance with clause 4.7.1 of AS4299, and  (b) a telephone adjacent to a general power outlet.  A living room and dining room must have wiring to allow a potential illumination level of at least 300 lux	All living rooms comply with circulation requirements.      Identified Requirement No. 73 requires compliance with the requirements of (a) & (b).
<b>16. Kitchen</b> Note: Consideration only required for ground floor units in accordance with clause 85(2)		
	A kitchen in a self-contained dwelling must have: (a) a circulation space in accordance with clause 4.5.2 of AS4299, and (b) a width at door approaches complying with clause 7 of this Schedule, and (c) the following fittings in accordance with the relevant subclauses of clause 4.5 of AS4299: (i) benches that include at least one work surface at least 800mm in length that comply with clause 4.5.5 (a), (ii) a tap set (see clause 4.5.6), (iii) cooktops (see clause 4.5.7), except that an isolating switch must be included, (iv) an oven (see clause 4.5.8), and	All units comply with kitchen circulation requirements.  Not applicable, as kitchens are open plan.  Identified Requirement No. 73 requires compliance with the requirements of (c) - (e).

Development Standard (Sch 4)	Required	Comment
	(d) "D" pull cupboard handles that are located towards the top of below-bench cupboards and towards the bottom of overhead cupboards, and (e) general power outlets: (i) at least one of which is a double general power outlet within 300mm of the front of a work surface, and (ii) one of which is provided for a refrigerator in such a position as to be easily accessible after the refrigerator is installed	
<b>17. Access to kitchen, main bedroom, bathroom and toilet</b> 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.
<b>18. Lifts in Multi storey buildings</b> Note: Not applicable to a development application made by, or by a person jointly with, a social housing provider pursuant to 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.	Not applicable.
<b>19. Laundry</b> Note: Consideration only required for ground floor units in accordance with clause 85(2)		
	A self-contained dwelling must have a laundry that has: (a) width at door approaches that complies with cl.7 of this Schedule, and (b) provision for the installation of an automatic washing machine and a clothes dryer, and (c) a clear space in front of appliances of at least 1,300mm, and (d) a slip-resistant floor surface, and (e) an accessible path of travel to any clothes line provided in relation to the dwelling	Laundries are located within bathrooms and comply with AS1428.  Complies.  Complies.  Will be required to comply (refer to Identified Requirement No.73).  Complies.
<b>20. Storage for linen</b> 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.

Development Standard (Sch 4)	Required	Comment
21. Garbage		
	To be provided in accessible location	Three bin storage areas have been provided at the pedestrian pathways of the site along Bourke Street and Rose Crescent adjacent to the letterboxes. These areas have compliant access and circulation space as verified in the Access Report under <i>Appendix H</i> .

## 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 N*. The design has followed the Guidelines, except in relation to the following justifiable departures outlined in **Table 8**.

Table 8 Seniors Living Urban Design Guidelines departures

Guideline Requirement	Response
<b>2.05 Have developments more modest in scale towards the rear of the site to limit impacts on adjoining neighbours?</b>	The site is a dual frontage allotment and as such has no rear boundary. Notwithstanding, the development is generally setback 6m to the street, with the exception of two minor encroachments to Bourke and Rose Crescent discussed below and the proposal has compliant setbacks from all side boundaries.
<b>2.07 Retain trees and planting on the street and in front setbacks to minimise the impact of new development on the streetscape?</b>	<p>Nineteen trees are proposed to be removed on site. Of the 19 trees, one is in the Bourke Street frontage (tree 17), and 3 are in the Rose Crescent frontage. All 19 trees proposed for removal are classified as exempt from protection under the Parramatta DCP 2011.</p> <p>Every attempt has been made to retain existing trees where possible, with 4 established trees being retained in the Bourke Street frontage and 3 in the Rose Crescent frontage.</p> <p>In addition to the above, new tree plantings are proposed which will compensate for tree removal and improve the presentation within the streetscape of Rose Crescent and Bourke Street, as well as, the amenity for the residents.</p>
<b>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?</b>	<p>The site has a dual frontage and no rear boundary therefore there is no existing pattern of deep soil planting between the site and neighbouring properties.</p> <p>However, deep soil zones have been provided where possible including along the east boundary where several large trees are proposed for retention.</p>
<b>2.15 Provide communal open space?</b>	No designated communal open space is provided, however there is ample opportunity for incidental socialising within the shared zones.



Guideline Requirement	Response
	Each unit will benefit from more than the minimum required private open space, and there is a large public reserve directly opposite the site for more active recreation.
<b>2.20 Use semi-pervious materials for driveways, paths and other paved areas?</b>	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.
<b>3.06 Set back upper levels behind the front building façade?</b>	The second storey is not setback from the main building façades. 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 form and add articulation to the elevation.
<b>3.27 Vary the driveway surface material to break it up into a series of smaller space? (eg to delineate individual dwellings)</b>	Driveways and pedestrian paths are concrete to meet LAHC's maintenance and durability requirements. Parking is not allocated to individual units.
<b>3.29 Provide gates at the head of the driveways to minimise visual 'pull' of the driveway?</b>	Driveway gates to common parking areas are not consistent with the LAHC Design Standards for maintenance reasons. Landscaping provided to the sides of the driveway will assist in reducing its prominence in the streetscape.
<b>4.05 Incorporate second stories within the roof space and provide dormer windows?</b>	This arrangement is not prevalent within the locality and as such is not proposed for this development.
<b>4.16 Design dwellings around internal courtyards</b>	The dimensions of the site, the established pattern of setbacks and site orientation are not conducive to a centralised courtyard design. Adequate shared space and pathways are proposed for the movement of residents and visitors throughout the site and for social interaction.
<b>5.11 Screen parking from views and outlooks from dwellings?</b>	<p>Passive surveillance of the car park is a LAHC requirement and will be effectively achieved from private open spaces and habitable rooms.</p> <p>As a result of the lot configuration and dual street frontage, units 11-14 have living areas oriented towards the internal car park rather than outwards to the street. Landscaping and fencing has been provided as a visual buffer between these areas to minimise amenity impacts on these units.</p> <p>All dwellings, with the exception of units 11-14 have living areas orientated towards the street and landscaped areas.</p>
<b>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?</b>	LAHC policy is to provide hard surface areas for maintenance and durability reasons and to provide stable, non-slip surfaces.

Guideline Requirement	Response
	Hard surfaced areas have been reduced where possible, and the development exceeds the minimum landscaped area and deep soil area requirements.
<b>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?</b>	<p>There is a small common open space area to the east of the central car park, however, this is not furnished with shared facilities. It is accessible for resident interaction.</p> <p>Landscaped areas are provided throughout the site to create a calm and welcoming environment for residents. Directly opposite the site is Lake Parramatta Reserve which is a publicly accessible parkland and includes facilities such as seating and nature walks for social interaction between residents and visitors.</p>

### 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 9** below. Refer to Housing for Seniors Checklist in *Appendix N*.

Table 9 Good Design for Social Housing – Relevant Goals & Principles

Goals	Principles	Comment - <i>Discussion on how the design responds to the principles:</i>
<b><i>Wellbeing</i></b>	<ul style="list-style-type: none"> <li>• Healthy environments</li> <li>• Good for tenants</li> <li>• Quality homes</li> </ul>	<p>The design provides a high level of accessibility for residents of ground floor units and permits adaptation to allow for the changing needs of tenants over time, allowing them to age in place.</p> <p>All units have substantial areas of private open space, exceeding the minimum requirements with high quality landscaping, predominantly planted with low maintenance native species to attract bird life without requiring regular watering.</p> <p>Ample parking is provided to residents and pedestrian access throughout the site is highly accessible. Multiple pathways for safe access are provided from the car park to entries of the buildings and linked to the street frontages.</p> <p>The units have been designed to ensure residents have privacy and feel safe with clear separation between common and private spaces.</p> <p>The design is compliant with BASIX/NatHERS and provides appropriate thermal comfort all year round. All dwellings can achieve natural cross ventilation, and are provided with north facing living and private open space areas for maximised solar access.</p> <p>The external appearance of the development is attractive and will present well in the streetscape, and the proximity to open space and recreation areas in the Lake Parramatta Reserve will provide amenity and enjoyment for residents.</p>
<b><i>Belonging</i></b>	<ul style="list-style-type: none"> <li>• Mixed tenure</li> </ul>	The development will make a high quality contribution to the streetscape and is of comparable quality and character to surround private dwellings within Bourke Street and Rose

Goals	Principles	Comment - <i>Discussion on how the design responds to the principles:</i>
	<ul style="list-style-type: none"> <li>Good shared and public spaces</li> <li>Contribute to local character</li> </ul>	<p>Crescent. Attractive new landscaped elements at both frontages, along with easily identifiable entrances will enhance the presence of the development within the streetscape. Use of high quality, low maintenance materials and a neutral colour palette will ensure the visual appeal of the development is maintained over time.</p> <p>The development is generally small in scale and is compatible with the existing and changing character of the area which comprises a contrast of traditional and modern development. Buildings are well separated with landscaped areas which break up the facades and maintain the rhythm of existing development in Bourke Street and Rose Crescent.</p> <p>Substantial landscaping is provided to the site, including retention of existing trees, and the provision of deep soil areas to enable the establishment of gardens and new canopy tree cover which can be enjoyed both within and outside the development.</p> <p>The mixed unit sizing caters to the needs of a diverse range of tenants and meets the requirements for seniors and their household members.</p>
<b>Value</b>	<ul style="list-style-type: none"> <li>Whole of lifecycle approach</li> <li>Sustainability and resilience</li> <li>Make every dollar count</li> </ul>	<p>The development will incorporate sustainable features including insulation, high-quality glazing, clothes lines, low maintenance landscaping, solar panels, ceiling fans, and water efficient fittings.</p> <p>The orientation of each dwelling and private open space areas have been designed to optimise natural light and direct solar access to these areas. The development is also designed so that dwellings can be modified to accommodate the changing needs of tenants.</p> <p>Materials have been chosen for their durability and ease of sourcing to allow for easy replacement and to minimise operating costs.</p> <p>The yield is compatible with the planning provisions and the capability of the site, whilst providing a comfortable space for tenants and maintaining the amenity for neighbours.</p>
<b>Collaboration</b>	<ul style="list-style-type: none"> <li>A good partner</li> <li>Place making</li> <li>Continuous improvement</li> </ul>	<p>The proposal is of a scale and character that will make a positive contribution to the streetscape and assist with place making.</p> <p>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.</p>

### 5.5.4 Land and Housing Corporation Design Requirements

An assessment of the proposed development against the *Land and Housing Corporation Dwelling Requirements* 2020 (LAHC Dwelling Requirements) document has been undertaken and deemed to achieve compliance, refer to Certificate of Compliance from the Architect in **Appendix M**. Further detail will be incorporated in the construction documentation.

