

REVIEW OF ENVIRONMENTAL FACTORS

Proposed Seniors Housing Development

at

62-66 Pank Parade, Blacktown NSW 2148

Lots 46, 47 and 48 in Deposited Plan 32163

Job no. BGYPX

November 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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Postal address: Locked Bag 5022, Parramatta NSW 2124

W www.dpie.nsw.gov.au

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DOCUMENT CONTROL REGISTER

The following register documents the preparation and issue of this Part 5 Review of Environmental Factors (REF), prepared by Barker Ryan Stewart for the New South Wales Land and Housing Corporation.

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2	17.05.2023	v2	LAHC edits	All
3	29.05.2023	v3	Report updated following LAHC comments	All
4	30.06.2023	v4	Report updated following revised plans	All
5	22.08.2023	v5	Changes to Section 6.8.1, 7.1 and Section 8.12	51,53 & 64
6	26.10.2023	V6	Final Edits	All

DOCUMENT SIGN-OFF


REF Prepared by:

Having prepared the Review of Environmental Factors:

I have declared any possible conflict of interests (real, potential, or perceived) to the Acting 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 Acting Head of Policy and Innovation, NSW Land and Housing Corporation as soon as I become aware of a possible conflict of interest.


Name:	Ashlee Ryan		
Designation:	Senior Town Planner – Barker Ryan Stewart		
Signature:		Date: 24.08.2023	

REF Peer reviewed by:

I certify that I have reviewed this Review of Environmental Factors:

Name: Rajlaxmi Kshirsagar

Designation: Planner, Portfolio Services

Signature:		Date: 26/10/2023
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REF Reviewed and Endorsed by:


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

Name:	Carolyn Howell	
Designation:	Manager, Planning and Assessment, Portfolio Services	
Signature		Date: 9 November 2023

REF Authorised for Issue by:

I certify that I have reviewed and endorsed the contents of this REF 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 Acting, 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 Acting, 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: 10 November 2023

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1 Executive Summary

The subject site is located at 62-66 Pank Parade, Blacktown, and is legally described as Lots 46, 47 and 48 in Deposited Plan 32163.

The proposed seniors housing development is described as follows:

Demolition of existing dwellings and structures, removal of trees, and the construction of 12 independent living seniors housing units comprising 6 x 1 bedroom and 6 x 2 bedroom units, with associated landscaping and fencing, surface parking for 6 cars, and consolidation of 3 lots into a single lot.

The proposed activity being seniors housing is permissible within the zone and can therefore be carried out by the NSW Land and Housing Corporation (LAHC) as development without consent under the provisions of Chapter 3, Part 5, Division 8 of the State Environmental Planning Policy (Housing) 2021 (Housing SEPP) as it does not result in more than 40 dwellings on the site and does not exceed 9.5 metres in height.

Demolition has been considered as part of the proposed activity. Demolition is permitted with consent under the provisions of the applicable local environmental planning instrument (Blacktown Local Environmental Plan 2015) and is therefore permitted without consent under the provisions of the Housing SEPP.

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

The REF demonstrates the following:

- from an analysis of the potential environmental impacts associated with the proposed activity, it has been concluded that the preparation of an Environmental Impact Statement is not required;
- based on a review of the potential environmental impacts resulting from the proposed activity it has been determined that, subject to implementation of mitigation measures to be incorporated as identified requirements, the activity will not have any significant adverse impact on the environment;
- the proposed activity will not have any effect on matters of national significance and its approval under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999 is not required;
- the design of the proposed activity has adequately taken into account design principles and better practices set out in the Seniors Living Policy: Urban Design Guidelines for Infill Development and taken into consideration Good Design for Social Housing and LAHC's Dwelling Requirements;
- the site planning and design of the proposed activity adequately address the applicable local environmental planning and development controls of Blacktown City 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
- Blacktown City Council and occupiers of adjoining land were notified of the proposed activity under the provisions of Housing SEPP. A response was received from Council dated 16 December 2022. Comments on the response are provided in Section 6.1 of this REF. No submissions were received from occupiers of adjoining land.

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 the activity determination.

2 Introduction

This Review of Environmental Factors (REF) under Part 5 of the Environmental Planning and Assessment Act 1979 (EP&A Act) is for an activity involving the demolition of existing dwellings and structures, removal of trees, and the construction of 12 independent living seniors housing units comprising 6 x 1 bedroom and 6 x 2 bedroom units, with associated landscaping and fencing, surface parking for 6 cars, consolidation of the 3 lots into a single lot at 62-66 Pank Parade, Blacktown.

The activity will be carried out by, or on behalf of, NSW Land and Housing Corporation (LAHC) and is considered '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 Statement of Compliance accompanying this REF certifies that in accordance with the requirements of the EP&A Act, all matters affecting or likely to affect the environment by reason of the proposed activity have been taken into account to the fullest extent possible and the activity will not have a significant impact on the environment.

