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REVIEW OF ENVIRONMENTAL FACTORS

Proposed Seniors Housing Development

at

26-30 Cutler Drive, Wyong NSW 2259

Lots 23, 24 & 25, Deposited Plan 234632

Job No BGYFH

August 2023





Acknowledgement of Country

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

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REVIEW OF ENVIRONMENTAL FACTORS

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1	20/04/2023	v1	Not applicable – initial version	71
2	01/06/2023	v2	LAHC minor edits	68
3	06/06/2023	v3	BRS signature included	65
4	03/07/2023	v4	Minor edits	All
5	02/08/2023	v5	Minor edits	All

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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.

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Signature:



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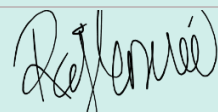
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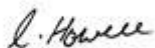
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I certify that I have reviewed and endorsed the contents of this REF document and, to the best of my knowledge, it is in accordance with the EP&A Act, the EP&A Regulation and the Guidelines approved under clause 170 of the EP&A Regulation, and the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

Name: Carolyn Howell

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

Signature:



Date:

6 July 2023

REF Authorised for Issue 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. Having endorsed the Review of Environmental Factors:

I have declared any possible conflict of interests (real, potential or perceived) to the Deputy Chief Executive, Head of Policy and Innovation Land and Housing Corporation.

I do not consider I have any personal interests that would affect my professional judgement.

I will inform the Deputy Chief Executive, Head of Policy and Innovation 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: 24/08/2023

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1 Executive Summary

The subject site is located at 26-30 Cutler Drive, Wyong, and is legally described as Lots 23, 24 and 25 in Deposited Plan 234632.

The proposed seniors housing development is described as follows:

Demolition of 3 existing single storey dwellings and associated structures, removal of trees and the construction of 12 independent seniors living units comprising of 7 x two bedroom and 5 x one bedroom units, with 8 at-grade car parking spaces, associated landscaping and fencing, consolidation into single lot and creation of an easement to drain water.

The proposed activity is located in a prescribed zone and seniors housing is permitted on the site under the Central Coast Local Environmental Plan 2022. 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 9.5m in height.

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

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

The REF has identified and considered 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 Design Requirements;
- the site planning and design of the proposed activity adequately address the applicable local environmental planning and development controls of Central Coast 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;
- 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; and
- Central Coast Council and occupiers of adjoining land were notified of the proposed activity on 10 March 2023 under the provisions of Housing SEPP. A response was received from Council dated 4 April 2023. Comments on the response are provided in Section 6.1 of this REF. One submission was

received from occupiers of adjoining land and a response to this submission is provided in section 6.2 of this REF.

The proposed activity, when 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 within 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 dwellings and structures, removal of trees, and the construction of 12 independent seniors housing dwellings comprising 7 x one bedroom and 5 x two bedroom independent living units, with associated landscaping and fencing, at-grade parking for 8 cars, and consolidation of the 3 lots into a single lot at 26-30 Cutler Drive, Wyong. The proposal includes discharge of stormwater to a proposed easement for drainage through adjoining land at 6 Maple Circle (Lot 6 DP 259184).

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

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

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

2.1 Purpose of this Review of Environmental Factors (REF)

The purpose of this REF is to assist LAHC to fulfil its obligations as a determining authority for the proposed activity in accordance with Part 5 of the EP&A Act and Section 171 of the EP&A Regulation by:

- describing the existing environment;
- describing the proposed activity;
- analysing the potential impacts of the activity on the environment;
- identifying measures to mitigate those impacts;
- analysing whether the activity, with the mitigating measures in place, will have a significant impact on the environment; and
- recommending identified requirements to ensure the mitigating measures are implemented if the activity were to proceed.

2.2 Assessment Methodology

The following methodology was applied in undertaking this REF for the proposed development activity under Part 5 of the EP&A Act:

- Section 10.7 Planning Certificates were obtained for each lot comprising the site. The zoning was confirmed against the current applicable environmental planning instrument, which is the *Central Coast Local Environmental Plan 2022* (CCLEP 2022);
- It was determined that seniors housing is ‘permitted with consent’ in the R2 zoning pursuant to the CCLEP 2022, and can be carried out ‘without consent’ under the provisions of Housing SEPP 2021;
- a desktop analysis and investigation of the site and surrounds was undertaken based on site clearance information provided by the Land and Housing Corporation to determine the suitability of the site for the proposed development activity, particularly taking into account the existing site conditions, constraints and local context;
- relevant local planning controls and State and Commonwealth Government legislation were considered in the environmental assessment of the proposed development activity;
- an environmental impact analysis was undertaken to determine if an Environmental Impact Statement was required;
- potential environmental impacts identified in the analysis and measures to mitigate these impacts were subsequently discussed in the Review of Environmental Factors; and
- identified requirements incorporating the mitigation measures for undertaking the proposed development activity were identified for inclusion in the recommendation for approval of the activity.

3 Existing Site & Locality

3.1 Existing Site and Immediately Adjoining Development

The site is located in the Central Coast local government area (LGA) and comprises 3 residential allotments. A location plan is provided at **Figure 1**.

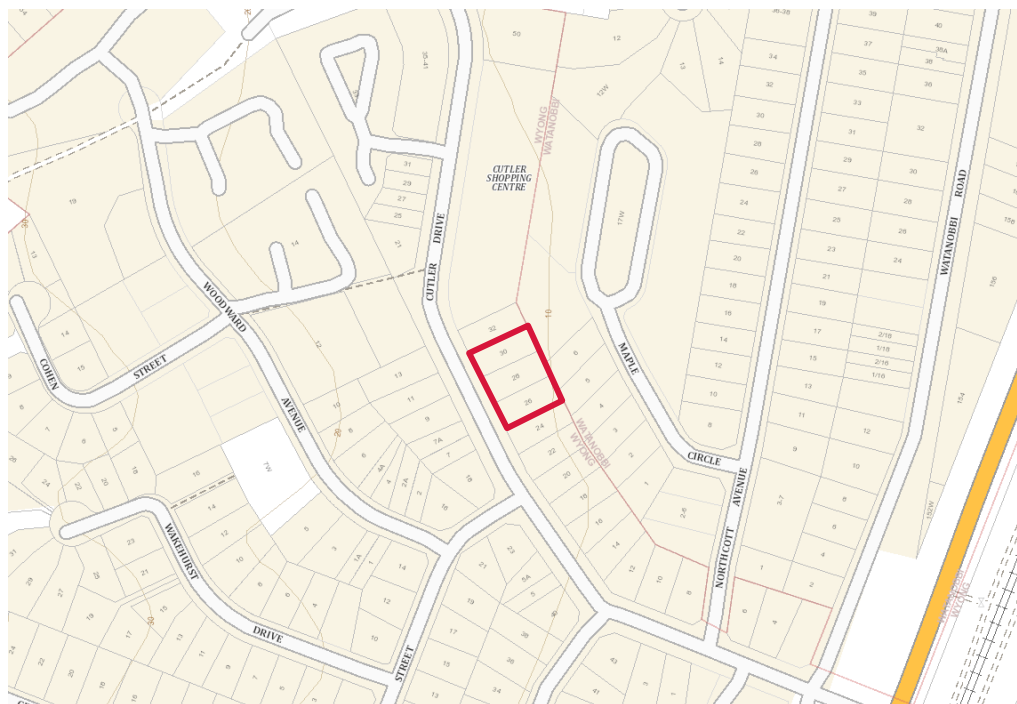


Figure 1 Location Plan (Source: ePlanning Spatial Viewer)

The site is currently occupied by 3 single storey fibro and brick dwellings with pitched tiled roofs and associated structures (refer to photographs at **Figure 2, 3 & 4**).



Figure 2 Development Site - 26 Cutler Drive, Source: BRS

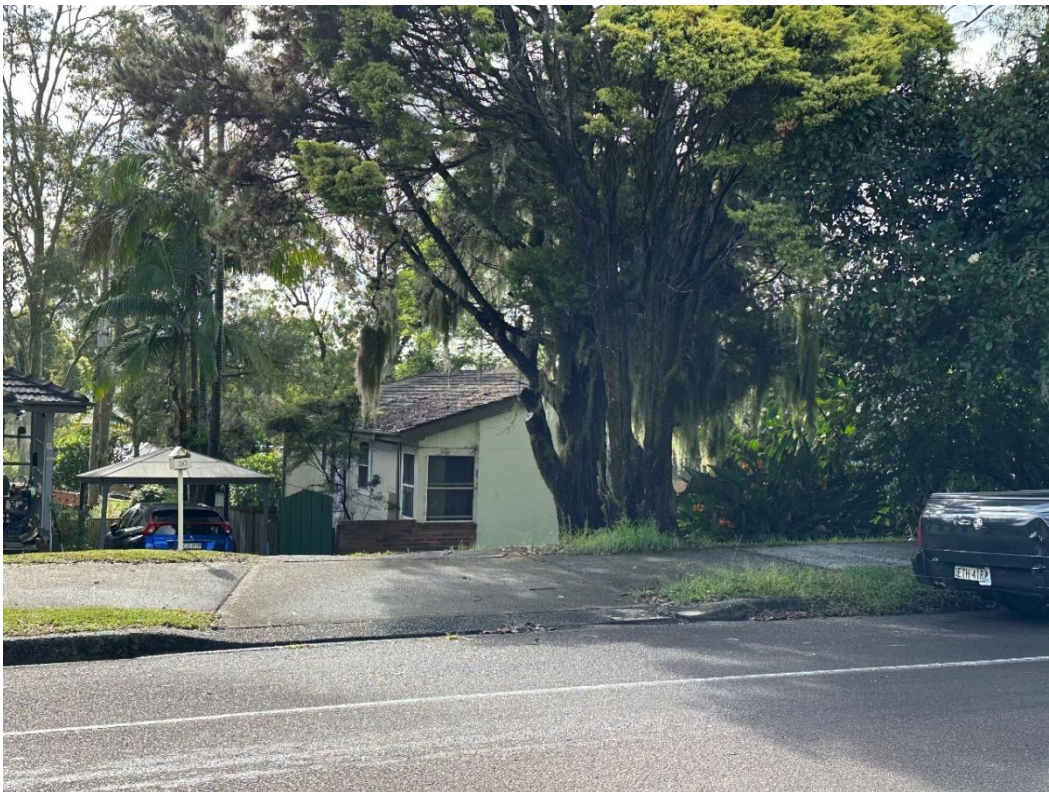


Figure 3 Development Site - 28 Cutler Drive, Source: BRS



Figure 4 Development Site - 30 Cutler Drive, Source: BRS

The property immediately to the north (32 Cutler Drive) contains a single storey, detached weatherboard dwelling house (refer photograph at **Figure 5**). The property to the west (24 Cutler Drive) contains a detached single storey weatherboard dwelling house (refer to photograph at **Figure 6**). Adjoining to the rear is 5, 6 & 7 Maple Circle. Number 5 and 6 Maple Circle each contain a single storey brick dwelling house and associated structures. Number 7 Maple Circle contains a multi dwelling one and two storey brick development (refer to photographs at **Figure 7 & 8**). It is noted that stormwater will be connected to the existing network in Maple Circle to the rear of the site via a proposed stormwater drainage easement over 6 Maple Circle.



Figure 5 Adjoining development – 32 Cutler Drive, Source: BRS



Figure 6 Adjoining development – 24 Cutler Drive, Source: BRS

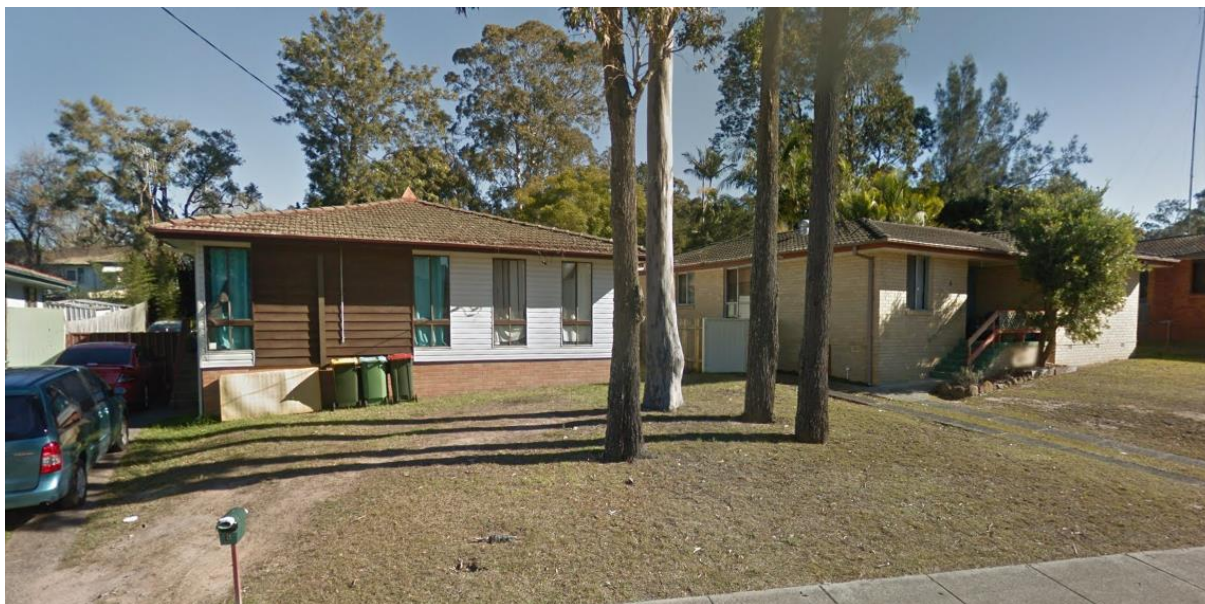


Figure 7 Adjoining development to the rear – 5 (Left) and 6 (Right) Maple Circle, Source: Google Maps 2023



Figure 8 Adjoining development to the rear – 7 Maple Circle, Source: Google Maps 2023

3.2 Site Description

Copies of the Section 10.7(2) & (5) Planning Certificates (Nos 242462, 242463, and 242464) dated 12 May 2023 are provided in **Appendix F**.