It is noted that the Land and Housing Corporation Design Requirements 2023 (LAHC Design Requirements) replaced the LAHC Dwelling Requirements on 2 March 2023. The proposed development had already gone through statutory notification and therefore the supporting documentation has not been updated to reference the LAHC Design Requirements. Notwithstanding this, the proposal generally achieves the design principles and specifications outlined in the LAHC Design Requirements.

### 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 that pose a constraint on the suitability of the site for Seniors Housing (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 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 10** below demonstrates how the principles have been considered in the design of the proposal.

Table 10 Response to Design Principles (Part 5, Division 8)

Design Principle	Response
Neighbourhood amenity and streetscape [section 99]	
Seniors housing should be designed to – (a) recognise the operational, functional and economic requirements of residential care facilities, which typically require a different building shape from other residential accommodation, and	Not applicable. The proposed development is not a residential care facility.
(b) recognise the desirable elements of – (i) the location's current character, or (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>The design is contemporary in appearance to fit in with the changing character of the neighbourhood and Jeffrey Avenue Special Character Area as described in Parramatta DCP 2011. The DCP states the locality is one of the first to be completely developed by the (then) Housing Commission post WW2. The DCP lists the distinctive characteristics of the locality as:</p> <ul style="list-style-type: none"> <li>• <i>curvilinear road layout typical of the 1940s and 50s</i></li> <li>• <i>consistency in the scale, siting, and design of houses with only minor obvious changes</i></li> <li>• <i>detached houses - two or three bays wide, with a projecting bay, often including the porch with wrought iron railing</i></li> <li>• <i>houses in brown, mottled brick or fibro-cement with brick base; low hipped roofs</i></li> <li>• <i>terracotta or cement tiles, some with gabled ends clad in white painted weatherboards</i></li> <li>• <i>double hung sash windows with timber frames</i></li> <li>• <i>grassed front gardens merging with verge, some front boundaries defined by planting and few low bricks walls</i></li> <li>• <i>wire or paling fences separating the front and rear gardens</i></li> <li>• <i>narrow grassed verge without footpaths</i></li> </ul>

Design Principle	Response
	<ul style="list-style-type: none"> <li>• <i>street tree planting of bottle brushes, in recent decades</i></li> <li>• <i>mature trees in gardens and streets</i></li> </ul> <p>The development maintains a scale and siting of new buildings to generally match the pattern, setbacks and proportions of surrounding residential buildings.</p> <p>The proposed dwellings are arranged in detached buildings separated by landscaping and pathways in a manner compatible with the pattern of detached housing in the locality. Facades to Bourke Street are “two bays” wide and facades to Rose Crescent present as a single dwelling.</p> <p>Exposed brickwork is a prominent feature in the external materials and finishes. Front fences include low brick elements and paling inserts. New landscaping is a combination of mature trees and native shrubs.</p> <p>The subject development supports the amenity of the residents and the character of the area in the following ways:</p> <ul style="list-style-type: none"> <li>• New buildings maintain the established front street setbacks. The building layouts, landscaping, and separation between buildings maintain the scale and character of the existing streetscapes.</li> <li>• Buildings address the street and the pedestrian entries are clearly identified from both street frontages. Pedestrian movement is separated from the vehicle access and driveway with dedicated pathways.</li> <li>• Open style fencing and integral landscaping soften the building form as viewed from the streets and adjoining properties. Some existing trees are retained to maintain a more mature landscape and offer some continuity in maintaining the streetscape.</li> <li>• The buildings are designed having an economy of form being similar in scale and proportion and separation to newer forms of detached residential development in the locality.</li> <li>• Dwellings are designed to maintain visual and acoustic privacy for adjoining dwellings.</li> <li>• A high level of internal amenity is provided with good solar access and cross ventilation, insulation, and low maintenance materials, to support the needs of the new residents.</li> </ul> <p>Accordingly, the design of the development responds appropriately to the character of the Jeffery Avenue Special Character Area.</p> <p>The locality is undergoing transition with newer development being mostly two storeys.</p> <p>LAHC is redeveloping several nearby sites with contemporary designs similar to the proposal and with consideration to the special characteristics of the Jeffery Avenue Special Character Area. Newer LAHC developments provide quality seniors and general housing as the needs of the area’s residents have changed over time.</p> <p>The controls in the DCP specific to the Jeffery Avenue Special Character Area are addressed in <b>Section 5.7.2</b>.</p> <p>Amenity to the neighbourhood is maintained and enhanced through substantial areas of new landscaping to the street and front yards. Overshadowing and overlooking are minimised and the design sits well within the site and the overall pattern of the development in the locality. Setbacks and massing are appropriate for the immediate area and generally compliant with the requirements of Parramatta LEP 2023 and Parramatta DCP 2011.</p>



Design Principle	Response
	The design addresses both street frontages and vehicle access to the majority of on-site parking is via the primary frontage in Bourke Street. A single vehicle crossing to a single parking space is provided in Rose Crescent.
(c) complement heritage conservation areas and heritage items in the area, and	<p>The site is not within a heritage conservation area and contains no heritage items.</p> <p>Land on the opposite side of Bourke Street forms part of the Lake Parramatta Reserve which includes Lake Parramatta Dam. Lake Parramatta Reserve is a heritage item of local significance listed in Parramatta LEP 2023 as Item I305. Parramatta Lake Dam is a heritage item of State significance and is listed in Parramatta LEP 2023 as item I304.</p> <p>The site of the proposed development is approximately 250m east of the main vehicle entry point to the reserve. The Lake Parramatta Reserve Plan of Management was adopted in February 2012. The Plan of Management includes strategies for conserving the environment of the reserve and management of its use. The proposal is compatible with the management strategies and implementation of the Plan of Management. The Plan of Management also identifies important viewpoints within the reserve and the subject site is not within the view sheds or lines of sight of those viewpoints.</p>
(d) maintain reasonable neighbourhood amenity and appropriate residential character by – (i) providing building setbacks to reduce bulk and overshadowing, and (ii) using building form and siting that relates to the site's land form, and (iii) adopting building heights at the street frontage that are compatible in scale with adjacent buildings, and (iv) considering, where buildings are located on the boundary, the impact of the boundary walls on neighbours, and	<p>The building setbacks are consistent with the streetscape character of the locality and are consistent with Parramatta DCP 2011 requirements.</p> <p>The building height is compliant with the Housing SEPP and PLEP 2023 provisions, and does not result in an excessive bulk or unreasonable overshadowing of adjacent sites.</p> <p>The built form responds to the existing topography of the site, without the need for excessive cut and fill. The proposed development is of a scale commensurate with other nearby dwellings. The proposal does not locate buildings directly upon the boundaries.</p>
(e) set back the front building on the site generally in line with the existing building line, and	Setbacks will maintain existing predominant building lines and patterns of setbacks in both Bourke Street and Rose Crescent.
(f) include plants reasonably similar to other plants in the street, and	<p>The proposed high quality landscape design will enhance the appearance of the site and deliver a positive outcome for the streetscape.</p> <p>Retention of established trees, and new native tree plantings will be provided throughout the site providing immediate improvements to the visual quality of the streetscape as well as future canopy cover to mitigate urban heating.</p>
(g) retain, wherever reasonable, significant trees, and	Twenty-nine trees are identified by the consulting arborist as worthy of retention, both within the site and on immediately adjacent properties. All trees recommended for retention have been incorporated into the design and will be retained in accordance with the recommendations of the