The site has a total area of 1688m² by title and 1705.8m² by survey. It is noted that the site area of 1688m² has been used for calculations for the purpose of this development. The site has a frontage to Cutler Drive of 46.620m, side boundaries of 36.580m (south) and 36.580m (north), and a rear boundary of 46.620m (refer to the Survey Plan in **Appendix D**).

The site falls from the front (western) boundary down toward the rear (eastern) boundary by approximately 4m. A stormwater drainage easement will be provided from the south eastern corner of the site and will run within 6 Maple Circle connecting into the existing stormwater drainage network in Maple Circle.

The site is not within a flood planning area and is not subject to flood related development controls.

An Arboricultural Impact Assessment observed 19 trees located within the site and adjoining its boundaries. These trees are generally located within the front and rear setbacks of each allotment. Nine trees will be retained and protected. Of the other 10 trees proposed to be removed, 4 are considered as exempt species accordance with Central Coast DCP Chapter 3.5 Tree and Vegetation Management, 4 are considered to be of low retention value and 2 are considered to be of medium retention value (refer to Arboricultural Impact Assessment in **Appendix I**).

Water, electricity, sewer and telephone facilities are available to the site (refer to the Survey Plan for the location of available services at **Appendix D**). All services are located along the street alignment apart from sewer, which runs parallel to the rear (eastern) property boundary.

There are no encumbrances on title, section 10.7 certificates or indicated on the Plan of Survey.

3.3 Neighbouring Development and Locality

The site is located within an established residential area and largely retains this original subdivision pattern. Built form in the locality is characterised by older style single storey detached dwelling houses of weatherboard cladding, fibro and brick construction with sheet metal and tiled roofs interspersed with more recent 2-storey dwelling houses, dual occupancy and medium density developments (refer to photographs at **Figures 9 – 13**).



Figure 9 More recent two story brick development at 3-7 Northcott Avenue left of driveway (east of the site), Source: BRS



Figure 10 More recent two story brick development at 3-7 Northcott Drive right of driveway (east of the site), Source: BRS



Figure 11 More recent development at 3 Cutler Drive (south east of the site), Source: BRS



Figure 12 More recent two story brick development at 13 -15 North Road (south of the site), Source: BRS



Figure 13 More recent two story brick development at 36-38 Northcott Avenue (north east of the site), Source: BRS

There are six bus stops located on Cutler Drive, four of which are within 100m walking distance and via accessible grades to the north west and south east of the site (refer to the Long Section Surveys provided at Appendix O). These bus stops are serviced by Busways Route 79 and 10 which connects to Wyong, Tuggerah, Charmhaven and Lake Haven including local centres in these areas. Further, the site is located within 350m to bus stops on the Pacific Highway which service additional areas and centres. The site is also within close proximity to the Wyong Train Station, approximately 1.5km south of the site which is serviced by the abovementioned bus routes.

Surrounding land use is predominantly residential with other surrounding land uses including open space, educational establishments and commercial development. The Cutler Shopping Centre is located approximately 15m north of the site comprising an IGA, bakery, liquor store, take-away food, hairdresser and other retail development. Wyong Public School is located approximately 215m north of the site. The site is also within close proximity to the Wyong Centre to the south. The Wyong Centre is approximately 1.5km south of the site and contains a number of services including health practices, the Wyong Central Health Centre, chemists, retail outlets, recreation areas, the Wyong Community Centre, food premises and a Coles supermarket. Wyong Centre is accessible via the abovementioned bus routes.

4 Proposed Activity

The proposed activity is described in this section.

4.1 Demolition

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

4.2 Removal of Trees

The Arboricultural Impact Assessment undertaken for the site considered 19 trees (refer to **Appendix F**). There are 16 trees located within the site and 3 within neighbouring properties and adjacent road reserve. Of the 19 trees located within the site and adjacent allotments, the proposal is for the removal of 10 trees.

Of the trees proposed to be removed 4 are considered as exempt species accordance with Central Coast DCP Chapter 3.5 Tree and Vegetation Management. Of the other 6 trees proposed to be removed, 4 are considered to be of low retention value and 2 are considered to be of medium retention value.

The tree removal within the site boundaries is recommended primarily to accommodate the proposed development or the individual species are recommended for removal as they are not considered to be significant or worthy of retention. Where tree retention has been considered, those trees are expected to survive the construction process and remain stable and viable (refer to submitted Arboricultural Impact Assessment in **Appendix F**).

4.3 Stormwater easement

The subject site falls to the rear and it is proposed to drain the development via an easement to the Council system in Maple Circle. The proposed easement is through 6 Maple Circle, Wyong which is owned by LAHC and is located at the rear of 26 Cutler Drive. A detailed site stormwater drainage layout and proposed easement is shown in **Appendix C**.

4.4 Proposed development

The proposed Seniors Housing development will deliver 12 independent living units, comprised of 5 x one bedroom and 7 x two bedroom dwellings. The building has been designed to be 2 storey. A driveway providing access to the communal car parking area is located along the southern boundary of the site. The car park is located within the ground floor of the development, with part of the car parking area located beneath the first floor of the building and has been incorporated into the topography of the site.

All 12 independent living units have been designed as liveable units and the development includes a passenger lift that enables access for people with mobility impairments to all levels of the two storey developments.. A photomontage of the development is provided at **Figure 14**, below.



Figure 14 Photomontage of the development, Source: Barry Rush & Associates Pty Ltd

The proposed housing represents a contemporary, high quality design, which will be an improvement in comparison to the existing dwellings. The use of face brick and metal cladding for external walls and Colorbond metal roofing is consistent with the existing and developing character of the Wyong suburb. Five of the 12 proposed units will address the street (Units 1 & 3 on the ground floor and Units 2, 4 & 12 on the first floor) with living areas and living area windows facing the street for passive surveillance. The proposed design is illustrated at Figures 15-17, below.

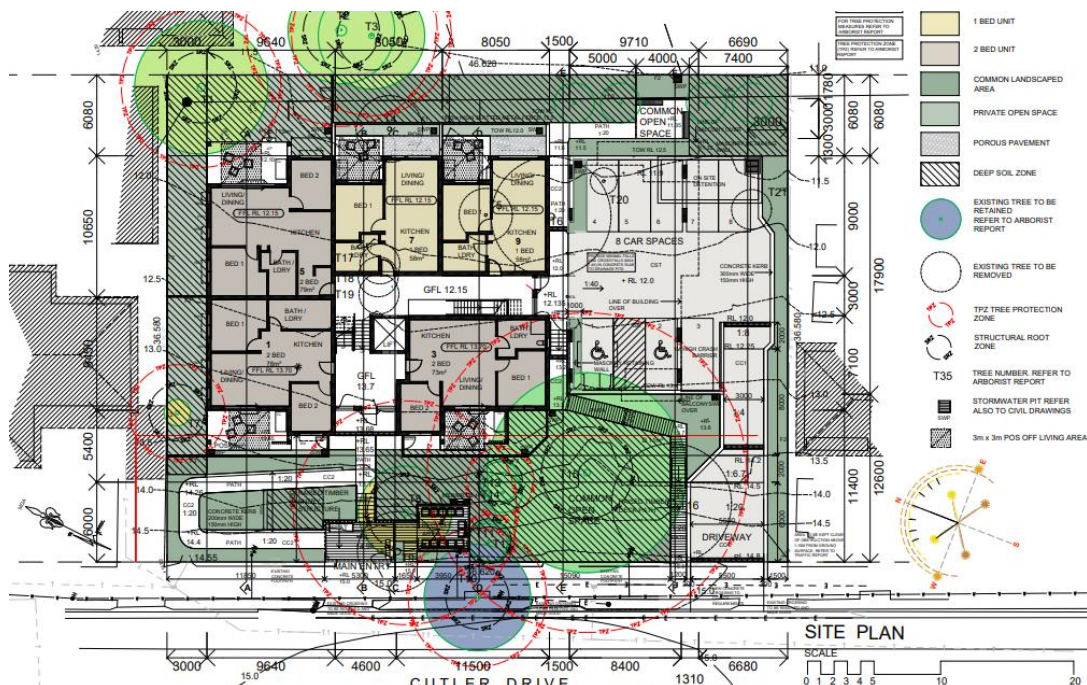


Figure 15 Site/Ground Floor Plan, Source: Barry Rush & Associates Pty

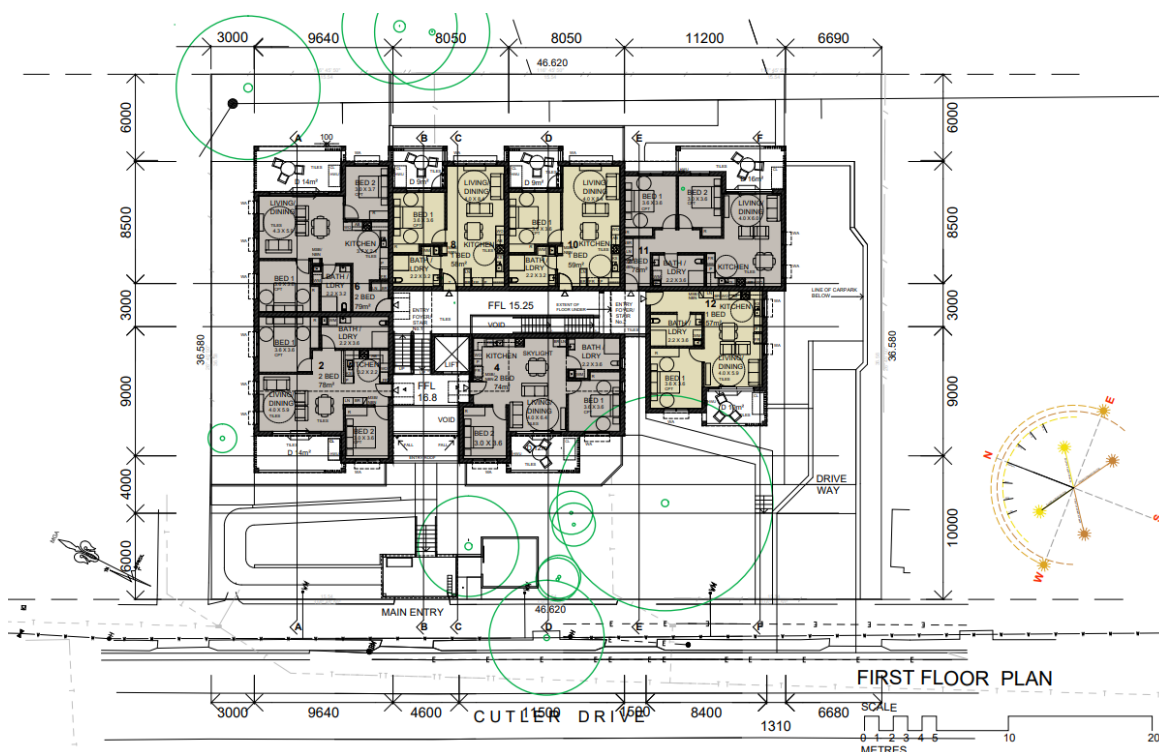


Figure 16 First Floor Plan, Source: Barry Rush & Associates Pty



Figure 17 Cutler Drive Street (West) Elevation, Source: Barry Rush & Associates Pty

Minor cut and fill is proposed to provide a level building platform. This degree of cut and fill is within Council's DCP standards. Small retaining walls are proposed to assist with the long term stabilisation of the south and east boundaries and in the locality of the proposed car parking area as shown on the Landscape Plan (refer to **Appendix B**).

A variety of new landscape plantings, including trees capable of reaching a mature height of 10-15m (refer **Appendix B**) are proposed to offset the proposed tree removal and also to enhance the appearance of the site and the microclimate for new occupants and neighbours. New plantings will consist of a mixture of native trees, shrubs and groundcovers, which will enhance landscaped setbacks and contribute to the streetscape.