Design Principle	Response
	Arboricultural Impact Assessment report ( <i>Appendix J</i> ). All other trees are to be removed and replaced by more suitable landscaping.
(h) prevent the construction of a building in a riparian zone.	The site is not located within 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 (b) ensuring acceptable noise levels in bedrooms of new dwellings by locating them away from driveways, parking areas and paths.	Visual and acoustic privacy within the development and to adjacent properties is provided and maintained through compliant setbacks, the strategic use of privacy screens, obscure glazing, considered window location and plantings.  Bedrooms are appropriately separated from paths and parking to maintain acceptable noise and privacy levels.
Solar access and design for climate [section 101]	
The design of seniors housing should — (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 (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>The design and siting of the proposed development will provide adequate daylight access to living areas and private open spaces and that of adjoining properties. The north and easterly orientation of proposed living and open space areas will maximise solar access.</p> <p>93% of the proposed dwellings will receive a minimum of 3 hours sunlight between 9am and 3pm on June 21 to their living areas and private open spaces.</p> <p>Solar access to the private open space of the majority of adjoining sites is maintained throughout most of the day in mid-winter (refer to shadow diagrams at <i>Appendix A</i>).</p> <p>24 Rose Crescent is located to the south of the site and contains a single storey dwelling with a private open space area in the north west portion of the property. The shadow analysis completed for the proposal indicates the new buildings will result in some shadow cast onto parts of the external northern wall of the dwelling at 24 Rose Crescent and parts of the private open space of 24 Rose Crescent throughout midwinter days.</p> <p>The majority of the shadow created by the new buildings overlaps with the shadow cast by the boundary fence and the shadow cast by the boundary fence is not a direct consequence of the proposed development.</p> <p>The shadow impacts to the northern façade of 24 Rose Crescent will not prevent direct solar access to windows of habitable rooms throughout midwinter days.</p> <p>At least 50% of the private open space area of 24 Rose Crescent is not impacted by shadow from the proposed buildings from 1pm to 3pm midwinter.</p> <p>Landscaping will also assist in microclimate management.</p>

Design Principle	Response
Stormwater [section 102]	
<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>Stormwater catchment design, including on site stormwater detention, has been provided to achieve the requirements of City of Parramatta Council.</p> <p>Hard surfaces have been minimised in private garden areas and landscaping has been maximised where possible.</p> <p>Refer to the submitted stormwater drainage plans at <b>Appendix C</b>. Water quality treatment devices including on-site detention, retention and storm sack devices have been incorporated into the stormwater management infrastructure within the site.</p>
Crime prevention [section 103]	
<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>Resident safety has been considered and will be maintained through the provision of good opportunities for the surveillance of the site and the surrounding streetscape.</p> <p>Access points are minimised and observable from residential units and all areas of private space are fenced to delineate public and private areas. Secure entry is provided to each building and glazed, sliding living room doors allow for the observation of the outside by tenants of ground floor units, without having to open the door.</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 Access Report (refer to <b>Appendix H</b>) demonstrates compliance with the site being within 100m of transport services which provide access to local facilities and generally is compliant with clause 93 of the Housing SEPP despite this not being a consideration for seniors development undertaken by LAHC.</p> <p>Easily navigated paths provide access throughout the site, to the street and to the car parking area from each residential unit.</p>

Design Principle	Response
	<p>Landscaping is provided alongside and between pathways and dwellings to maintain the privacy of tenants and improve the amenity of the site.</p> <p>Ample parking is provided to service residents, with on-street parking available for visitors.</p>
Waste management [section 105]	
Seniors housing should include waste facilities that maximise recycling by the provision of appropriate facilities.	Waste and recycling bays are provided to comply with the requirements of City of Parramatta Council. These are designed to be hard wearing and easy to maintain, while being unobtrusive within the development. Planting has been provided to help minimise the visual impact of garbage/recycling areas.

## 5.6 Other State Environmental Planning Policies

**Table 11** below outlines applicability of, and compliance with, other State and Environmental Planning Policies (SEPPs).

Table 11 Compliance with other applicable State and Environmental Planning Policies

State Environmental Planning Policy	Applicability
SEPP (Building Sustainability Index: BASIX) 2004	A BASIX Certificate has been obtained for the development proposal, as required under the SEPP (refer to <b>Appendix K</b> ).
SEPP (Transport and Infrastructure) 2021	<p>The Transport and Infrastructure SEPP provides Planning controls relating to development for the purposes of essential services infrastructure (hospitals, roads, water supply, telecommunications and electrical networks), educational establishments and child care facilities and major infrastructure corridors.</p> <p>The site is not located in close proximity to a State Classified Road, adjacent/near a rail corridor or electricity infrastructure and as such, the provisions of the SEPP do not apply.</p>
SEPP (Biodiversity and Conservation) 2021	<p>This Biodiversity and Conservation SEPP provides planning controls related to conservation and management, to ensure protection of the natural environment</p> <p>Tree removal is proposed (refer to Arboricultural Impact Assessment Report at <b>Appendix J</b>).</p> <p>The site is located within a regulated catchment, namely, the Sydney Harbour Catchment. Accordingly, the controls for development set out in Division 2 of Part 6.2 of the Biodiversity and Conservation SEPP apply to the activity.</p> <p>Under Section 171A(1) of the EP&amp;A Regulation, LAHC, as determining authority for the activity, when considering the likely impact on the environment of an activity proposed to be carried out in a regulated catchment, must consider <i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i>, sections 6.6(1), 6.7(1), 6.8(1) and 6.9(1).</p> <p>Further, as the consent authority LAHC must be satisfied under <i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i>, sections 6.6(2), 6.7(2), 6.8(2) and 6.9(2).</p>

### **6.6 Water quality and quantity**

This clause requires the consent authority to consider whether the development will:

- have a neutral or beneficial effect on the quality of water entering a waterway;
- have an adverse impact on water flow in a natural waterbody;
- increase the amount of stormwater run-off from a site, and
- incorporate on-site stormwater retention, infiltration or reuse.

The consent authority is also required to assess the impact of the development:

- on the level and quality of the water table;
- the cumulative environmental impact of the development on the regulated catchment;
- and whether the development makes adequate provision to protect the quality and quantity of ground water.

Further this clause also requires that consent is not issued unless the consent authority is satisfied the development ensures:

- the effect on the quality of water entering a natural waterbody will be as close as possible to neutral or beneficial, and
- the impact on water flow in a natural waterbody will be minimised.

Comment: Stormwater will be collected within the site and conveyed in a pipeline to a boundary pit on the Bourke Street frontage where it will connect into the existing public stormwater infrastructure.

Identified Requirement (No. 13) recommends that sediment control measures be implemented during construction in accordance with Council requirements and/or the guidelines contained in the *Blue Book Managing Urban Stormwater: Soils and Construction* (4th edition, Landcom, 2004).

Identified Requirements (Nos 6, 42, 83 & 84) are applied to the activity determination recommending that stormwater management of the activity is designed in accordance with Parramatta City Council's technical guidelines and policies.

### **6.7 Aquatic ecology**

This clause requires the consent authority to consider whether the development:

- will have a direct, indirect or cumulative adverse impact on terrestrial, aquatic or migratory animals or vegetation,
- involves the clearing of riparian vegetation and, if so, whether the development will require either a controlled activity approval under the *Water Management Act 2000*, or a permit under the *Fisheries Management Act 1994*,
- will minimise or avoid the erosion of land abutting a natural waterbody, or the sedimentation of a natural waterbody, or will have an adverse impact on wetlands that are not in the coastal wetlands and littoral rainforests area,
- includes adequate safeguards and rehabilitation measures to protect aquatic ecology,
- if the site adjoins a natural waterbody – whether additional measures are required to ensure a neutral or beneficial effect on the water quality of the waterbody.

Further this clause also requires that consent is not issued unless the consent authority is satisfied the development ensures:



	<ul style="list-style-type: none"> <li>• that the direct, indirect or cumulative adverse impact on terrestrial, aquatic or migratory animals or vegetation will be kept to the minimum necessary for the carrying out of the development,</li> <li>• the development will not have a direct, indirect or cumulative adverse impact on aquatic reserves,</li> <li>• if a controlled activity approval under the <i>Water Management Act 2000</i> or a permit under the <i>Fisheries Management Act 1994</i> is required in relation to the clearing of riparian vegetation — the approval or permit has been obtained,</li> <li>• the erosion of land abutting a natural waterbody or the sedimentation of a natural waterbody will be minimised,</li> <li>• the adverse impact on wetlands that are not in the coastal wetlands and littoral rainforests area will be minimised.</li> </ul> <p><u>Comment:</u> The subject site is not located on riparian land and will not require a controlled activity permit. The site does not adjoin a natural waterbody. Suitable erosion and sedimentation controls will be required to minimise erosion and maintain water quality. The proposed development includes retention of 12 existing trees, appropriate replacement planting to compensate for the loss of trees to be removed, and new planting of suitable native indigenous vegetation. In addition, the scale and nature of the activity, together with its location, is unlikely to have significant impacts upon aquatic ecology.</p> <p><b>6.8 Flooding</b></p> <p>This clause relates to flood liable land in a regulated catchment.</p> <p><u>Comment:</u> The site is not identified as flood liable land. However, as discussed in <b>Table 14</b> and <b>Section 7.12</b>, Council identified that the site may be impacted by overland flow across the existing stormwater easement along the sites eastern boundary. In response to this, a Flood Impact Study was prepared and identified that the site was not located within any of the three Flood Risk Precincts defined by the City of Parramatta, with only a portion of the site containing the stormwater easement impacted during the Probable Maximum Flood (PMF) event.</p> <p>The proposed development has been designed to have no adverse impact on the hydrology or water quality within the local area, or the movement of floodwaters through the site during the PMF event.</p> <p><b>6.9 Recreation and public access</b></p> <p>This clause relates to development on recreational land and public access to natural water bodies and foreshores</p> <p><u>Comment:</u> The proposed activity will not impact recreational land uses or alter public access to recreational land or foreshores.</p>
SEPP (Resilience and Hazards) 2021	<p>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.</p> <p>Identified Requirements include implementation of management measures in the event of unexpected finds and potential contamination during construction works.</p>

## 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 12** below. It is relevant to note that the following provisions of the PLEP 2023 are not a matter for consideration under Part 5, Division 8 of the Housing SEPP however have been considered during the design and assessment process to ensure the proposed development is compatible with the context and character of the local area.

Table 12 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 7.8 metres.
4.4	Floor Space Ratio	(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 (0.5:1).	Proposed FSR is 0.49:1 (calculated in accordance with the Housing SEPP definition).