Each unit will be provided with its own enclosed private open space area. All private open spaces are directly accessible from the living areas. Private open space areas are in the form of either a courtyard or balcony and have been designed to be directly accessible from living areas. Common open space is provided at the rear with seating arrangements and accessible to all residents. The common open space at the front on the site is a landscaped area only, not for active or passive use.

An extract from the proposed Landscape Plan is provided at **Figure 18**.

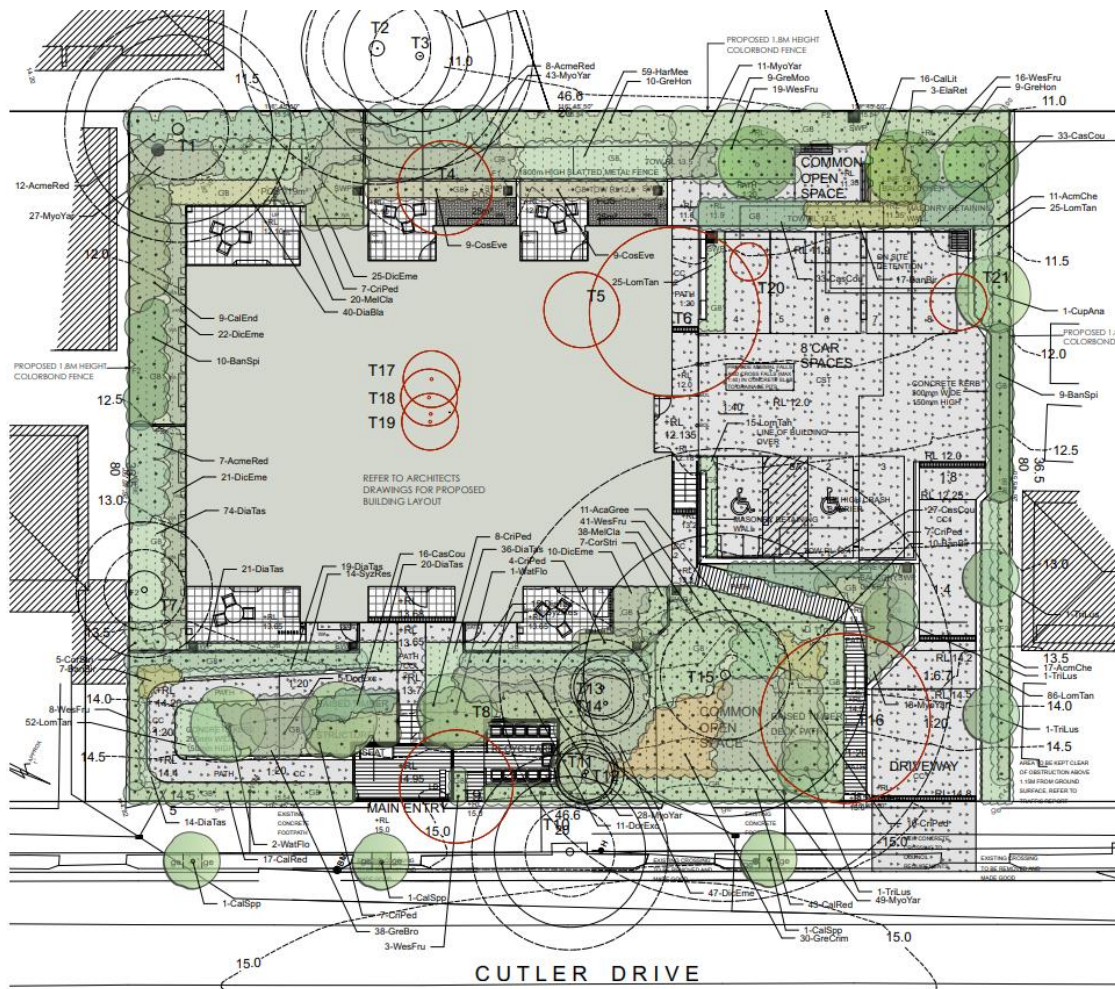


Figure 18 Landscape Plan Source: Barry Rush & Associates Pty

A total of 8 at-grade car parking spaces including 2 accessible spaces will be provided via a communal parking area located at the southern side of the site.

Stormwater will be collected via a series of stormwater pits, grated box drains and gutters on the site connected to an underground on-site detention tank draining to the existing local stormwater infrastructure via a proposed easement to the south eastern corner of the site. The proposed easement for drainage will run within 6 Maple Circle and will connect into the existing network in Maple Circle. Roof water will be collected from downpipes and connected to rainwater tanks for recycling with overflow connected to the underground on-site detention tank.

A new 1.8m high Colorbond fence is proposed along the side and rear boundaries. Slatted metal fencing will be provided at the front of the development adjoining the private open space areas of each ground floor unit orientated to Cutler Drive. A 1.8m high slatted metal fence is located within the rear of the property adjoining the private open space areas of units 7 and 9.

Upon completion of the development the 3 existing lots will be consolidated into 1 lot.

4.5 Supporting information

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

Plans, Drawings & Supporting Document Details

The development is outlined in the following plans and drawings:

Title / Name:	Drawing No. / Document Ref	Revision / Issue:	Date [dd.mm.yyyy]:	Prepared by:
Architectural – Appendix A				
Location Diagram	A00	-	24.01.2023	Barry Rush & Associates Pty Ltd
Site Analysis Plan	A01	-	24.01.2023	Barry Rush & Associates Pty Ltd
Site Plan	A02	A	08.08.2023	Barry Rush & Associates Pty Ltd
Ground floor plan	A03	-	24.01.2023	Barry Rush & Associates Pty Ltd
First Floor plan	A04	-	24.01.2023	Barry Rush & Associates Pty Ltd
Roof Plan	A05	-	24.01.2023	Barry Rush & Associates Pty Ltd
Elevations	A06	-	16.12.2022	Barry Rush & Associates Pty Ltd
Sections Sheet 1	A07	-	16.12.2022	Barry Rush & Associates Pty Ltd
Sections Sheet 2	A08	-	24.01.2023	Barry Rush & Associates Pty Ltd
External Colour Schedule	A09	-	16.12.2022	Barry Rush & Associates Pty Ltd
Demolition Plan	A10	-	16.12.2022	Barry Rush & Associates Pty Ltd
Block Analysis Plan	A11	-	16.12.2022	Barry Rush & Associates Pty Ltd
Shadow Diagrams Mid-Winter	A12	-	22.11.2022	Barry Rush & Associates Pty Ltd
Views From Sun Diagrams	A13	-	22.11.2022	Barry Rush & Associates Pty Ltd
Streetscape Perspective	A14	-	20.12.2022	Barry Rush & Associates Pty Ltd
Areas of Excavation & Fill	A15	-	16.12.2022	Barry Rush & Associates Pty Ltd
Landscape Plan – Appendix B				
Landscape Plan	2658	D	09.08.2023	Barry Rush & Associates Pty Ltd
Landscape Details and Specification	2658	C	24.01.2023	Barry Rush & Associates Pty Ltd
Civil Drawings – Appendix C				
Cover Sheet & Notes	C1	D	02.08.2023	ACOR Consultants
Stormwater Management Plan	C2	D	02.08.2023	ACOR Consultants
Stormwater Management Details Sheet – Sheet no 1	C3	D	02.08.2023	ACOR Consultants
On Site Detention Report	C4	D	02.08.2023	ACOR Consultants
Erosion & Sediment Control Plan	C5	D	02.08.2023	ACOR Consultants
Erosion & Sediment Control Notes & Details	C6	D	02.08.2023	ACOR Consultants
Proposed Drainage Easement Plan	C7	D	02.08.2023	ACOR Consultants

Title / Name:	Drawing No. / Document Ref	Revision / Issue:	Date [dd.mm.yyyy]:	Prepared by:
Detail and Contour Survey – Appendix D				
Site Detail Survey Sheet 1	2104954	A	5-7.11.2021	Indiya Geospatial
Site Detail Survey Sheet 2	2104954	A	5-7.11.2021	Indiya Geospatial
Site Detail Survey Sheet 3	2104954	A	5-7.11.2021	Indiya Geospatial
Long Sections	2104954	A	5-7.11.2021	Indiya Geospatial
Detail & Contour Survey 6 Maple Circle, Wyong	220695	1	10.08.2022	TSS Total Surveying Solutions
Sewer Report 6 Maple Circle, Wyong	6 Maple Cr, Wyong	003	-	Locate Scan & Survey
Notification Plans – Appendix E				
Coversheet	N01	-	31.01.2023	Barry Rush & Associates Pty Ltd
Site/Landscape Plan	N02	-	31.01.2023	Barry Rush & Associates Pty Ltd
Development Data	N03	-	31.01.2023	Barry Rush & Associates Pty Ltd
Elevations	N04	-	31.01.2023	Barry Rush & Associates Pty Ltd
Schedule of Finishes	N05	-	20.12.2022	Barry Rush & Associates Pty Ltd
Shadow Diagrams	N06	-	20.12.2022	Barry Rush & Associates Pty Ltd
Specialist Reports				
Access Report - Appendix G	-	-	21.11.2022	Accessibility Solutions
Arboricultural Impact Assessment – Appendix I	-	-	29.11.2022	Creative Planning Solutions
BASIX Certificate Appendix J	BASIX Certificate No 1361151M	-	20.12.2022	Building Sustainability Assessments – Gavin Chambers, Accreditation No DMN/13/1491
BCA Capability Statement for DA Submission - Appendix K	-	R00	09.12.2022	Technical Inner Sight
NatHERS Certificate – Appendix M	NatHERS Certificate No 0008330230	-	20.12.2022	Building Sustainability Assessments – Gavin Chambers, Accreditation No DMN/13/1491
Geotechnical Investigation and Acid Sulfate Soil Assessment - Appendix O	21/2865	-	October 2021	STS Geotechnics Pty Ltd
Waste Management Plan – Appendix Q	-	-	25.01.2023	Barry Rush and Associates Pty Ltd
Traffic Impact Assessment - Appendix R	-	-	October 2022	APEX Engineers Pty Ltd

Section 10.7 Planning Certificates – Appendix F

Section 10.7(2)(5) Planning Certificate No 224642 – No. 30 Cutler Drive, Wyong, NSW 2259, Lot 23 DP 234632, dated 12 May 2023

Section 10.7(2)(5) Planning Certificate No 224643 – No. 28 Cutler Drive, Wyong, NSW 2259, Lot 24 DP 234632, dated 12 May 2023

Section 10.7(2)(5) Planning Certificate No 224644 – No. 26 Cutler Drive, Wyong, NSW 2259, Lot 25 DP 234632, dated 12 May 2023

AHIMS – Appendix H

AHIMS Search Result, 26 Cutler Drive Wyong – 200m search buffer, date 07.02.2023

Design compliance and checklists – Appendix L

Part 5 Activity Package Submission, dated 30.01.2023

Architect's Certificate of Building Design Compliance, dated 31.01.2023

Certificate of Landscape Documentation Compliance, dated 24.01.2023

Engineer's Certificate of Stormwater Design Compliance, dated 20.12.2022

Seniors Living Urban Design Guidelines, LAHC Dwelling requirements & Good design for social housing – Appendix N

Housing for Seniors Checklist, (undated)

Titles and Deposited Plans – Appendix P

Certificate of Title Folio 23/234632, search date 30.03.2021

Certificate of Title Folio 24/234632, search date 30.03.2021

Certificate of Title Folio 25/234632, search date 30.03.2021

Deposited Plan 32163, search Date 06.10.2021

Plan of Easement, Deposited Plan 1262089, search Date 06.10.2021

Section 88B Instrument, Deposited Plan 1262089, search Date 06.10.2021

5 Zoning and Permissibility

The site is zoned R2 Low Density Residential under *Central Coast Local Environmental Plan 2022* (CLEP 2022). The proposed development is defined as ‘seniors housing’ under the provisions of CLEP 2022 and is permissible with Council’s consent in the R2 zone. The site’s zoning context is illustrated at **Figure 19**.