### 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 13** 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. It is also noted that the provisions of the DCP are not a matter for consideration under Part 5, Division 8 of the Housing SEPP however have been considered during the design and assessment process to ensure the proposed development provides an appropriate response to local character and satisfies Councils waste and stormwater management requirements.

Table 13 Parramatta Development Control Plan 2011

Compliance with setback controls for multi-unit housing		
Multi-dwelling housing and Attached Dwellings		
Clause	Requirement	Proposed
5. Setbacks	<u>Front setbacks</u> Primary frontage: 5-7m and consistent with the prevailing setback along the street / secondary street / lane: 3-5m <u>Side setbacks</u>	There is no consistent pattern of front setbacks to Bourke Street and Rose Crescent. Front setbacks to Bourke Street vary from 6m to 11m for the properties east and west of the site. Proposed

Compliance with setback controls for multi-unit housing

	<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>Minimum 15% of length of site (minimum 6m required)</p>	<p>setbacks to Bourke Street are between 5.2m and 6m. This is consistent with the DCP.</p> <p>Front setbacks in Rose Crescent vary between 5m and 10m for the properties with frontage to the cul-de-sac. Proposed setbacks to Rose Crescent vary from a minimum of 4m to 7.1m.</p> <p>For buildings that are oriented to the street frontage, all side setbacks are a minimum of 3m. The building containing units 11, 12, 13 and 14 is oriented to the central car parking area and also addresses Rose Crescent. The building does not address the southern side boundary. The setback from the southern side boundary is 3m.</p> <p>Rear setback not applicable because there is no rear boundary.</p>
4.2.2.3 Jeffery Avenue	<p><b>Development consistent with the existing character of the area</b></p> <p>C.1 Additions at the rear of houses designed to have minimum impact on the façade and roof of the house, using similar materials, such as bricks matching original bricks.</p> <p>C.2 Additions that protect the views and amenity of neighbouring properties.</p> <p>C.3 Garages or carports in rear gardens.</p> <p>C.4 Carports beside the house at least 3m back from the front wall.</p> <p>C.5 Wire fences no higher than 1m.</p> <p><b>Development not consistent with the existing character of the area</b></p> <p>C.6 Painting, rendering or re-skinning of brick houses or the brick base of houses.</p> <p>C.7 Painting, rendering or demolition of brick fences.</p> <p>C.8 Front fences other than low walls marking the boundary</p>	<p>C.1 &amp; C.2 – Not applicable</p> <p>C.3 &amp; C.4 - Not applicable. No garages or carports are proposed.</p> <p>C.5 – Not applicable. No wire fences proposed.</p> <p>C.6 – Not proposed.</p> <p>C.7 – Not proposed.</p> <p>C.8 – The front fencing to Bourke Street is 1m high. The front fence to Rose Crescent is 1m high. Both front fences are considered to be low and compatible with the evolving streetscape and, in combination with landscaping, will define private property from the public realm.</p>

## 6 Notification, Consultation and Consideration of Responses

A copy of the notification letter sent to the local council is provided in **Appendix G**, together with a copy of the response received from council.

### 6.1 Council Notification

In accordance with section 108C of the Housing SEPP, City of Parramatta Council was notified of the development by letter dated 20/07/2022 (refer to **Appendix G**). The notification response period formally closed on 15/08/2022 and Council responded to the notification by letter dated 22/08/2022, 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 contained in the Activity Determination. City of Parramatta Council provided 3 separate responses and these are detailed in **Table 14** and below and **Appendix X**.

Table 14 Summary of key issues raised in Council submission 22.08.2022

Issues raised	Response
<b><u>Setback</u></b>	
<i>The front setback is to be in line with the prevailing existing street setbacks. A plan showing context with dimensions should have been submitted</i>	Block analysis plan submitted – refer to architectural plan A11 in <b>Appendix A</b> . No Identified Requirements are required to address this matter.
<i>The location of facilities in the front setback is to be minimised to maximise opportunities for tree planting and screening. Bin enclosure's locations should be relooked at as they are currently located in the front setback and in front of proposed houses. Walls, fences, and other structures in the front setback are to be minimised.</i>	<p>Fences to the Bourke Street and Rose Crescent boundaries are low (approx. 1m) to define the public realm from private property. The setback to Bourke Street includes 6 canopy trees. The setback to Rose Crescent includes 8 canopy trees. Both street setbacks will feature mass planting of shrubs and ground covers which will screen and offset paths and fencing and bin enclosures.</p> <p>The Landscape Plan indicates <i>Syzigium</i> 'Resilience' (Lilli Pilli varieties) to be planted to the front of the bin enclosures. These plants will reach a mature height of 2-3m and will effectively screen the bin enclosures from the street. Pathways and fencing are the minimum necessary to provide all weather and safe, accessible pedestrian routes to the dwellings from the street.</p>
<i>Booster valves are to be very carefully designed and located so they are not visually obtrusive and do not obstruct opportunity for planting large trees.</i>	<p>Should booster valves be required by Sydney Water, they will be located within the front setback area in accordance with Sydney Water requirements. There is sufficient space within both street setbacks for the planting of canopy trees.</p> <p>The potential placement of a hydrant booster will not prevent planting of canopy trees in the street setbacks. There is also substantial mass planting of shrubs and</p>



Issues raised	Response
	<p>groundcovers within the street setbacks which will partly screen any hydrant booster notwithstanding the need for clear access to the hydrant booster site.</p> <p>No Identified Requirements are required to address this matter as hydrant boosters will be installed as may be required and landscaping within street setbacks will adequately visually offset any such installations.</p>
<p><i>Rear setback is to be min. 15% of site length. Required setback is 6.6 m but provided is only 2.98m. This is not supported by City Design.</i></p>	<p>No rear setback control applies because the site has dual street frontage. The proposed development includes 6m setback from Bourke Street (with two points of 0.5m articulation) and a minimum 4m setback to Rose Crescent. The front setbacks comply with the requirements of Parramatta DCP 2011 Table 3.1.3.6 for medium density development (as there are no DCP controls for seniors housing). The setbacks are compatible with the variety of existing street setbacks in the immediate locality as described in <b>Section 5.7.2</b>.</p> <p>The setbacks to both street frontages are sufficient to support canopy tree planting, mass planting of shrubs and ground covers, accessible pathways linked to dwelling entries and the necessary ancillary facilities such as bin enclosures and letterboxes.</p> <p>The side boundary setbacks meet or exceed the DCP requirements for medium density built form (that is a minimum 3m) and also allow for tree retention, private open space areas with mid-winter solar access and appropriate separation from neighbouring properties for visual and acoustic privacy.</p>
<p><i>Side setbacks are to satisfy Parramatta DCP 2011 of building separation where the adjoining building is not a residential flat building. The East and West setbacks are considered inadequate as habitable rooms are facing the neighbouring dwellings; the separation should consider the ADG.</i></p>	<p>The ADG does not apply to this development and the separation distances of the ADG are not appropriate given there are no residential flat buildings adjoining the site and the development is two storeys and is not a residential flat building.</p> <p>Setbacks to the east side boundary mostly exceed the minimum 3m required for medium density development in Table 3.1.3.6 to Parramatta DCP 2011. An established row of mature trees will be retained along the eastern boundary which further enhances the quality of the separation space to the eastern neighbour.</p> <p>Private open space areas within the eastern setback are separated a minimum 3m from the eastern side boundary and this exceeds Council's DCP requirements in Table 3.1.3.6. Windows to habitable rooms facing the eastern side boundary are more than 3m from the boundary and mass planting is indicated within the setback area as shown in the Landscape Plan.</p> <p>Setbacks to the western side boundary exceed the minimum 3m requirements of Table 3.1.3.6 to Parramatta</p>

Issues raised	Response
	<p>DCP 2011 with the minimum setback being 4.4m. The shared driveway along the western boundary further separates the development from the western neighbour.</p> <p>Five established trees along the western boundary within the neighbouring property will be unaffected which will maintain the existing quality of separation to the western neighbour. Windows to habitable rooms in Unit 1 and Unit 2 facing the west boundary are narrow and will not result in unreasonable overlooking of the western neighbour. Habitable windows to Unit 13 and Unit 14 oriented to the western boundary are setback more than 4m from the boundary and will not result in unreasonable overlooking of the western neighbour.</p>

**Solar Access and Cross Ventilation**

<p><i>Diagrams showing solar access and cross ventilation should be developed to show compliance with the quality and amenity of the dwelling. ADG and SEPP housing should be used as a guide</i></p>	<p>Solar access diagrams are included in A12A and A13A to the Architectural Plan set. Sun eye diagrams in particular (A13A) demonstrate that all dwellings have private open space areas and living room windows that receive direct sunlight in midwinter. This exceeds the ADG requirement.</p> <p>Cross ventilation diagrams are shown in A17 to the Architectural Plan set and show that every dwelling has habitable rooms with windows that can be opened to receive cooling north east summer breezes. The cross ventilation diagram also shows every dwelling is capable of achieving natural cross ventilation by directing air flow across areas of different temperature and pressure gradient external to the buildings. The cross ventilation exceeds the ADG requirement.</p>
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**Existing Trees in Internal Landscape**