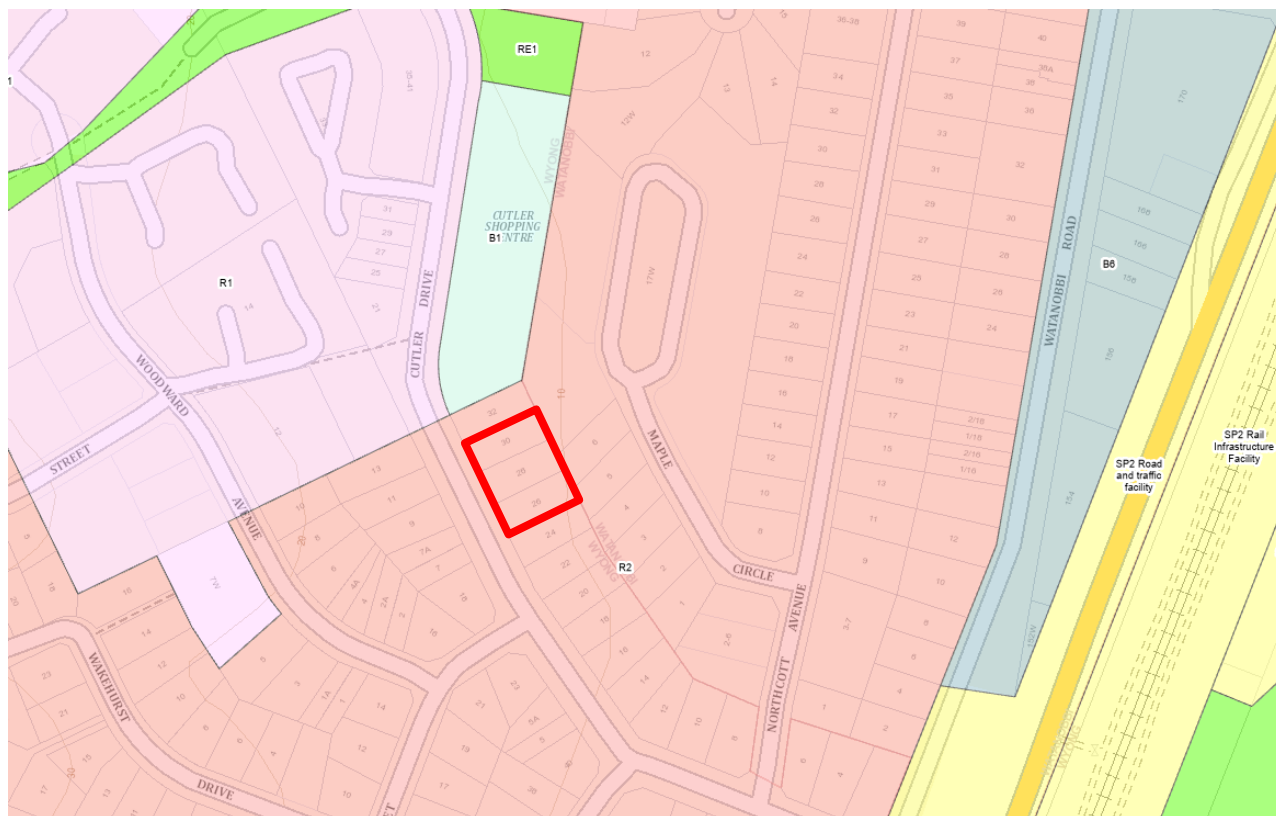


Figure 19 - Extract of Land Zoning map from Central Coast LEP 2022, Source: eSpatial Viewer

Senior’s housing is permitted in the R2 zone under CLEP 2022. The relevant objectives of the R2 zone, as set out in CLEP2022 are:

- To provide for the housing needs of the community within a low density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To encourage best practice in the design of low density residential development.
- To ensure that non-residential uses do not adversely affect residential amenity or place unreasonable demands on services.
- To maintain and enhance the residential amenity and character of the surrounding area.

The proposed development provides housing that meets the identified needs of the community and is consistent with the objectives.

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 4** in subsection 6.5 of this REF demonstrates compliance with the relevant provisions of Division 8 of the SEPP.

6 Planning and Design Framework

6.1 Environmental Planning and Assessment Act 1979

6.1.1 Duty to consider environmental impact [Section 5.5]

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

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

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

Matters for consideration under sub-section 3 of Section 5.5 of the EP&A Act	
Matter for consideration	Effect of Activity
<p>Sub-section 3</p> <p>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.</p>	<p>No effect, as the site and surrounding areas are not within a wilderness area (within the meaning of the <i>Wilderness Act 1987</i>).</p>

6.2 Biodiversity Conservation Act 2016 (BC Act)

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

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

6.3 Other Acts

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

6.4 Environmental Planning and Assessment Regulation 2021

6.4.1 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 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 <i>Guidelines for Division 5.1 assessments</i> 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 Assessment requires 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 6.4.2		x	
(r) other relevant environmental factors.	Y Discussed below in section 8		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 and social benefits of providing affordable housing that meets the needs of the community. The applicable Central Coast Regional Plan, Local Strategic Planning Statement (LSPS) and Community Strategic Plan are considered below at Section 6.4.2 of this report.

6.4.2 Strategic Planning Framework

Central Coast Regional Plan 2041

The Central Coast Regional Plan 2041 came into effect in October 2022. It is a 20 year plan that identifies 9 objectives for the LGA, focused around four principals:

1. Growth
2. Community
3. Resilience
4. Equity

Of note is Objective 5 which is 'Plan for 'nimble neighbourhoods', diverse housing and sequenced development'. This objective endeavours to provide residents with housing choice. The Plan identifies that the number of senior residents aged over 80 years in the Central Coast LGA will double over the 20 year period. The plan states 'more manageable homes allow people to live independently in their local area as they get older'. Further, the plan stresses the importance of seniors housing within close proximity to local and strategic centres or key transit corridors.

This proposal, which will expand the supply of affordable housing, with 12 new seniors housing units in close proximity to services and retail, is consistent with the objectives of the Regional Plan. Furthermore, the housing will be managed by the LAHC, ensuring it remains affordable for the foreseeable future.

Central Coast Council Local Strategic Planning Statement

The Central Coast Local Strategic Planning Statement came into effect in August 2020. It is a 20 year plan that identifies Planning Priorities for the LGA, focused around four pillars of planning:

1. Place
2. Environment
3. Lifestyle
4. Infrastructure

The Statement identifies that the Central Coast LGA is experiencing a demand for residential development. Further, that Wyong is an attractive location for retirees. The Statement includes planning priorities surrounding the theme of housing including the provision of well-designed housing and housing to meet the needs of the community.

The proposed 12 seniors living units, will assist in diversifying housing options in the Central Coast 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 includes an energy efficient and accessible design, helping the development meet LSPS priorities for sustainability, transport and access.

ONE Central Coast Community Strategic Plan

The ONE Central Coast Community Strategic Plan 2018-2028 was adopted by Council in February 2022. It is a 10 year plan which outlines key strategic priorities and the strategies and activities to achieve the community's desired outcomes for the future.

These goals are informed by five key themes being:

1. Belonging
2. Smart
3. Green
4. Responsible
5. Liveable

The proposed development aligns with a series of Council's strategic planning goals, notably objective 14 which states –

- Provide a range of housing options to meet the diverse and changing needs of the community including adequate affordable housing.

The proposal will allow for additional affordable housing that increases the diversity and choice for seniors housing for the community within the Central Coast LGA.

6.5 State Environmental Planning Policy (Housing) 2021

6.5.1 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 has been prepared which makes various recommendations and there are Identified Requirements recommended in the Activity Determination which deal with 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
108A – Development to which Division applies This Division applies to development for purposes of senior housing involving the erection of a building on land - (a) on which development for purposes of seniors housing is permitted with consent under another environmental planning instrument, or	The development is permissible with consent within the R2 Low Density Zone under the CCLEP 2022.

Provision	Compliance
(b) in a prescribed zone	The site is zoned R2 which is a prescribed zone in accordance with Part 5, Division 1, Clause 79 of the Housing SEPP.
108B – Seniors housing permitted without development consent (1) Development to which this Division applies may be carried out by or on behalf of the Land and Housing Corporation without development consent if -	
(a) the Land and Housing Corporation has considered the applicable development standards specified in sections 84(2)(c)(iii), 85, 88, 89 and 108, and	Consideration of the standards is provided in Table 5 & 6 below.
(b) will not result in a building with a height of more than 9.5 m, and	The maximum proposed building height is 7.8m.
(c) the development will result in more than 40 dwellings on the site.	The development is for 12 dwellings on the site.
(2) State Environmental Planning Policy (Transport and Infrastructure) 2021, sections 2.15 and 2.17 apply to the development and, in the application of the clauses –	Sections 2.15 and 2.17 of State Environmental Planning Policy (Transport and Infrastructure) 2021 not applicable to the site or development.
(a) a reference in section 2.15 to “this Chapter” is taken to be a reference to this section, and	Noted.
(b) a reference in the sections to a public authority is taken to be a reference to the relevant authority.	Noted.
108C – Requirements for carrying out seniors housing (1) Before carrying out development to which this Division applies, a relevant authority must –	
(a) request the council to nominate a person or persons who must, in the council’s opinion, be notified of the development, and	Advice was sought from Central Coast Council regarding additional persons or properties that should be notified of the development via an email sent to Council on 29 August 2022. Council provided a response on 12 September 2022 advising that the notification map is satisfactory. Advice was sought again on 8 February 2023 to confirm Council were still satisfied with the proposed scope of notification due to the lapse in time between initial advice and proposed notification. Council provided a response on 7 March 2023 advising that the notification map is satisfactory.
(b) give written notice of the intention to carry out the development to – (i) the council, and (ii) the person or persons nominated by the council, and (iii) the occupiers of adjoining land, and	A letter notifying Central Coast Council of the proposed development activity was sent by LAHC on 10 March 2023. 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 via email dated 10 May 2023 and raised no objections to the proposed development. One submission was received from adjoining occupier. Comments on the submissions are provided in Section 6.2 of this REF.

Provision	Compliance
(d) take into account the relevant provisions of the Seniors Living Policy: Urban Design Guidelines for Infill Development, published by the Department in March 2004, and	Refer to checklist in Appendix N and sub-section 6.5.2Error! Reference source not found. of this REF. These conclude that the development complies with all relevant development standards relating to the <i>Seniors Living Policy: Urban Design Guidelines for Infill Development</i> with the exception of the minor variations discussed in subsection Error! Reference source not found.6.5.3 of this report. In these cases, suitable alternatives are proposed which are necessary due to site specific constraints.
(d1) if the relevant authority is the Aboriginal Housing Office — consider the relevant provisions of the Aboriginal Housing Design Guidelines, published by the Aboriginal Housing Office in January 2020, and	Not applicable.
(e) if the relevant authority is the Land and Housing Corporation — consider the relevant provisions of — (i) Good Design for Social Housing, published by the Land and Housing Corporation in September 2020, and (ii) the <i>NSW Land and Housing Corporation Design Requirements</i> , published by the Land and Housing Corporation in February 2023, and	Refer to section 6.5.4 and 6.5.5 and the Architect's Statement and Certificate of Building Design Compliance in Appendix L which indicate that the design requirements have been considered.
(f) consider the design principles set out in Division 6	Consideration of these principles is discussed in Table 9 .Error! Reference source not found.
(2) In this section, a reference to the council is a reference to the council for the land on which the development is proposed to be located.	Noted.
108D - Exempt development Development for purposes of landscaping and gardening is exempt development if it is carried out by or on behalf of the Land and Housing Corporation in relation to seniors housing	Noted.
108E - Subdivision of seniors housing not permitted Development consent must not be granted for subdivision of seniors housing.	No subdivision proposed.

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 the **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
<p>84 Development standards – general</p> <p>(2) Development consent must not be granted for development to which this section applies unless –</p> <p>(a) the site area of the development is at least 1,000m², and</p> <p>(b) the frontage of the site area of the development is at least 20m measured at the building line, and</p> <p>(c) for development on land in a residential zone where residential flat buildings are not permitted –</p> <p>(i) the development will not result in a building with a height of more than 9.5m, excluding servicing equipment on the roof of the building, and</p>	<p>Not applicable to LAHC developments.</p> <p>Not applicable to LAHC developments.</p> <p>Proposed development is in R2 low density residential zone where residential flat buildings are not permitted.</p> <p>The proposed development is 7.8m high.</p>

<p>(ii) if the roof of the building contains servicing equipment resulting in the building having a height of more than 9.5m — the servicing equipment complies with subsection (3), and</p> <p>(iii) if the development results in a building with more than 2 storeys — the additional storeys are set back within planes that project at an angle of 45 degrees inwards from all side and rear boundaries of the site.</p>	<p>Not applicable.</p> <p>Not applicable. Proposed development is two storey only.</p>
<p>85 Development standards for hostels and independent living units</p> <p>(1) Development consent must not be granted for development for the purposes of a hostel or an independent living unit unless the hostel or independent living unit complies with the relevant standards specified in Schedule 4.</p> <p>(2) An independent living unit, or part of an independent living unit, located above the ground floor in a multi-storey building need not comply with the requirements in Schedule 4, sections 2, 7–13 and 15–20 if the development application is made by, or by a person jointly with, a social housing provider.</p> <p>Note — Development standards concerning accessibility and usability for residential care facilities are not specified in this Policy. For relevant standards, see the Building Code of Australia.</p>	<p>The proposed development complies with all the standards specified in Schedule 4 as demonstrated in Table 7 below.</p> <p>Noted.</p>
<p>88 Restrictions on occupation of seniors housing</p> <p>(1) Development permitted under this Part may be carried out for the accommodation of only the following —</p> <ul style="list-style-type: none"> (a) seniors or people who have a disability, (b) people who live in the same household with seniors or people who have a disability, (c) staff employed to assist in the administration and provision of services to housing provided under this Part. <p>(2) Development consent must not be granted under this Part unless the consent authority is satisfied that only the kinds of people referred to in subsection (1) will occupy accommodation to which the development relates.</p>	<p>An Identified Requirement no. 74 is recommended to achieve compliance.</p> <p>An Identified Requirement no. 74 is recommended to achieve compliance.</p>
<p>89 Use of ground floor of seniors housing in business zones</p>	<p>Not applicable. The proposed development is in an R2 low density residential zone.</p>

Table 6 Non-Discretionary standards for Independent Living units (Section 108)

Development Standard	Required	Comment
Building Height:	9.5m or less	Compliant. Maximum height 7.8m.
Density and Scale:	Floor Space Ratio 0.5:1 or less	Non-compliant. 0.59:1, however non-compliance does not result in any adverse impacts on adjoining properties or the streetscape (refer discussion below).
Landscaped Area:	Minimum 35m ² per dwelling (12 x 35m ² = 420m ²)	Compliant. 634m ²
Deep Soil Zone:	Minimum 15% of area of site (15% x 1,688m ² = 253.2m ²)	Compliant. 420m ² (27%)
	Minimum 65% (165m ²) to be preferably located at rear of site where possible	Compliant. 267m ² provided at rear of site.
	Minimum dimension 3m	Compliant. Minimum dimension 3m.
Solar Access:	% of living areas & main private open space to receive minimum 2 hrs direct solar access between 9 am and 3 pm at mid-winter	Compliant. 75% of living areas >3hrs 75% of POS areas >3hrs
Private Open Space:	Ground level:	
	Minimum 15m ² per dwelling	Compliant. Ground floor units >15m ²
	One area minimum 3m x 3m, accessible from living area	Compliant. Minimum 3m dimension.
	Upper level/s: 1 bedroom: Minimum 6m ² Minimum dimensions 2m	Compliant. Minimum 9m ² Minimum 2m
	2 or more bedrooms: Minimum 10m ² Minimum dimensions 2m	Minimum 12m ² Minimum 2m
Car parking:	Minimum 1 car parking space for each 5 dwellings (LAHC concession) – 2 car parking spaces required	Compliant. 8 car parking spaces for 12 dwellings, including 2 accessible parking spaces.

Non-Compliance with FSR Standard

The development proposes a total gross floor area (GFA) of 1,004m² calculated in accordance with the Seniors SEPP definition. This translates to an FSR of 0.59:1 and represents an exceedance by 0.09 to the 0.5:1 FSR development standard provided in clause 108(2)(c).

In this instance it is considered that the density of the development is still appropriate and compatible with the development site and locality. That is, despite this exceedance, it is considered the bulk and scale of the proposed development is compatible with the emerging character of the locality, maintains appropriate visual

relationships with the existing area, will not adversely affect the streetscape, skyline or landscape, and does not give rise to any impacts on the amenity of adjacent properties in terms of privacy, solar access or view loss and the works will not constrain the ability of adjacent sites to be redeveloped.

The variation is acceptable as the proposed development is not incongruous in its surroundings. The design has implemented a range of measures as follows:

- the design responds to the existing topography of the site hence the built form sits below the street level and reduces visual impact on streetscape ;
- windows and balconies are facing to the front street and rear of the site, and screened to mitigate minor privacy impacts;
- significant landscaping within the site to break up hard surfaces and building bulk;
- proposed development retains the existing vegetation along the edges of the site including within adjoining properties and the road reserve and new street trees are proposed to maintain the current streetscape and to blend into the character of the area;
- materials and finishes including cladding, brick walls and sheet metal roofing are similar to the materials and finishes of existing recent development in the street with a variety of materials used for wall sheeting, balcony balustrades and external privacy screens to add visual interest to the development;
- ensuring dwellings could be provided with a high level of amenity demonstrated through compliance with the Seniors Housing design standards prescribed by the HSEPP, e.g. high levels of solar access, ventilation, accessibility;
- the proposed development is residential in nature and therefore is unlikely to generate unreasonable levels of noise and disturbance;
- the proposed development sits within a compliant envelope, with setbacks and height meeting Housing SEPP and DCP requirements;
- a portion of the gross floor area is dedicated to multiple common circulation and entry areas which help to break up the built form and reduce the number of households using each entry point. This design feature makes the development more socially intimate and also ensures the built form is divided into elements with proportions that create interest and aesthetic appeal in the streetscape; and
- the additional floor space does not contribute to excessive bulk and scale.

The above measures illustrate that the development has appropriately considered the context of the site and has been designed to complement its surroundings. The proposal exceeds the minimum landscaped area, private open space and deep soil requirements, which ensures the development makes a positive contribution to the streetscape and general locality.

The proposed development will also not generate any significant adverse amenity impacts on surrounding properties in terms of overlooking or overshadowing. No solar impact to the built form will be generated to development west of the site. Solar access to the private open space of the majority of adjoining sites is maintained throughout most of the day in mid-winter. The proposal therefore generates no unacceptable solar impacts to surrounding development and the minor numerical non-compliance in relation to FSR is appropriate.

The proposed development accommodates the variation to FSR without impacting side setback and building separation between adjacent development. Adequate side setbacks are provided to mitigate overlooking and privacy impacts with perimeter landscaping to be implemented to further soften the built form.

The development is consistent with the principles of the Housing SEPP in that it:

- contributes to the increase in supply of suitable accommodation for seniors;
- meets the current and future accommodation needs of the Central Coast's ageing population;
- provides seniors accommodation close to existing infrastructure and services;
- is well located to public transport connections; and
- does not affect any heritage assets.

The proposed exceedance of the floor space ratio therefore has no environmental impact, with the development increasing the supply of seniors housing whilst positively contributing to the streetscape and surrounding area.

6.5.2 Development standards for Accessibility

Consideration of the development standards for accessibility set out in section 85 and Schedule 4 is demonstrated in **Table 7** below (Note: where referenced 'subject to identified requirement' in the table, refer to Schedule 1 in *Activity Determination*).

It should be noted that pursuant to section 85(2), LAHC is exempt from the siting standards for wheelchair access and access to common area / facilities set out below in relation to a unit or part of a unit that is located above the ground floor in a multi-storey building.

Table 7 Accessibility and useability standards [Schedule 4]

Development Standard (Schedule 4)	Required	Proposal / Compliance
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	100% of ground floor units have accessible paths of travel in accordance with AS 1428.1 to the front boundary. Compliance indicated as per the submitted Accessibility Report prepared by Accessibility Solutions.
'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 AS 1428.1 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 AS 1428.1	The common area at the rear has accessible paths of travel in accordance with AS1428.1. This has been verified by the Access Report in Appendix G and further details will be provided with Construction Documentation. The common area at the front is a landscaped area and not for active or passive use.

Development Standard (Schedule 4)	Required	Proposal / Compliance
3. Security:		
Pathway lighting	Pathway lighting to be designed and located to avoid glare for pedestrians and adjacent dwellings and to provide min 20 lux at ground level	Low level lighting along the entry pathways to be confirmed with construction documentation.
4. Letterboxes:		
	To be lockable, located in central location adjacent to street entry or in one or more central locations on a hard standing area and have wheelchair access and circulation by a continuous path of travel (as per AS 1428.1)	The plans indicate that letterboxes will be installed in one location adjacent to Cutler Drive street entry on hardstand areas. Compliance indicated as per the submitted Accessibility Report prepared by Accessibility Solutions.
5. Private car accommodation:		
Disabled car parking	Car parking spaces must comply with the requirements for parking for persons with a disability set out in AS 2890 and at least 5% of the total number of car parking spaces (or at least 1 space if there are fewer than 20 spaces) must be designed to enable the width of the spaces to be increased to 3.8m	Two accessible car parking spaces are provided, which meet the requirements of AS 2890.6 The accessible spaces are 2400mm in width and adjoin a shared 2400mm width area, satisfying accessibility requirements of AS 2890.6. This has been verified by the Access Report in Appendix G .
Garages	Must have power-operated door or there must be a power point and an area for motor or control rods to enable a power-operated door to be installed at a later date	Not applicable, as the proposal does not incorporate garages.
6. Accessible entry		
Every entry, whether front entry or not:	Must comply with clauses 4.3.1 and 4.3.2 of AS 4299	The plans confirm that the entry doorway landings for each dwelling provide 1550mm x 1550mm minimum circulation space with 530mm minimum latch side clearance in accordance with AS 4299. The internal unit foyer areas also provide at least 1650mm x 1550mm circulation space with the required 530mm latch side clearance in accordance with AS 4299 and the Housing for Seniors Policy. This has been verified by the Access Report in Appendix G .

Development Standard (Schedule 4)	Required	Proposal / Compliance
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 meet the minimum 1000mm width. The plans indicate internal corridors on the accessible ground and first floor areas of units is 1240mm.</p> <p>Circulation spaces will be required to comply (refer to Identified Requirement No 76).</p> <p>This has been verified by the Access Report in Appendix G and will be confirmed with Construction Documentation.</p>
8. Bedroom Note: consideration only required for ground floor units in accordance with clause 85(2)		
	At least one bedroom within each dwelling must have:	
	(a) an area sufficient to accommodate a wardrobe and a bed sized as follows:	
	(i) in the case of a dwelling in a hostel-a single - size bed,	Not applicable.
	(ii) in the case of a self-contained dwelling - a queen size bed, and	Complies.
	(b) a clear area for the bed of at least:	
	(i) 1,200mm wide at the foot of the bed, and	Complies.
	(ii) 1,000mm wide beside the bed between it and the wall, wardrobe or any other obstruction, and	Complies.
	(c) 2 double general power outlets on the wall where the head of the bed is likely to be, and	Will be required to comply (refer to Identified Requirement No.73).
	(d) at least 1 general power outlet on the wall opposite the wall where the head of the bed is likely to be, and	Will be required to comply (refer to Identified Requirement No.73).
	(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	Will be required to comply (refer to Identified Requirement No.73).
	(f) wiring to allow a potential illumination level of at least 300 lux	Will be required to comply (refer to Identified Requirement No.73).

Development Standard (Schedule 4)	Required	Proposal / Compliance
9. Bathroom 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:	All bathrooms within all dwellings comply with circulation requirements as per AS 1428.1.
	(a) a slip-resistant floor surface,	Will be required to comply (refer to Identified Requirement No.73).
	(b) a washbasin with plumbing that would allow, either immediately or in the future, clearances that comply with AS1428.1	Will be required to comply (refer to Identified Requirement No.73).
	(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,	Will be required to comply (refer to Identified Requirement No.73).
	(d) a wall cabinet that is sufficiently illuminated to be able to read the labels of items stored in it,	Will be required to comply (refer to Identified Requirement No.73).
	(e) a double general power outlet beside the mirror	Will be required to comply (refer to Identified Requirement No.73).
	The requirement under item (c) does not prevent the installation of a shower screen that can easily be removed to facilitate future accessibility	Noted
10. Toilet Note: consideration only required for ground floor units in accordance with clause 85(2)		
	A dwelling must have at least 1 toilet on the ground (or main) floor and be a visitable toilet that complies with the requirements for sanitary facilities of AS4299	All dwellings will be provided with a visitable toilet within the combined bathroom / laundry that complies with AS 4299. This has been verified by the Access Report in Appendix G and will be confirmed with Construction Documentation.
11. Surface finishes Note: consideration only required for ground floor units in accordance with clause 85(2)		
	Balconies and external paved areas must have slip-resistant surfaces	Will be required to comply (refer to Identified Requirement No.73).

Development Standard (Schedule 4)	Required	Proposal / Compliance
12.. Door Hardware Note: consideration only required for ground floor units in accordance with clause 85(2)		
	Door handles and hardware for all doors (including entry doors and other external doors) must be provided in accordance with AS4299	Will be required to comply (refer to Identified Requirement No.73).
13. Ancillary Items Note: consideration only required for ground floor units in accordance with clause 85(2)		
	Switches and power points must be provided in accordance with AS4299	Will be required to comply (refer to Identified Requirement No.73).
15. Living and dining room 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	All living rooms comply with circulation requirements.
	(b) a telephone adjacent to a general power outlet.	Will be required to comply (refer to Identified Requirement No.73).
	A living room and dining room must have wiring to allow a potential illumination level of at least 300 lux	Will be required to comply (refer to Identified Requirement No.73).
16. Kitchen 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	All units comply with kitchen circulation requirements.
	(b) a width at door approaches complying with clause 7 of this Schedule, and	All units comply with door approach requirements.
	(c) the following fittings in accordance with the relevant subclauses of clause 4.5 of AS4299:	Will be required to comply (refer to Identified Requirement No.73).
	(i) benches that include at least one work surface at least 800mm in length that comply with clause 4.5.5 (a),	Will be required to comply (refer to Identified Requirement No.73).
	(ii) a tap set (see clause 4.5.6),	Will be required to comply (refer to Identified Requirement No.73).
	(iii) cooktops (see clause 4.5.7), except that an isolating switch must be included,	Will be required to comply (refer to Identified Requirement No.73).
	(iv) an oven (see clause 4.5.8), and	Will be required to comply (refer to Identified Requirement No.73).
	(d) "D" pull cupboard handles that are located towards the top of below-bench cupboards and towards	Will be required to comply (refer to Identified Requirement No.73).