<p><i>The proposed housing 7/8 &amp; 9/10 are imposing on the TPZ of tree T1 as per the Arborist's report. The driveway location should be re-examined to minimise impact on the tree.</i></p>	<p>The Arboricultural Impact Assessment states Tree T1 is a <i>Jacaranda mimosifolia</i> located in the south east corner of the site and growing within the existing drainage easement. T1 is not in close proximity to a proposed driveway. T1 has a medium landscape retention value and medium to long term Safe Useful Life Expectancy.</p> <p>Tree 1 has a tree protection zone (TPZ) zone of 6.6m radius from the base and a Structural Root Zone (SRZ) of 2.74m radius from the base. The works to construct dwellings 7, 8, 9 and 10 will result in an incursion of 16.75% to the TPZ and 7.91% to the SRZ. The Arborist considers this to be a tolerable impact subject to:</p> <ul style="list-style-type: none"> <li>• detailed root mapping investigation for Tree 1 undertaken by a suitably qualified arborist minimum AQF5 qualification prior to site preparation and construction works to inform any recommended adjustment to the extent of hard surfaces; and</li> <li>• pruning to achieve building clearance by an Arborist with minimum AQF Level 3 qualification</li> </ul>
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Issues raised	Response
	<p><i>and in accordance with Australian Standard AS4373-2007 Pruning of Amenity Trees.</i></p> <p>These recommendations are included in Identified Requirements No. 79 – 81. Should root mapping indicate the extent of paved area in the private open space of Dwelling 9 is not compatible with the retention of T1 then adjustments can be considered to the positioning of the clothes line which will considerably reduce the extent of paved area within the TPZ. This will not impact on the amount of open space or 3m x 3m paved area available for Dwelling 9, nor the amenity of the internal and external layout of dwellings in the south east corner of the site.</p> <p>Any potential adjustments to paved areas to reduce impacts on T1 can be made prior to the commencement of site preparation and construction works.</p>

**Deep soil and Internal Landscape**

<p><i>At least 15% of the site area where each deep soil zone has minimum dimensions of 3m and, if practicable, at least 65% of the deep soil zone is located at the rear of the site. Currently the deep soil does not meet the above requirements as in most of the places that deep soil has been calculated the minimum dimensions of 3m does not exist.</i></p>	<p>The deep soil zone areas with a minimum dimension of 3m represent 15.3% of the site area and exceed the requirement as confirmed by the Landscape Plan and the Cover Page A1 to the Architectural Plan set.</p> <p>The site does not have a rear boundary. There is no consistent pattern of deep soil provision on adjoining sites. Notwithstanding, deep soil areas are proposed within both front setback areas to support canopy tree growth which will enhance the landscaped setting of the site and contribute to the quality of the streetscape. Deep soil zones are also proposed to optimise retention of existing trees adjacent to the eastern and western side boundaries.</p>
<p><i>Provide trees at a rate of 1/80m<sup>2</sup> of landscape area (additional to existing trees to be retained). Tree species must be mature height of more than 13m (min 4X4m). The trees are to be planted more than 3m away from any proposed built structure.</i></p>	<p>The Landscape Plan indicates 6 canopy trees will be provided in each street setback area and a total of 10 trees to be planted will have a mature height of 6 to 10m.</p> <p>The trees have been spaced with ample space for root and canopy spread and compatible with the height of the proposed two storey buildings. Tree species have also been selected for hardiness and low maintenance.</p>
<p><i>The landscape plan should be modified to reflect larger tree species capable of reaching more than 13m in height.</i></p>	<p>The Landscape Plan lists the following canopy trees to be provided in addition to the 12 trees on site to be retained:</p> <ul style="list-style-type: none"> <li>- Fire Wheel tree 5 – 10m at maturity</li> <li>- Water gum 3 – 6m at maturity</li> <li>- Waterhousia 'green avenue' 6 – 10m at maturity.</li> </ul> <p>Mature heights of 10m will exceed the maximum height of the proposed buildings (7.8m) and be suitably compatible with the scale of the proposed development.</p>

Issues raised	Response
	Trees of 13m are not typical of the surrounding residential area and taller trees are more appropriate on the nearby Lake Parramatta Reserve.
<b><u>Communal Open Space</u></b>	
<i>The development does not provide a communal open space which would greatly improve the overall scheme and liveability.</i>	Communal open space is not considered necessary given the large private open space areas provided to units and the site's proximity to large public open spaces (such as the Lake Parramatta Reserve directly opposite the site).  Residents will use shared entries and pathways providing a sense of conviviality and opportunities for interaction. Existing trees have been retained where possible across the site which will provide amenity and create a sense of place for residents.
<b><u>Private Open Space</u></b>	
<i>Private open space is to comply with the requirements of the Housing SEPP in terms of overall size and accessibility.</i>	All areas of private open space adjoin and are accessible from internal living rooms. All areas of private open space exceed the minimum area requirements in the Housing SEPP.
<b><u>Public Domain</u></b>	
<i>Public footpath: in accordance with the PPDG 2017. A minimum 1.5m new footpath is to be constructed partly along the boundary to replace the existing footpath is to accompany the removal of existing redundant driveways and construction of new kerb and footpath sections in place is to be carried out in accordance with Councils standard construction drawings (Details available on request. Refer to Attached list for reference).</i>	These works are specified in Identified Requirement No. 77.
<i>Plant five new Street trees at 8-10m centres along the length of the frontage on Bourke Street and three new street trees along the frontage on Rose Crescent in the verge to match the existing dominant large tree species along the street. Refer to the PPDG 2017 for recommendations of trees under overhead lines.</i>	Street trees compliant with this comment are indicated in the Landscape Plan. Refer to <b>Appendix B</b> . No additional Identified Requirements are required to address this matter.
<i>Driveways: maximum preferred width 6m.</i>	The driveway onto Bourke Street has a maximum width of 5.5m and the single width driveway onto Rose Crescent has a maximum width of 3m. The driveway widths are compliant with the recommendations of the Traffic Management Plan prepared by Apex Engineers dated June 2022 (see <b>Appendix S</b> ). No additional Identified Requirements are required to address this matter.
<i>Details of the public domain are to be included in the landscape plan and alignment plans and details are to be submitted to council.</i>	The Landscape Plan by Greenland Design Rev E dated 07.12.2022 (see <b>Appendix B</b> ) identifies street tree planting, turfing and construction of vehicle crossings in



Issues raised	Response
	the public domain. These plans are referenced in Identified Requirement No. 1.
<b><u>Universal access</u></b>	
<i>Ensure compliance with the recommendations in the Accessibility Solutions Access Report.</i>	<p>The Access Report prepared by Accessibility Solutions dated 15.03.22 (see <b>Appendix H</b>) demonstrates that appropriate provision can be made for accessibility.</p> <p>The Access Report is referenced in the list of approved documents under Identified Requirement No. 1, and Identified Requirement No. 73 requires compliance with the accessibility and useability standards referenced in section 85 and set out in Schedule 4 of the Housing SEPP.</p>
<b><u>Character of the area</u></b>	
<p><b><i>Building typology</i></b></p> <p><i>The proposed development will appear as four dwellings (with an additional 2 entry foyers) on the streetscape rather than the prevailing single dwelling character. Further design development is required to ensure that the development is complimentary to the existing character of the streetscape.</i></p>	<p>The width of the Bourke Street frontage is equivalent to 3 x typical residential allotments and is of adequate width to accommodate the two x 2 storey buildings fronting Bourke Street as proposed. The shared entry foyer is comparable to a single dwelling entry.</p> <p>The presentation to Bourke Street is considered compatible with the streetscape, the scale and proportions of the variety of dwellings in the street and the separation distances between dwellings. The design of the buildings and the landscaped spaces between the buildings is compatible with the existing and emerging character of the residential neighbourhood which includes single and two storey detached dwellings and dual occupancies.</p>
<p><b><i>Density</i></b></p> <p><i>The subdivision controls and height controls in the street are the determinant of what low density environment means in this context. Multi-unit dwellings are prohibited in the R2 zone as such the maximum yield that could be achieved on the site would be a 2 dwellings being a dual occupancy development.</i></p> <p><i>The development proposes 14 dwellings which is not compatible with the local planning controls for the area.</i></p>	<p>The proposed development is seniors housing, not multi-dwelling housing. Seniors housing is permitted in the R2 zone. PLEP 2023 controls for density are:</p> <ul style="list-style-type: none"> <li>- FSR 0.5:1</li> <li>- Height 9m</li> <li>- Minimum lot size 550m<sup>2</sup> for subdivision</li> <li>- Minimum lot size for dual occupancies is 600m<sup>2</sup> and 15m width</li> </ul> <p>Housing SEPP standards for density for Seniors Housing include:</p> <ul style="list-style-type: none"> <li>- FSR 0.5:1</li> <li>- Height 9.5m</li> <li>- Minimum lot size 1,000m<sup>2</sup> and minimum 20m width</li> </ul> <p>The proposal is compliant with the above standards being:</p> <ul style="list-style-type: none"> <li>- FSR 0.49:1</li> </ul>

Issues raised	Response
	<p>- Height 7.8m</p> <p>- Site area 2,228.7m<sup>2</sup> and minimum width exceeds 20m</p> <p>The proposal is designed such that the built form is separated into buildings which are of a scale and proportion similar to newer two storey buildings in the neighbourhood. The buildings are well separated by landscaped space. The proposal complies with the maximum height, floor space ratio and setback requirements. The proposal is compliant with deep soil and landscaped area requirements.</p> <p>The buildings are distributed on the site to optimise the dual frontages and the density of the overall development is not apparent when viewed from each street independently.</p> <p>The character of the development has been demonstrated to be consistent with the character sought for the Jeffery Avenue Special Character Area (see <b>Section 5.5.5</b> and <b>Section 5.7.2</b>)</p>