Development Standard (Schedule 4)	Required	Proposal / Compliance
	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	Will be required to comply (refer to Identified Requirement No.73). Will be required to comply (refer to Identified Requirement No.73).
17. Access to kitchen, main bedroom, bathroom and toilet Note: consideration only required for ground floor units in accordance with clause 85(2)		
	In a multi-storey self-contained dwelling, the kitchen, main bedroom, bathroom and toilet must be located on the entry level	Not applicable, as dwellings are not multi-storey.
18. Lifts in Multi storey buildings Note: consideration only required for ground floor units in accordance with clause 85(2)		
	In a multi-storey building containing separate independent living units on different storeys, lift access must be provided to dwellings above the ground level of the building by way of a lift complying with clause E3.6 of the Building Code of Australia.	The development proposes a lift to access all levels and all units. This has been verified by the Access Report in Appendix G and will be confirmed with Construction Documentation.
19. Laundry 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 AS1428.1 Will be required to comply (refer to Identified Requirement No.73). Complies. Will be required to comply (refer to Identified Requirement No.73). Will be required to comply (refer to Identified Requirement No.73).
20. Storage for Linen Note: consideration only required for ground floor units in accordance with clause 85(2)		
	A self-contained dwelling must be provided with a linen storage in accordance with Clause 4.11.5 of AS 4299	Linen storage will be available in all of the proposed dwellings. This has been verified by the Access Report in Appendix G and will be

Development Standard (Schedule 4)	Required	Proposal / Compliance
		confirmed with Construction Documentation.
21. Garbage		
	To be provided in accessible location	A bin storage area have been provided at the pedestrian entries of the site facing Cutler Drive with circulation space to enable wheelchair access. This has been verified by the Access Report in Appendix G and will be confirmed with Construction Documentation.

6.5.3 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
3.27 Vary the driveway surface material to break it up into a series of smaller spaces? (e.g. to delineate individual dwellings)	Driveways and paths are concrete to meet LAHC maintenance and durability requirements. Parking is not allocated to individual units, therefore delineation of car parking spaces is not considered necessary.
3.29 Provide gates at the head of driveways to minimise visual 'pull' of the driveway	Driveway gates to common parking areas are not consistent with the LAHC Design Standards for maintenance reasons. Landscaping for the length of the driveway and at the rear and side of the communal parking area is considered sufficient to minimise visual 'pull' of the proposed driveways.

6.5.4 Good Design for Social Housing

Good Design for Social Housing establishes the 4 key goals and their underpinning principles to delivering better social housing outcomes for NSW.

Clause 108B (e)(i) of the Housing SEPP requires LAHC to consider the relevant provisions of the Good Design for Social Housing policy (September 2020) when assessing a proposed seniors housing development under Chapter 3 Part 5, Division 8 of the Housing SEPP.

The following assessment against the Good Design for Social Housing demonstrates that the proposed development has adequately considered the goals and principles outlined. Each goal is individually addressed below:

Wellbeing

The design provides a high level of accessibility for residents of all dwellings and permits adaptation to allow for the changing needs of tenants over time, allowing them to age in place.

All units have substantial areas of private open space, with attractive gardens, predominately planted with low maintenance native species to attract bird life without requiring regular watering.

Ample parking is provided to residents and pedestrian access throughout the site and is highly accessible.

The design achieves a high BASIX/NatHERS score and as such provides appropriate thermal comfort year-round (**Appendix J & M**). Furthermore, solar panels will be installed to reduce operating costs of the units.

The external appearance of the development is attractive and will present well in the streetscape, while also responding well to the overall built character of the locality. The proposal includes high quality landscaping and outdoor areas to enhance the site amenity for residents and the streetscape.

Safe access is provided from the car park to entries of the building. The units have been designed to ensure residents have privacy and feel safe.

Belonging

The proposed development will make a high quality contribution to the streetscape and is of comparable quality and character to surrounding private dwellings. The proposed development is consistent with newer style developments in the Wyong locality.

The dwellings makes use of high quality, low maintenance materials and utilises a neutral colour palette which together will maintain the visual appeal of the dwellings overtime.

Substantial landscaping is provided to the site, including large deep soil areas to enable the establishment of gardens of significant size and canopy tree cover which can be appreciated from both within and outside the development.

The mixed unit sizing caters to the needs of a diverse range of tenants and meets the requirements for seniors housing to cater for seniors and their household members.

Each unit has been designed to include an easily identifiable front entrance.

The development includes a mix of 1 and 2 bedroom units which allows a variety of tenants to be accommodated.

Value

The scheme will incorporate sustainable features including insulation, glazing, clothes lines, native plantings, solar panels, ceiling fans, water efficient fittings, abundant natural light, natural cross ventilation and is a design that can be modified to accommodate the changing needs of tenants.

Materials have been chosen for their durability and ease of sourcing to allow for easy replacement and to minimise operating costs.

The yield is compatible with the planning provisions and the capability of the site, whilst providing a comfortable space for tenants and the wider community.

Collaboration

The proposal is of a scale and character that assists with place making, by enduring integration with the surrounding development.

Collaboration with a number of stakeholders has been undertaken during the design and assessment process, with the development shaped by input from a wide range of consultants and stakeholders, including Central Coast Council.

6.5.5 Land and Housing Corporation Design Requirements 2023

The Land and Housing Corporation Design Requirements (LAHC Design Requirements) (February 2023) are used to inform the design and development of the LAHC social housing portfolio. These requirements apply to

all new LAHC developments and are driven by tenant wellbeing, design quality, environmental performance and operational effectiveness within cost parameters.

Clause 108B (e)(ii) of the Housing SEPP requires LAHC to consider the relevant provisions of the Land and Housing Corporation Design Requirements when assessing a proposed residential housing development under Chapter 3. Part 5, Division 8 of the Housing SEPP.

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

6.5.6 Housing SEPP Design Principles

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

Table 9 Response to Design Principles (Part 5, Division 6)

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	N/A The proposal 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	The proposal is generally compatible in form, scale and character with more contemporary residential development in the Wyong locality. Contemporary residential development in the locality is suggestive of a transition of character in the Wyong suburb and likely future development. High quality finishes and the well-considered design of the development add to the identity of the locality.
(c) complement heritage conservation areas and heritage items in the area, and	The site is not within a heritage conservation area and contains no heritage items. Further, there are no heritage items within proximity of the site.
(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	The building setbacks are consistent with the streetscape character of the locality and are consistent with Central Coast DCP 2022 requirements. Further building setbacks allow for substantial landscape plantings, providing amenity for both residents and the streetscape. The building height is compliant and does not result in an excessive bulk and does not lead to unreasonable overshadowing of adjacent sites. The built form respects and follows the topography of the site, without the need for excessive cut and fill. The

Design Principle	Response
	<p>proposed development is of a scale commensurate with other nearby dwellings.</p> <p>The proposal does not locate buildings directly upon the boundaries.</p> <p>The street front buildings will be two storey with the bulk of the development broken up through the use of a variety of materials and finishes, extensive landscaping, open space areas and appropriate setbacks.</p>
(e) set back the front building on the site generally in line with the existing building line, and	Setbacks will maintain existing predominate building lines and patterns of setbacks which is consistent with Central Coast DCP 2022 requirements.
(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 represents a positive outcome for the streetscape.</p> <p>Retention of mature trees within the front setback will reduce the visual impact of the proposed development. In addition, planting of mature trees, shrubs and groundcovers will further soften the visual impact of the proposed development.</p> <p>Native species have been chosen to complement existing vegetation within the surrounding locality.</p> <p>New native street tree planting of three mature trees will be provided to Cutler Drive providing immediate improvements the visual quality of the streetscape as well as future canopy cover to mitigate urban heating. Refer to the submitted Landscape Plan in Appendix B.</p>
(g) retain, wherever reasonable, significant trees, and	Nine trees within and adjacent to the site are identified for retention in accordance with the recommendations of the Arboriculture Impact Assessment report. This includes a significant Sydney Blue Gum (<i>Eucalyptus saligna</i>) located within the front setback area. The built form has been designed to ensure the retention of this significant tree. 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 or adjacent to a riparian zone.
Visual and acoustic privacy [Section 100]	
Seniors housing should be designed to consider the visual and acoustic privacy of adjacent neighbours and residents by – (a) using appropriate site planning, including considering the location and design of windows and balconies, the use of screening devices and landscaping, and	Visual and acoustic privacy within the development and to adjacent properties is provided and maintained through the strategic use of privacy screens, obscure glazing, considered window and balcony locations, plantings and boundary fencing.
(b) ensuring acceptable noise levels in bedrooms of new dwellings by locating them away from driveways, parking areas and paths.	Bedrooms are predominately located away from paths and parking to maintain acceptable noise levels.

Design Principle	Response
Solar access and design for climate [Section 101]	
<p>The design of seniors housing should –</p> <p>(a) for development involving the erection of a new building – provide residents of the building with adequate daylight in a way that does not adversely impact the amount of daylight in neighbouring buildings, and</p> <p>(b) involve site planning, dwelling design and landscaping that reduces energy use and makes the best practicable use of natural ventilation, solar heating and lighting by locating the windows of living and dining areas in a northerly direction.</p>	<p>The design and siting of the proposed development will provide adequate daylight access to living areas and private open spaces and the living areas and private open spaces of adjoining properties.</p> <p>70% of the proposed dwellings will receive a minimum of 3 hours sunlight between 9am and 3pm on June 21 to their living area. 67% achieve at least 3 hours of sun to their private open space in mid-winter.</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 Appendix A).</p> <p>Landscaping will also assist in microclimate management.</p>
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 Council requirements.</p> <p>Impervious surfaces have been minimised in the design to reduce the potential impact from stormwater. Hard surfaces have been minimised in private garden areas and landscaping and porous paving has been maximised in these locations.</p> <p>Site stormwater will be drained as shown on the submitted stormwater drainage plans and incorporates on-site detention and a rainwater tank.</p> <p>(Refer to the submitted stormwater drainage plans at Appendix C).</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. Units 1,2, 3, 4 and 12 also have habitable rooms, living areas and/or balconies facing Cutler Drive providing casual surveillance of the street.</p> <p>The design of the proposed development will allow for general surveillance of all common areas, particularly Units 3, 9, 11 and 12.</p> <p>CCTV surveillance of the sites and surrounds will be provided as part of the development.</p> <p>All areas of private space are fenced to delineate between public and private. Secure entry is provided to</p>

Design Principle	Response
	the building and glazed, sliding entry doors allow for the observation of outside by tenants, without having to open the door.
Accessibility [Section 104]	
Seniors housing should — (a) have obvious and safe pedestrian links from the site that provide access to transport services or local facilities, and (b) provide attractive, yet safe, environments for pedestrians and motorists with convenient access and parking for residents and visitors.	<p>The proposed development is well located with safe pedestrian links within and adjacent to the site that provide access to transport services / local facilities and will provide an attractive and safe environment for pedestrians and motorists with convenient access to car parking areas for residents.</p> <p>The provided access report (refer to Appendix G) demonstrates compliance with the site being within 400m of facilities and services or within 400m of transport 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> <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 and visitors and the development.</p> <p>Upgrade to the footpaths and kerb of Cutler Drive is required for compliance with the SEPP. Refer to the Access Report attached in Appendix G for confirmation.</p>
Waste management [Section 105]	
Seniors housing should include waste facilities that maximise recycling by the provision of appropriate facilities.	<p>Waste and recycling bays are provided to comply with the requirements of Central Coast Council. These are designed to be hard wearing and easy to maintain, while being somewhat unobtrusive within the scheme.</p> <p>Planting has been provided to help garbage/recycling areas have minimal visual impact.</p>

6.6 Other State Environmental Planning Policies

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

Table 10 Compliance with other applicable State and Environmental Planning Policies

State Environmental Planning Policy	Applicability
SEPP (Building Sustainability Index: BASIX) 2004	A BASIX Certificate has been obtained for the development proposal, as required under the SEPP (refer to Appendix J).
SEPP (Transport and Infrastructure) 2021	The site is located in close proximity to a State Classified Road and a rail corridor. Cutler Drive adjoins the Pacific Highway, a State Road, to south east of the proposed

State Environmental Planning Policy	Applicability
	development and a rail corridor running parallel to the state road. The proposed development is located approximately 300m from the Pacific Highway and 325m from the rail corridor. As per the 'Development near rail corridor and busy roads – interim guidelines' the proposed development is not impacted by noise and vibration, and does not have direct line of sight from the state road. Therefore, no acoustic assessment is required. Further, the proposed development is not defined as traffic generating development.
SEPP (Biodiversity and Conservation) 2021	<p>Clause 2.6(1) of this SEPP requires a permit from Council for clearing of vegetation required under the policy. The proposed development seeks the removal of 10 trees (refer to Arboricultural Report at Appendix I).</p> <p>Notwithstanding, Clause 6 of Housing SEPP specifies that development permitted without consent may be carried out without another consent or a licence, permission, approval or authorisation otherwise required under another environmental planning instrument. This means the proposed removal of trees within the site can be included within the REF scope and does not require a permit from Council.</p> <p>An assessment of the proposed tree removal has been undertaken within section 4.2 of this REF.</p>
SEPP (Resilience and Hazards) 2021	<p>The site is located within a developed residential area of Wyong. The s10.7 planning certificates have not identified the sites as potentially contaminated (refer to Appendix F).</p> <p>Standard requirements include implementation of management measures in the event of unexpected finds and potential contamination during construction works. This is discussed further in section 8 of this REF.</p>

6.7 Other Legislation

The **Table 11** below outlines compliance and applicability with other relevant State and Commonwealth legislation.