#### Car Parking Area

<p><i>The provision of a hard stand car parking area in the middle of the site is uncharacteristic of the low density R2 area. The car parking area also results in potential adverse acoustic impacts to adjoining properties and results in minimal deep soil areas at the rear of the site which is a predominant character of the R2 zone.</i></p>	<p>The centralised car parking area reduces the visual impact of parking in the streetscape and optimises surveillance of the parking area from the surrounding new dwellings and private open space areas.</p> <p>The car parking area is separated from all neighbouring properties by screening landscaping and fencing on the western side and by the built form on all other sides such that the buildings and fencing will provide acoustic attenuation.</p> <p>The proposal exceeds the deep soil controls and the distribution of deep soil areas is compatible with the retention of mature trees and provision of new canopy trees within the two street setbacks providing positive amenity impacts within the site, for neighbours and for the streetscapes.</p> <p>Centralised parking will optimise the likelihood that parking spaces are shared by future occupants and not used for private storage or uses which would otherwise increase the likelihood of parking on the street.</p>
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#### Engineering/Stormwater

<p><i>Council's systems have indicated a large stormwater pipe within close proximity to the site. As such the site may be affected by unquantified overland flow. In his regard, the applicant is required to engage a suitably qualified civil engineer to conduct a flood study which is to include water surface levels and velocities resulting from the 100 year storm event for the pre and post development</i></p>	<p>A Flood Investigation Report prepared by ACOR Consulting dated 17 March 2023 addressing Council's requirements was submitted to Council. The outcomes of this assessment and councils recommended conditions are discussed in <b>Table 14</b> and <b>Appendix X</b>.</p>
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Issues raised	Response
<i>scenarios and the provision of an overland flow path through the property.</i>	
<i>Detailed survey of the easement and pipe system. The survey shall include the pipe location relative to the easement, invert of the pipe, and pipe diameter. Any existing pits that are proposed to be utilised shall also be included on the survey.</i>	<p>The stormwater management plan and details in <b>Appendix C</b> demonstrate the location of proposed stormwater infrastructure and show that all works are outside the easement and will have no impact on the continued function of the easement.</p> <p>Notwithstanding, Identified Requirement No. 82 requires a detailed survey of the easement prior to the commencement of construction and copies of the survey provided to Council and Sydney Water.</p>
<p><b>Flood Risk Assessment</b></p> <p><i>A Flood Risk Assessment should be undertaken by a qualified flood/hydraulic engineer. The Assessment must demonstrate that the development and its occupants will not be put at significant risk by flooding and that the development will not interrupt the free passage of floodwaters, nor cause an increased risk of harm to people (including future residents) and adjoining properties. The report shall demonstrate compliance with the flood controls of the relevant DCP's and be prepared in accordance with the applicable policies and guidelines.</i></p>	<p>A Flood Investigation Report prepared by ACOR Consulting dated 17 March 2023 addressing Council's requirements was submitted to Council. The outcomes of this assessment and councils recommended conditions are discussed in <b>Table 14</b> and <b>Appendix X</b>.</p>
<b><u>Water Sensitive Urban Design</u></b>	
<i>The applicant has not incorporated WSUD Elements in the stormwater management plan as per the Water Management controls listed in Section 3 of Councils DCP.</i>	<p>WSUD elements have been integrated into the updated stormwater plans and include on-site detention, on-site retention and storm sacks as detailed <b>Appendix C</b>. The amended Stormwater Management Plan addresses this issue.</p>
<b><u>Stormwater</u></b>	
<i>Bypass area is incorrect and actually larger than 15% (max allowable bypass area when designing to 3rd Edition of the UPRCT handbook). The stormwater management plan did not take into account the western portion of the site between the end of the hatched 'bypass area' and the real bypass area is 410 m2. Revised plans shall reduce the bypass area below 15%.</i>	<p>These recommendations have been integrated into Stormwater Management Plan and stormwater management details and OSD Calculation sheets by ACOR Consulting Pty Ltd included in <b>Appendix C</b>. The amended Stormwater Management Plan addresses this issue.</p>
<i>The grated drain between units 3/4 and 5/6 surcharges before the Top Water Level is reached in the OSD tank. Revised plans shall redesign stormwater inlet pits so they do not surcharge before OSD tank reaches capacity.</i>	<p>These recommendations have been integrated into Stormwater Management Plan and stormwater management details and OSD Calculation sheets by ACOR Consulting Pty Ltd included in <b>Appendix C</b>. The amended Stormwater Management Plans address this issue.</p>

Issues raised	Response
<b>Retaining Walls &amp; Earthworks</b>	
<p><i>The following information shall be supplied:</i></p> <ul style="list-style-type: none"> <li>○ <i>A separate cut and fill plan with heatmap shading.</i></li> <li>○ <i>All retaining walls that form part of this development shall be shown across all plans.</i></li> <li>○ <i>All retaining wall details including top of wall, bottom of wall, wall type, cross-section for all wall types.</i></li> <li>○ <i>The retaining walls shall be designed to ensure that natural flows from adjoining properties are not impeded or diverted.</i></li> <li>○ <i>Cut/fill volumes provided</i></li> </ul>	<p>Architectural Plans have been revised to include A15A Areas of Excavation and Fill (see <b>Appendix A</b>). Areas of excavation are less than 1m and are located:</p> <ul style="list-style-type: none"> <li>• in the north east corner of the site beneath the bin enclosure and part of the access path to achieve accessible gradients for movement of bins, and access to, bins</li> <li>• in the north west corner of the site beneath the bin enclosure and part of the access path to achieve accessible gradients for movement of, and access to, bins</li> <li>• in the north west corner of the site near the vehicle crossing threshold to Bourke Street to achieve compliant grades for the main driveway</li> <li>• in the south west corner of the site to achieve accessible grades for the accessible parking space ancillary to Unit 13</li> <li>• near the southern boundary to achieve compliant grades for the driveway and accessible parking space ancillary to Unit 11</li> <li>• in the south east corner of the site beneath Units 9 and 10 to achieve accessible pathway grades and accessible entry for Unit 9.</li> </ul> <p>Areas of fill are less than 1m and are located:</p> <ul style="list-style-type: none"> <li>• beneath the building footprints and private courtyard spaces of Units 1 to 8 to achieve accessibility to ground floor units;</li> <li>• beneath part of the building footprint and private courtyard spaces of Units 11 to 14 to achieve accessibility to ground floor units</li> <li>• beneath part of the central parking area to achieve compliant and accessible grades.</li> </ul> <p>Retaining walls are incorporated into the walls of built structures, pathway edging and fencing. Where retaining walls are incorporated into fencing, the details are shown in the Section Plans A08B and are limited to the perimeter of the courtyard areas of Units 1 to 8 which are well separated from all site boundaries.</p> <p>The minor changes in ground surface levels have been considered in the stormwater management detail and all water flows are captured within the site. No stormwater will be directed towards neighbouring properties.</p>



Issues raised	Response
	No additional Identified Requirements are required to address this matter.
<i>Earthworks and retaining wall works affect Council's Drainage easement.</i>	The architectural plans ( <i>Appendix A</i> ) and the stormwater plans ( <i>Appendix C</i> ) confirm there will be no works within the drainage easement. The Landscape Plan ( <i>Appendix B</i> ) shows colourbond private open space fencing to be erected within the easement as well as turf and planting. Identified Requirement No. 90 is included to ensure that the landscaping works and fencing are compatible with any overland flow function of the easement.

Council provided further comments in response to consideration of the Flood Investigation Report prepared by ACOR Consulting dated 17 March 2023. Comments and recommended conditions from Council's development engineer were received by email dated 27 April 2023, with further clarifications provided on 2 May 2023. A copy of the correspondence is provided in *Appendix G* and details of the recommended conditions and a response against each is provided under *Appendix X*.

## 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 24 February 2022. Council provided an email response on 14 March 2022 advising that Council were satisfied with the scope of notification. **Figure 19** illustrates the properties in which the occupiers and landowners were notified of the development.



Figure 19 Neighbour notification map

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 G**.

The notification response period formally closed on 15 August 2022 and one submission was received from 24 Rose Crescent. The key issues raised in the submission is discussed in **Table 15**.

Table 15 Issues raised by adjoining owners / neighbours

Issues raised	LAHC Response
<i>Impact of boundary fencing</i>	The building contractor is to contact the landowner of 24 Rose Crescent prior to ordering boundary fencing. This is specified in Identified Requirement No. 94.
<i>Overshadowing to property</i>	<p>Shadow diagrams have been prepared showing impact upon 24 Rose Crescent.</p> <p>24 Rose Crescent is located to the south of the site and contains a single storey dwelling with a private open space area in the north west portion of the property. The shadow analysis completed for the proposal indicates the new buildings will result in some shadow cast onto parts of the external northern wall of the dwelling at 24 Rose Crescent and parts of the private open space of 24 Rose Crescent throughout midwinter days.</p> <p>The majority of the shadow created by the new buildings overlaps with the shadow cast by the boundary fence and the shadow cast by the boundary fence is not a direct consequence of the proposed development.</p> <p>The shadow impacts to the northern façade of 24 Rose Crescent will not prevent direct solar access to windows of habitable rooms throughout midwinter days.</p> <p>At least 50% of the private open space area of 24 Rose Crescent is not impacted by shadow from the proposed buildings from 1pm to 3pm midwinter.</p>
<i>Driveway and traffic impact</i>	<p>The development has a double frontage with the main vehicle entry point for the internal car park provided off Bourke Street.</p> <p>A single width (3m) driveway is proposed from Rose Crescent which will provide access to a single accessible car space for the use of unit 11. A Traffic Impact Assessment was submitted with the proposal and confirms that the car parking design complies with the relevant design requirements under Australian Standard 2890.1 and 4299-1995. The driveway from Rose Crescent will have a low frequency of use given it provides access to a single car space only.</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** 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.

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### 7.1 Neighbourhood Character

The Parramatta DCP 2011 identifies the site as being within the Jeffrey Avenue Special Character Area. 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 the 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 and material features to the area, including flat roofs, rendered finishes and muted grey and white tones.

The proposed housing represents a contemporary, high quality design, which will be an improvement in comparison to the existing bed-sits located on the site. The two-storey design, siting, layout and landscape setting of the proposed development aligns with that of newer development in the locality. The design is contemporary in appearance to fit in with the changing character of the neighbourhood and Jeffrey Avenue Special Character Area as described in Parramatta DCP 2011.

The DCP lists the distinctive characteristics of the locality as:

- *curvilinear road layout typical of the 1940s and 50s*
- *consistency in the scale, siting, and design of houses with only minor obvious changes*
- *detached houses - two or three bays wide, with a projecting bay, often including the porch with wrought iron railing*
- *houses in brown, mottled brick or fibro-cement with brick base; low hipped roofs*
- *terracotta or cement tiles, some with gabled ends clad in white painted weatherboards*
- *double hung sash windows with timber frames*
- *grassed front gardens merging with verge, some front boundaries defined by planting and few low bricks walls*
- *wire or paling fences separating the front and rear gardens*
- *narrow grassed verge without footpaths*
- *street tree planting of bottle brushes, in recent decades*
- *mature trees in gardens and streets*

The proposal maintains a scale and siting of new buildings to generally match the pattern, setbacks and proportions of surrounding residential buildings. The proposed dwellings are arranged in detached buildings separated by landscaping and pathways in a manner compatible with the pattern of detached housing in the locality.

Facades to Bourke Street are “two bays” wide and facades to Rose Crescent present as a single dwelling. Exposed brickwork is a prominent feature in the external materials and finishes. Front fences include a

low brick elements and paling inserts. New landscaping is a combination of mature trees and native shrubs.

The subject development supports the amenity of the locality and the character of the area in the following ways:

- New buildings maintain the established front street setbacks. The building layouts, landscaping, and separations between buildings maintain the scale and character of the existing streetscapes.
- Buildings address the street and the pedestrian entries are clearly identified from both street frontages. Pedestrian movement is separated from the vehicle access and driveway with dedicated pathways.
- Open style fencing and integral landscaping soften the building form as viewed from the streets and adjoining properties. Some existing trees are retained to maintain a more mature landscape and offer some continuity in maintaining the streetscape.
- The buildings are designed having an economy of form being similar in scale and proportion and separation to newer forms of detached residential development in the locality.
- Dwellings are designed to maintain visual and acoustic privacy for adjoining dwellings.
- A high level of internal amenity is provided with good solar access and cross ventilation, insulation, and low maintenance materials, to support the needs of the new residents.

Accordingly, the design of the development responds appropriately to the character of the *Jeffery Avenue Special Character Area*.

No mitigation measures are required, as the design of the proposed development is sympathetic to the neighbourhood character, providing setbacks to neighbouring development that are consistent with surrounding dwelling houses. The presentation of the development at both the Bourke Street and Rose Crescent frontages is compatible with the emerging streetscape character. Retention of established trees and suitable design treatments, including fencing, landscaping and a considered planting mix ensure the proposal will generate benefits to neighbourhood character.

#### Mitigation Measures

No mitigation measures required.

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## 7.2 Bulk and Density

The proposed development is consistent with the bulk and scale of surrounding development in the locality of North Parramatta. The 2-storey buildings have appropriate setbacks distinguished by a variety of articulation features, and external finishes and materials to reduce the visual bulk of the development. The development is split into 3 separate buildings, with 2 of the buildings addressing both frontages. Articulation and breaks in the building form have been incorporated into the facades to minimise bulk and scale.

The proposal incorporates a floor space ratio (FSR) of 0.49:1 and a maximum height of 7.8m which is consistent with the FSR and height provisions under the PLEP2023 and consistent with development anticipated in a low-density residential area. The proposed density and 2-storey scale is sympathetic to the surrounding context and is an appropriate response to the desired future character envisaged for the R2 Low Density Residential zone. Notwithstanding, the proposed development is generously setback from all boundaries and will provide expansive deep soil areas particularly within the setbacks to boundaries, which will all minimise its perceived bulk.



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 diversity of form and tenure which is consistent with State and regional strategies and the development controls applying to the site.

#### Mitigation Measures

No mitigation measures required.

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## 7.3 Streetscape

The architectural style of the proposed development is compatible with the evolving form and treatment of development in the surrounding locality. Both street façades are divided into a number of distinct elements, separated with substantial landscaping and retention of established trees resulting in a finer grained streetscape appearance, consistent with existing dwellings in the area. In addition, the hard stand car parking area is located centrally within the site and will be obscured from street view, resulting in a built form that has been designed with consideration of the dwellings surroundings, and streetscape presentation.

With articulation and modulation along the front façades, retention of existing trees and improved landscaping proposed within the street setback areas, the proposed development makes a positive contribution to the Bourke Street and Rose Crescent streetscapes. 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 both 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

No mitigation measures required.

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## 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 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 Bourke Street and Rose Crescent frontages including new, native canopy trees that will soften the visual impact of development when viewed from the public domain. New street trees at both frontages will provide additional canopy and shade for pedestrians and improve the aesthetic quality of the streetscape. Retention of established trees and preservation of deep soil landscaped areas in the eastern side setback area will contribute to the long-term visual amenity of the adjoining property. Deep soil areas through the centre of the site will create a 'green corridor' when viewed from either street frontage.

#### Mitigation Measures

No mitigation measures required.

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## 7.5 Privacy

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

Private open spaces and balconies have been oriented to the Bourke Street and Rose Crescent frontages and internal to the central parking area, and as such will not directly overlook the windows or private open space of neighbouring sites. Landscaping has been provided along the west boundary and several established trees have been retained along the east boundary to provide a visual buffer between the windows, balconies and terraces on the subject site and properties adjoining these side boundaries.

The building is setback a minimum 3m from side boundaries in accordance with the setback requirements for multi-dwelling development in the Parramatta Development Control plan 2011. Front setbacks are consistent with the prevailing building line on Bourke Street and Rose Crescent and include substantial landscaping and low-height fencing to further mitigate privacy impacts to ground floor residents whilst maintaining adequate passive surveillance.

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

The main driveway connecting to Bourke Street is well separated from neighbouring dwellings by at least 13m and is screened from neighbouring properties with colourbond fencing and shrub planting. The single driveway adjacent to the southern boundary will be used by a single vehicle and will have minimal impact as its use will be no different to a single detached dwelling. The concrete finish to the driveways will result in minimal noise generation from the trafficable surface.

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

#### Mitigation Measures

No mitigation measures required.

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## 7.6 Solar Access

The design and siting of the proposed development will provide adequate daylight access to 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* (SLUDG). The submitted Architectural Plans indicate that 93% of dwellings receive at least 3 hours direct solar access to the living and POS areas on June 21, which exceeds the minimum 2 hour solar access to 70% of units required under the Housing SEPP.

Shadow diagrams also confirm the proposed development will facilitate sunlight to living areas and private open space of the dwellings on adjoining sites (see Section 6.2 for details of the shadow impacts to 24 Rose Crescent in particular).

#### Mitigation Measures

No mitigation measures required.

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## 7.7 Overshadowing

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

Overshadowing impacts to 24 Rose Crescent, which is located to the south of the proposed development, was raised as a concern during notification and elevation shadow diagrams were prepared to investigate this issue. The diagrams demonstrate that windows along the north elevation of the existing dwelling at 24 Rose Crescent will retain direct solar access between 9am to 2pm on the 21<sup>st</sup> June, with some overshadowing impact at 3pm. Solar access will also be retained to a reasonable portion of the rear private open space from 12pm onwards on 21 June which is in accordance with the requirements of the PDCP 2011.

#### Mitigation Measures

No mitigation measures required.

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## 7.8 Traffic & Parking

A total of 11 at-grade car parking spaces, including 3 accessible spaces, will be available on site to serve the proposed development. One of those spaces has been dedicated to unit 11 and is located immediately adjacent to that unit. The provision of on-site car parking exceeds the parking requirements set out in the Housing SEPP for developments carried out by LAHC by 8 spaces. Unrestricted street parking is available on Bourke Street and Rose Crescent directly adjacent to the site to accommodate any overflow parking demand generated by the proposed development.

The Traffic Impact Assessment (**Appendix S**) indicates that the projected nett 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 Impact Assessment prepared by Apex Engineers dated June 2022 examined the adequacy of internal driveway dimensions and grades and confirms the proposed design is compliant with relevant Australian Standards AS2890.1. The proposed development is only expected to generate an average rate of 3 evening peak hour vehicle trips and an average of 28 daily trips, which will not have any detrimental impacts on the local road network.

#### Mitigation Measures

No mitigation measures required.

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## 7.9 Flora and Fauna

An Arboricultural Impact Assessment has been prepared for the site by *Creative Planning Solutions* (**Appendix J**).

The report considers 48 existing trees which are located either within the subject site or on neighbouring land within 5m of the site boundaries. The report recommends the removal of 19 existing trees that are either located within the proposed development footprint or that would be impacted by an unavoidable major encroachment within the tree protection zone. It is noted that all 19 trees nominated for removal are classified as exempt from protection under Part 5.4 – *Preservation of Trees or Vegetation* under the PDGP2011 due to species, size classification or being located within 3m of an existing building. It also recommends retention of 29 existing trees (No's. 1 - 12, 15, 16, 18 – 27, 29, 30, 37, 39 & 40) of which 12 are located on the site and the remainder are on neighbouring properties.