Table 11 Other applicable legislations

Legislation	Applicability
National Construction Code (NCC)	<p>A Building Code of Australia Compliance Assessment Report has been prepared, the primary purpose of which was to identify the non-compliance matters contained in the proposed design philosophy against the current Deemed-to-Satisfy (DTS) Provisions of the BCA and to provide compliance.</p> <p>Recommendations to overcome the DTS non-compliances, to be addressed at Building Certification stage. Refer to Appendix K.</p>
Contaminated Land Management Act 1997	The 10.7 Planning Certificates stipulate that there are no matters prescribed by Section 59(2) of the Contaminated Land Management Act 1997 to be disclosed.

6.8 Central Coast Local Environmental Plan 2023 (CCLEP 2022)

The applicable local planning instrument for the site is Central Coast LEP 2022 (CCLEP 2022). The site is zoned R2 Low Density Residential, wherein 'seniors housing' is permissible.

The relevant objectives of the R2 zone, as set out in CCLEP 2022 are:

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

The proposed development provides new housing comprising 1 & 2-bedroom units to meet the needs of the ageing community. The proposed development complies with the height and floor space area controls in the LEP and has been designed to be compatible within the low-density residential environment.

Compliance with the relevant provisions / development standards set out in the CCLEP 2022 is demonstrated in **Table 12** below.

Table 12 Central Coast Local Environmental Plan 2022

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.	The subject site is not mapped on the Height of Buildings map.
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. The site is not mapped as containing a maximum floor space ratio on the Floor Space Ratio Map.	The subject site is not mapped on the Floor Space Ratio map.
7.1	Acid Sulfate Soils	Development consent is required for the carrying out of works described in the table to this subclause on land shown on the Acid Sulfate Soils Map as being of the class specified for those works.	The site is classed as Class 5 Acid Sulfate Soils. An Acid Sulfate Soil Assessment was prepared for the site by STS Geotechnics Pty Ltd (Appendix J) that concluded the proposed development has a surface elevation of approximately RL 15 to 17m AHD and that proposed construction will not intercept any ASS in the area nor cause lowering of any groundwater.

6.8.1 Central Coast Development Control Plan 2022

Central Coast Development Control Plan 2022 (CCDCP 2022) 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 CCDCP 2022 have generally been addressed in the various sections of this REF that address compliance with the provisions of the Housing SEPP.

Table 13 Blacktown Development Control Plan 2015

Chapter 2.2 Dual Occupancy and Multi Dwelling Housing		
Clause	Requirement	Proposed
2.2.4.3 Site Coverage	For all development types that are subject to this chapter a minimum 25% of site area at ground level shall be 'soft' landscaping, excluding all hardstand areas. Private Open space areas and setback areas may be included in this calculation only where these do not include hardstand surfaces.	The development proposes a total landscapes area of 679m ² which equates to greater than 25% of the site area.
2.2.5 Building Setbacks	<p><u>Front setbacks</u></p> <p>Local roads: The average distance of the front setbacks of the nearest 2 dwelling houses having the same primary road boundary and located within 40m of the lot on which the dwelling house is erected, or if 2 dwelling houses are not located within 40m of the lot - 4.5m</p> <p><u>Side setbacks</u></p> <p>i) for any part of the building with a height of up to 4.5m – 0.9m, and</p> <p>ii) for any part of the building with a height of more than 4.5m – 0.9m plus one-quarter of the height of the building above 4.5m</p> <p><u>Rear setbacks</u></p> <p>4.5m</p>	<p>9.5 metre average, which is generally consistent with prevailing setbacks in the street. The articulation of front building alignment acts to reduce building bulk and provides opportunity for north facing communal open space provision.</p> <p>3m</p> <p>6m</p> <p>5m to balconies</p>
2.2.7.4 Common Open Space	<p>a) Communal open space is to be provided for developments with more than ten dwellings</p> <p>b) Communal open space shall be provided in no more than two locations at a minimum rate of 10 square metres per dwelling and with a minimum width of 5 metres.</p> <p>c) The location and design of communal open space shall:</p> <p>i) protect the privacy of adjoining dwellings</p> <p>ii) provide for both sunlight access and shaded areas</p>	<p>The development proposes two areas of common open space associated with common landscaped areas.</p> <p>The development proposes a common open space in the rear of the development. The common open space at the front is a drafting error and just landscaped area, not for active or passive use.</p> <p>Common open space areas have been designed to increase the amenity of</p>

Chapter 2.2 Dual Occupancy and Multi Dwelling Housing		
	<p>iii) be usable and accessible to all occupants iv include landscaping works and planting</p>	<p>residents whilst providing privacy to adjoining dwellings.</p>
2.2.10.3 Deep Soil	<p>A minimum 50% of the required soft landscaped area of the site at ground level shall be a deep soil zone. This may be achieved by optimising the retention provision of consolidated deep soil zones within a site by:</p> <p>i the design of any basement and sub-basement car parking, so as not to fully cover the site;</p> <p>ii the use of setbacks for deep soil planting. Planting should be selected and located to minimise negative impacts on adjoining properties.</p>	<p>The development proposes a total area of 515m² deep soil zone which exceeds the required 50% of the proposed landscaped area.</p> <p>The car park is located within the ground floor of the development, with part of the car parking area located beneath the first floor of the building and has been incorporated into the topography of the site.</p> <p>Further, landscaping for the site has been thoughtfully considered to best achieve environmental benefits for the site and surrounds. Landscaping on site proposes a mix of native trees, shrubs and ground covers. The development also seeks to retain a number of existing mature trees. Planting of deep soil zoning will therefore enhance the developments environmental benefits.</p>

7 Notification, Consultation and Consideration of Responses

Copies of the notification letters sent to the local council and to the adjoining occupiers are provided in **Appendix E**, together with copies of all responses received and a record of any verbal responses.

7.1 Council Notification

In accordance with section 108C of the Housing SEPP, Central Coast Council was notified of the development by letter dated 10 March 2023 (refer to **Appendix E**). The notification response period formally closed on 3 April 2023 and Council responded to the notification by letter dated 4 April 2023. The Council raised no objection to the proposed development.

7.2 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 29 August 2022 Council provided an email response on 12 November 2022 advising that the notification map is acceptable to Council. Advice was sought again on 08 February 2023 to confirm Council were still satisfied with the proposed scope of notification due to the time lapsed between initial advice and proposed notification. Council provided a response on 07 March 2023 advising that the notification map is satisfactory.

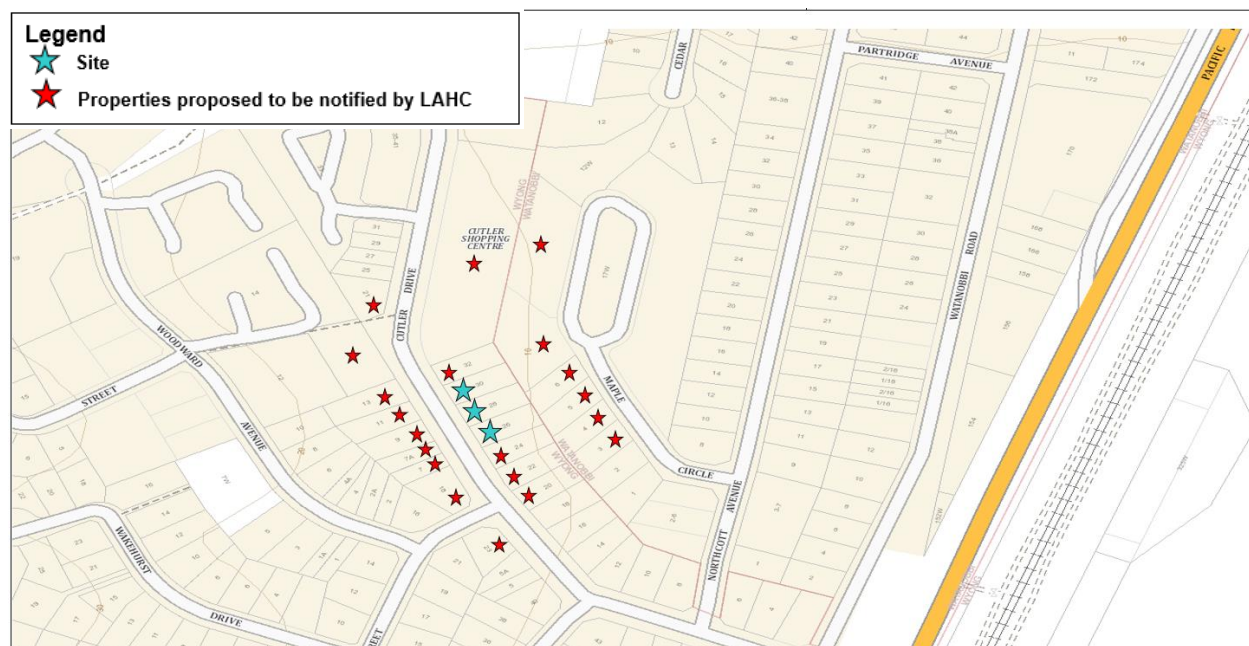


Figure 20 Map of Properties Notified of the Proposed Development (Source: LAHC)

Under section 108C(1)(b) of Housing SEPP, occupiers of adjoining land, as identified in the above map, were notified of the proposed development activity by letter dated 10 March 2023. Copies of the notification letters are provided at **Appendix E**.

The notification response period formally closed on 3 April 2023 and only one submission was received which is discussed below:

Submission	LAHC Response
Laundry facilities <i>Washing machine plumbing and drainage to be similar to the facilities in his current social housing residence.</i>	Each unit is proposed with a combined bathroom and laundry, and will have fittings for a washing machine which is in compliance with the LAHC Design Requirements 2023.
Internet and landline services <i>Provide fixed-line telephone and internet services for each unit as the area will be upgraded from FTTN to FTTP this year.</i>	A provision has been made to install NBN devices as per LAHC Design Requirements 2023.

7.3 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.

7.4 Consultation with Other Public Authorities

Consultation with public authorities was not required under any planning policies or legislation.

8 Review of Environmental Factors

A review of environmental factors associated with the proposed activity, and the measures required to mitigate any adverse impacts to the environment, are provided below.

8.1 Neighbourhood Character

The dominant form of development in the locality is older style detached, single-storey, brick dwellings. These dwellings tend to sit within lightly landscaped and turfed allotments and have predominately tiled, pitched roofs. The character of the area is evolving, with a number of newer, two-storey dwellings, dual occupancy developments and multi-unit developments are interspersed throughout the locality. These dwellings take a more contemporary form and introduce new design features to the area, including flat roofs, rendered finishes and muted grey, brown and white tones.

The proposed housing represents a contemporary, high quality design, which will be an improvement in comparison to the existing dwellings. The use of face brick and metal cladding for external walls and Colorbond metal roofing is consistent with the developing character of the Wyong suburb. The 2-storey design, siting, layout and landscape setting of the proposed development aligns with that of emerging development in the locality.

No mitigation measures are required, as the design of the proposed development is sympathetic to the neighbourhood character, providing setbacks to neighbouring development that are consistent with surrounding dwelling houses. Suitable design treatments, including fencing, landscaping and a considered planting mix ensure the proposal will generate benefits to neighbourhood character.

Mitigation Measures

None required.

8.2 Bulk and Density

The proposed development is consistent with the bulk and scale of surrounding development in the locality of Wyong. The 2-storey buildings incorporate appropriate setbacks distinguished by a variety of articulation features, external finishes and materials to reduce the visual bulk of the development. The development has been designed with suitable façade articulation and roof form to minimise bulk and scale.