Appropriate replacement planting is proposed, as indicated on the landscape plan and details. The new plantings will provide replacement tree cover on the site and increase the variety of species, including flowering trees 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 are to be undertaken using tree sensitive excavation and construction techniques. Retained trees are to be protected in accordance with the Tree Protection Plan contained within the Arboricultural Impact Assessment (refer *Appendix J*).

If associated infrastructure (pipe works) 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.

Any excavations must be supervised and certified by the Project Arborist in accordance with AS4970 (2009). Identified Requirement No. 36 requires the ongoing protection of trees in accordance with the Arboricultural Impact Assessment by Creative Planning Solutions Rev C dated 10 June 2022.

Specifically Identified Requirements No. 79 to 81 require the implementation of the specific recommendations of the Arboricultural Impact Assessment (AIA) for:

- supervision of works and reporting by a Project Arborist experienced in tree protection on construction sites from commencement of work to completion of landscaping;
- supervise and monitor any excavation, machine trenching or compacted fill placement within the TPZ of retained trees throughout construction;
- Tree Protection to be installed as shown on the Tree Location & Protection Plan Specification at Appendix 2 to the AIA and in accordance with Section 4.3 of AS4970-2009 and Appendix 5 to the AIA; and
- A detailed root mapping investigation is to be undertaken for Tree 1 (*Jacaranda mimosifolia*) by a suitably qualified Arborist with minimum AQF5 qualifications to identify the location and presence of tree roots to be impacted by the proposed building works and determine whether the proposed extent of hard surfacing requires modification to enable this tree to be retained in a healthy and viable condition following completion of construction. Should root mapping require adjustment to the hard surface treatments then this is to be documented by the building contractor and confirmed in the Crown Certification.

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## 7.10 Heritage (European / Indigenous)

### European Heritage

Land on the opposite side of Bourke Street forms part of the Lake Parramatta Reserve which includes Lake Parramatta Dam. Lake Parramatta reserve is a heritage item of local significance listed in Parramatta LEP 2023 as Item I305. Parramatta Lake Dam is a heritage item of State significance and is listed in Parramatta LEP 2023 as item I304. The site of the proposed development is approximately 250m east of the main vehicle entry point to the reserve. The Lake Parramatta Reserve Plan of Management was adopted in February 2012. The Plan of Management includes strategies for conserving the environment of the reserve and management of its use. The proposal is compatible with the management strategies and implementation of the Plan of Management. The Plan of Management also identifies important view points within the reserve and the subject site is not within the view sheds or lines of sight of those viewpoints.

### Indigenous Heritage

An Aboriginal Heritage Information Management System (AHIMS) search, dated 22 March 2023 did not find any record of Aboriginal Sites or Places on the site and within 50m of the site. The AHIMS search shows there are 4 sites within a 200m radius of the site. The proposal will have no impact on these 4 sites as no works and no significant impacts extend beyond the site boundaries. The site is mapped as 'low sensitivity affectation' for the likely presence of Aboriginal items and places of significance. Lake Parramatta Reserve to the north of the site is less disturbed and may contain items and places of Aboriginal significance. The Reserve is managed in accordance with the adopted Plan of Management and the proposal will not change the way in which the Plan of Management is implemented.

No additional investigation regarding Aboriginal items and places is warranted. Discovery of cultural material during development activities cannot be ruled out, however, Identified Requirements are recommended should any Aboriginal heritage items be discovered on the site during excavation and/or construction.

### Other Cultural Heritage

No cultural heritage items have been identified within the site as listed in in Parramatta Council's Section 10.7(2) & (5) Planning Certificates. The proximity of the site to Lake Parramatta Reserve, which is a heritage item, and contains items of Aboriginal heritage significance means there is a moderate likelihood of heritage relics being discovered during excavation / construction.

### Mitigation Measures

Standard Identified Requirements No. 46 and 47 have been applied should any cultural heritage items be discovered on the site during excavation / construction.

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## 7.11 Soils / Contamination / Acid Sulfate Soils / Salinity

### Soil Conditions

A Geotechnical Investigation and Acid Sulfate Soil Assessment was prepared by STS GeoEnvironmental.

The report described the subsurface conditions to consist of topsoil overlying silty clays and weathered shale. Topsoil was encountered to approximate depths of 0.2 to 0.4 metres. Natural silty clays underlie the topsoil to approximate depths of 1.0 to 1.3 metres. Hand auger refusal occurred in BH5 at a depth of 0.7 metres. The consistency of the clayey materials range between stiff to very stiff and very stiff.



Weathered shale underlies the natural soils to the auger refusal depths of 1.5 to 1.7 metres. Groundwater was not observed during drilling of the boreholes.

#### Mitigation Measures

No mitigation measures required.

#### **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.

Based on historical aerial imagery viewed on the NSW government Historical Imagery spatial viewer (<https://portal.spatial.nsw.gov.au>) Rose Crescent was formed around 1943, with land further to the west on Brown Street and Jeffery Avenue being used for grazing and orchards at that time. By 1965, the majority of land within the North Parramatta area, including the subject site, had been subdivided and developed for residential use. The subject site, and immediately adjoining land, appears to have been heavily vegetated up until around 1965 when the existing bedsits were constructed.

#### Mitigation Measures

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 PLEP2011.

Clause 6.1 of PLEP 2023 requires an Acid Sulfate Soil Management Plan for works on Class 5 Land that are within 500m of adjacent Class 1-4 land that is 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 mitigations 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.

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## 7.12 Drainage / Flood Prone Land / Hydrology/ Water Quality/Flooding

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, pipes and gutters on the site connected to an underground detention and retention tank beneath the central parking area and connected to the existing stormwater network in Bourke Street.

In their submission, Council identified that the site may be affected by unquantified overland flow due to the presence of a large stormwater pipe along the sites eastern boundary. A Flood Investigation Report was subsequently prepared by ACOR Consulting Pty Ltd (17 March 2023) which recommended the following:

*“Although it has been determined from our site specific assessment that the proposed development is not located within a Flood Risk Precinct and PMF floodwaters within the drainage easement do not pose any risk to occupants of the site, we recommend additional protection be provided to the units located adjacent to the drainage easement to RL 53.0 m AHD. This is approach is typical for sensitive use development located adjacent to a drainage easement and provides additional protection from possible nuisance flows.”*

The Flood Investigation Report concludes:

*“the proposed seniors housing development is not located within any of the three Flood Risk Precincts defined by the City of Parramatta and subsequently meets the relevant flood related requirements of Parramatta DCP 2011. Additionally, the proposal is consistent with the principles outlined in the NSW Floodplain Development Manual for a development of this nature.”*

The proposed development has been designed to have no adverse impact on the hydrology or water quality within the local area. The proposed development will not impact on the movement of floodwaters through the site or on adjoining property. The development will be compatible with the flood impacts and flood management of the site.

#### Mitigation Measures

Identified Requirements Nos. 6-9, 14, 42-43, 72, 83-84 and 91 have been recommended to ensure that stormwater drainage is managed in accordance with legislative requirements. Identified Requirements No. 86, 87 and 93 ensure that the development complies with the recommendations of the Flood Investigation Report.

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## 7.13 Bushfire Prone Land

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

#### Mitigation Measures

No mitigation measures are required.

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## 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 of 7am to 5pm Monday to Saturday, consistent with the requirements for complying development.

### **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. Buildings will also be designed and constructed to achieve internal noise level design targets.

#### Mitigation Measures

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

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

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

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## 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 Identified Requirements (No. 61, 64 & 65) have been applied that will satisfactorily mitigate any potential or adverse impacts on air quality.

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## 7.16 Waste Minimisation

The following waste minimisation 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:

- Bricks will be cleaned and reused wherever possible, broken bricks will sent to an approved waste collection facility;
- Concrete and tiles will be crushed to make a temporary driveway or 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 and tiles to be reused where possible or otherwise be transported to building recycling facility or used for temporary road base;
- 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 or chipped for landscaping;
- 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 contractor for collection by Council's waste services.

#### Mitigation Measures

Identified Requirements No. 26-28, 34, 50, 52-54 and 66 are recommended to ensure construction and demolition waste is appropriately managed and disposed.

Identified Requirement No. 37 is recommended to ensure a final waste management plan is prepared for the demolition, construction and occupation phases of the development.

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## 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.

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## 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 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.

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## 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 possible;
- the local sourcing of tradesmen 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.

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## 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

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### 8.1 Summary of Key Issues Raised in Assessment

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. In addition, it 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 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 the Activity Determination.

## APPENDIX A – Architectural Plans

## APPENDIX B – Landscape Plans

## APPENDIX C – Civil Plans

## APPENDIX D – Survey Plan



## APPENDIX E – Notification Plans

## APPENDIX F – 10.7(2)&(5) Planning Certificates

## APPENDIX G – Notification and public authority responses

## APPENDIX H – Access Report

## APPENDIX I – AHIMS Search



## APPENDIX J – Arboricultural Impact Assessment

## APPENDIX K – BASIX and NatHERS Certificate

## APPENDIX L – BCA Compliance Assessment

## APPENDIX M – Design Compliance Certificates

## APPENDIX N – Housing for Seniors Checklist



## APPENDIX O – Part 5 Activity Checklist

## APPENDIX P – Geotech and Acid Sulfate Soils Assessment

## APPENDIX Q – Title Search and DP

## APPENDIX R – Waste Management Plan

## APPENDIX S – Traffic Impact Assessment

## APPENDIX T – Acoustic Report



## APPENDIX U – Electrical Services

## APPENDIX V – Hydraulic Services

## APPENDIX W – Flood Investigation Report

## APPENDIX X – Response to Council Recommended Conditions