The proposal incorporates a maximum height of 7.8m which is generally consistent with a low-density residential area. The 2-storey built form is sympathetic to the surrounding context and is an appropriate response to the desired future character envisaged for the R2 Low Density Residential zone. The proposal incorporates a floor space ratio of 0.59:1 which is a exceedance to the 0.5:1 FSR development standard provided in clause 108(2)(c) of the State Environmental Planning Policy (Housing) 2021 SEPP. It is considered that the density of the development is still appropriate to and compatible with the development site and locality as detailed in the non-compliance justification in Section 6.5.1 above.

Notwithstanding, the proposed development is considered to have a reasonable floor space ratio, be generously setback from all boundaries and will provide expansive deep soil areas, which will all minimise its built form. The proposal includes new plantings of native species, new street tree plantings along Cutler Drive, retention of existing mature trees within the site and in road reserve which further softens the bulk of the development.

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

Mitigation Measures

None required.

8.3 Streetscape

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

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

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

Mitigation Measures

None required.

8.4 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 Cutler Drive setback including new, native canopy trees that will soften the visual impact of dwellings when viewed from the public domain. Furthermore, new street trees are proposed along Cutler Drive, which will both provide additional canopy and shade to the pedestrians and improve the aesthetic quality of the streetscape. The rear and side setbacks will also be heavily landscaped adding to the long-term visual amenity of the surrounding properties and further improving the appearance of the site from the street. The development responds to the existing topography and sits below the street level further reducing the visual impact through minimum cut and fill.

Mitigation Measures

None required.

8.5 Privacy

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

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

Both buildings are setback 3m from side boundaries in accordance with the setback requirements from multi-dwelling developments in the Central Coast Development Control Plan 2022. Rear setbacks are generous, being at a minimum of 5m to balconies and 6m from remaining structure. Finally, the front setback is consistent with the prevailing building line on Cutler Drive and includes substantial landscaping to further mitigate privacy impacts.

The proposed dwellings have been designed in accordance with the requirements of the *Building Code of Australia* for sound and impact transmission so that acceptable noise levels between dwellings and adjoining properties are achieved.

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

Mitigation Measures

None required.

8.6 Solar Access

The design and siting of the proposed development will provide adequate daylight access to the proposed dwellings living areas, private open spaces and the private open space areas of neighbouring properties in accordance with the *Seniors Living Policy: Urban Design Guidelines for Infill Development*. 70% of the proposed dwellings will receive a minimum of 3 hours sunlight between 9am and 3pm on June 21 to their living area. 67% achieve at least 3 hours of sun to their private open space in mid-winter. The proposed development therefore meets the requirement for 70% of dwellings to achieve 3 hours of direct solar access to the living and POS areas on June 21.

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

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

Mitigation Measures

None required.

8.7 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.

The shadow diagrams show that throughout the day shadows will largely be contained within the subject site, with very small incursions into 24 Cutler Drive to the south between 1.00pm and 3.00pm. The favourable orientation of the site and surrounding properties means that north facing windows are unaffected by the proposal and overall all adjacent properties will continue to receive substantial areas of sunlight to their private open spaces, in excess of three hours, at mid-winter.

Mitigation Measures

None required.

8.8 Traffic & Parking

A total of 8 at-grade car parking spaces for residents, including 2 accessible spaces, will be available on site to serve the proposed development. The provision of on-site car parking exceeds the parking requirements set out in the Housing SEPP for developments carried out by LAHC by 5 spaces. This increased car parking provision is considered appropriate and will ensure standard car parking demands are contained within the development. As such, this proposed provision is considered acceptable and would result in a public benefit, thereby improving the amenity of other residents in the locality.

Unrestricted street parking is available on Cutler Drive directly adjacent to the site to accommodate any overflow parking demand generated by the proposed development.

The Traffic and Parking Assessment Report prepared by APEX Engineers (**Appendix R**) indicates that the traffic generation potential of the proposal is considered to be minor and not expected to have any noteworthy impact on the existing traffic operations on Cutler Drive. Any increase can be accommodated within the capacity of the existing local street network.

The Traffic and Parking Assessment examined the adequacy of the internal driveway and confirmed the proposed design is suitable based on an assessment of projected vehicle movements. The proposed development is only expected to generate 5 peak hour vehicle trips (less at other times) and 26 daily trips, which is considered minimal and unlikely to eventuate into any noticeable impacts on the local road network.

The Traffic and Parking Assessment Report examined the adequacy of the proposed internal design. The assessment confirmed that the internal configuration of the car park areas have been suitably designed and are generally compliant with the relevant design requirements. The swept path assessments carried out revealed sufficient manoeuvrability conditions for vehicles using the proposed car park.

Mitigation Measures

Identified Requirements (No. 10, 11 & 12) have been recommended to ensure appropriate construction of vehicular access and parking on site.

8.9 Flora and Fauna

An Arboricultural Impact Assessment has been prepared for the site by Creative Planning Solutions (**Appendix I**). The report considers 19 trees, which are located either within the subject site or within 5m of the site boundaries.

The report recommends the removal of 10 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 also recommends retention of 9 existing trees (Tree Nos. 1, 2, 3, 7, 8, 10, 11, 13 & 15) of which 6 are site trees, 2 occur on a neighboring property and 1 is located within the street verge.

Tree Nos. 4, 5, 6, 9, 16, 17, 18, 19, 20 & 21 are either located within the construction zone or the TPZ/SRZs are unsustainably impacted by the proposed building footprint, its driveways or parking areas.

Trees 17, 18, 19 and 21 are exempt from protection under the provisions of Chapter 3.5 – Tree and Vegetation Management of the Central Coast DCP 2022 due to either species or size classification.

More appropriate replacement planting of tree species are 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

Retained trees are to be protected in accordance with the recommendations and General Tree Protection Specification contained within the Arboricultural Impact Assessment (refer **Appendix I** and Identified Requirement No. 36).

8.10 Heritage (European / Indigenous)

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

Aboriginal Heritage

An Aboriginal Heritage Information Management System (AHIMS) search, dated 07 February 2023 (**Appendix H**) did not find any record of Aboriginal Sites or Places on the site or in the surrounding locality and the site is considered to be disturbed land. Consideration of the *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales*, determined that no additional investigation was warranted. Discovery of cultural material during development activities cannot be ruled out, however, an identified requirement has been applied should any Aboriginal relics be discovered on the site during excavation/construction.

Other Cultural Heritage

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

Mitigation Measures

A Identified Requirement (No. 46) has been applied should any cultural heritage relics be discovered on the site during excavation / construction.

8.11 Soils / Contamination / Acid Sulfate Soils / Salinity

Geotechnical

A Geotechnical Investigation, prepared by STS Geotechnics Pty Ltd indicates the following:

- The subsurface conditions generally consist of topsoil and fill overlying silty clayey sands and silty clays. Topsoil was encountered to approximate depths of 0.2 to 0.4 metres. A layer of fill was encountered below the topsoils from 0.2 to 0.7 metres. Medium dense silty clayey sands and stiff and very stiff silty clays underlie the topsoil and fill to depths of 3metres. Hand auger refusal occurred in BH5 at a depth of 0.7 metres.
- No groundwater was observed in the boreholes during the fieldwork.

Contamination

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

Mitigation Measures

A 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 CLEP2022.

Clause 7.1 of CLEP 2022 requires an Acid Sulfate Soil Management Plan for works on Class 5 Land that is within 500m of adjacent Class 1-4 Land below 5m AHD and by which the water table on adjacent Class 1-4 Land is likely to be lowered by 1m AHD.

An Acid Sulfate Soil Assessment was prepared for the site by STS Geotechnics Pty Ltd (**Appendix O**) that concluded the proposed development has a surface elevation of approximately RL 15 to 17m AHD. No groundwater was encountered during drilling operations. The report concluded that proposed construction will not intercept any ASS in the area nor cause lowering of any groundwater.

Mitigation Measures

No mitigation measures are required.

Salinity

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

Mitigation Measures

No mitigation measures are required.

8.12 Drainage / Flood Prone Land / Hydrology/ Water Quality

Stormwater drainage for the proposed development has been designed in accordance with Council's requirements. Stormwater will be collected via a series of stormwater pits and gutters on the site connected to an underground detention tank. Roof water will be collected from downpipes and connected to an underground rainwater tank for recycling with overflow connected to the underground detention tank. Stormwater will be connected to the existing network in Maple Circle via a proposed easement for drainage over 6 Maple Circle.

The Section 10.7(2) & (5) Planning Certificates issued by Council for the subject site indicate that the land is not subject to flood related development controls.

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

Mitigation Measures

Identified Requirements (Nos. 6-9, 14, 42, 43 & 72) have been recommended to ensure that stormwater drainage is managed in accordance with legislative requirements.

8.13 Bushfire Prone Land

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

Mitigation Measures

No mitigation measures are required.

8.14 Noise and Vibration

During Demolition / Construction

During demolition/construction typical noise levels associated with demolition/ building works will be generated within the hours prescribed 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/local council requirements.

Buildings will be constructed to comply with the deemed-to-comply provisions of the *National Construction Code*.

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

8.15 Air Quality

Temporary and localized 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 (Nos. 61, 64 & 65) have been applied that will satisfactorily mitigate any potential or adverse impacts on air quality.

8.16 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

As per the Waste Management Plan prepared by Barry Rush & Associated Pty td, 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:

- Excavation material will be kept and topsoil reused for landscaping.
- Timber is to be reused for formwork and studwork. Remaining timber is to be chipped for use in landscaping.
- Concrete is to be crushed for the temporary driveway.
- Bricks/pavers are to be cleaned and lime mortar bricks are to be reused for fill.

- Metal is to be transported to metal recyclers for sale and reuse.
- Glass is to be transported to recycling waste contractors.
- Fixtures, fittings, floor coverings and residual waste are to be transported to an approved landfill site.
- Packing (used pallets, pallet wrap) and containers (cans, plastic, glass) are to be transported to an approved recycling facility.
- Hazardous waste such as asbestos is to be removed by an approved asbestos contractor.
- Garden organics are to be separated with some chipped and stored on site for reuse on landscaping.

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:

- Timber is to be chipped for landscaping. Remaining timber is to be sent to an approved crushing and recycling company.
- Concrete, bricks and tiles are to be used for fill behind retaining walls and on driveways. Remaining material is to be sent to an approved crushing and recycling company.
- Metal is to be transported to metal recyclers for sale and reuse.
- Plasterboard offcuts are to be returned to the manufacturer for recycling.
- Fixtures, fittings, floor coverings, packaging and residual waste are to be transported to an approved landfill site.
- Containers and paper/cardboard are to be transported to an approved recycling facility.

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 (Nos. 48-56) are recommended to ensure construction/demolition waste is appropriately managed and disposed of.

An Identified Requirement (No. 37) is recommended to require the preparation of a final waste management plan for the demolition, construction and occupation phases of the development.

8.17 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.

8.18 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 Central Coast local government area and surrounding area wherein the expected waiting time for a 1 bedroom dwelling in Wyong is 5-10 years and for a 2 bedroom dwelling is 10+ years, as at 30 June 2022 (NN20 Wyong Allocation Zone);
- as per the data available on NSW Dept. of Communities and Justice website, *there are more than 1000 people on general waitlist and more than 100 people on priority waitlist*, as at 30 June 2022;
- 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.

8.19 Economic Impact

The proposed development is likely to contribute to a range of economic benefits in the Central Coast Local Government Area 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.

8.20 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.

9 Conclusion

9.1 Summary of Key Issues Raised in Assessment

Given its scale, location and design, the proposed activity 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 consistent with the relevant objectives and standards set out in the Housing SEPP, CCLEP 2022, and the design principles and better practices set out in the relevant guidelines.

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

The proposed development will enable LAHC to meet the increasing demand for 1 and 2 bedroom seniors housing dwellings in the local area. Therefore, the proposed development is clearly in the public interest.

9.2 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 **Activity Determination**.

10 Appendices

APPENDIX A – ARCHITECTURAL PLANS

APPENDIX B – LANDSCAPE PLAN

APPENDIX C – CIVIL & STRUCTURAL PLANS

APPENDIX D – SURVEY PLANS

APPENDIX E – NOTIFICATION PLANS, SCOPE OF NOTIFICATION & SUBMISSIONS

APPENDIX F – SECTION 10.7 CERTIFICATES LOT 23 TO 25 DP 234632

APPENDIX G – ACCESS REPORT

APPENDIX H – AHIMS SEARCH RESULT

APPENDIX I – ARBORICULTURAL IMPACT ASSESSMENT

APPENDIX J – BASIX CERTIFICATE

APPENDIX K – BCA REPORT

APPENDIX L – DESIGN COMPLIANCE CERTIFICATES

APPENDIX M – NatHERS CERTIFICATE

APPENDIX N – HOUSING FOR SENIORS CHECKLIST

APPENDIX O – GEOTECH REPORT

APPENDIX P – TITLE SEARCH AND DP

APPENDIX Q – WASTE MANAGEMENT PLAN

APPENDIX R – TRAFFIC IMPACT ASSESSMENT