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

2.1 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 *Blacktown Local Environmental Plan 2015* (BLEP 2015);

- it was determined that seniors housing is 'permitted with consent' in the R2 zoning pursuant to the BLEP 2015, 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 Blacktown local government area (LGA) and comprises 3 residential allotments. A location plan is provided at **Figure 1**

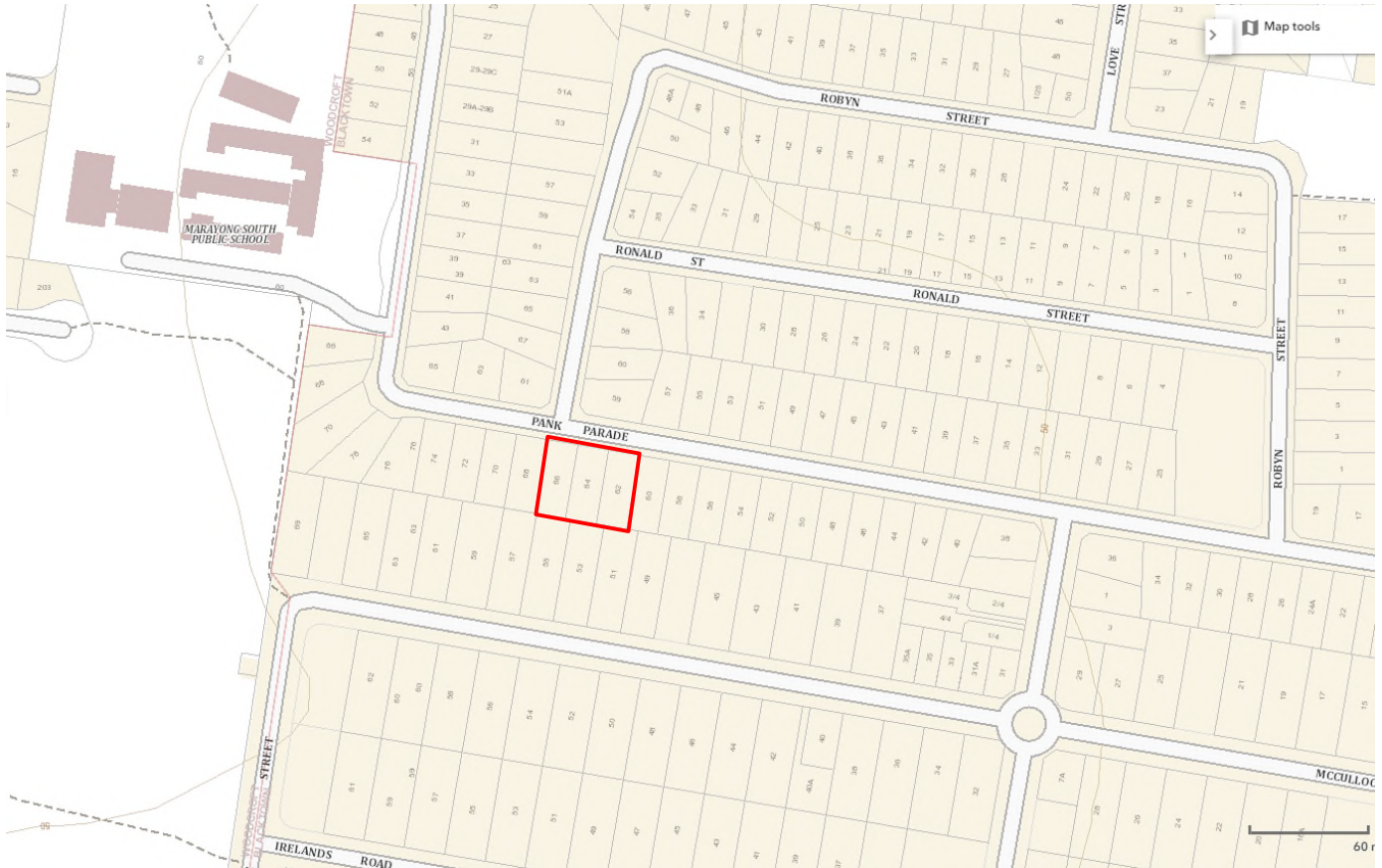


Figure 1: Location Plan (Source: SIX Maps)

The site is currently occupied by 3 single storey fibro and weatherboard clad dwellings with sheet metal roofs (refer to photographs at **Figure 2, 3 & 4**).



Figure 2: Development site – 62 Pank Parade (Source – BRS)



Figure 3: Development site – 64 Pank Parade (Source – BRS)



Figure 4: Development site – 66 Pank Parade (Source – BRS)

The property immediately to the east (60 Pank Parade) contains a single-storey weatherboard cladding with tile roof dwelling house (refer photograph at **Figure 5**). The property to the west (68 Pank Parade) contains a single-storey weatherboard cladding with sheet metal roof dwelling house (refer to photograph at **Figure 6**).



Figure 5: Adjoining development – 60 Pank Parade (Source – BRS)



Figure 6: Adjoining development – 68 Pank Parade (Source – BRS)

3.2 Site Description

Copies of the Section 10.7(2) & (5) Planning Certificates (Nos 46/32163, 47/32163 and 48/32163) dated 2 May 2023 are provided in **Appendix F**.

The site has a total area of 1669.2m², a frontage to Pank Parade of 45.72m, side (eastern) boundary of 36.540m, side (western) boundary of 36.525m and rear (southern) boundary of 45.72m (refer to the submitted Contour and Detail survey Plan in **Appendix D**).

The site falls from the rear (southern) boundary down toward the front (northern) boundary approximately 0.6m. An easement for stormwater drainage is not required.

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

There are 27 trees located within the site, 3 trees on the neighbouring property to the south and 2 trees on the adjacent Pank Parade road reserve. Refer to Arboricultural Impact Assessment and Tree Management Plan report in **Appendix J**.

Water, sewer, electricity and telephone facilities are available to the site (refer to the submitted Contour and Detail Survey Plan for the location of available services at **Appendix D**). Water, and telephone services are located along the road alignment of Pank Parade. Sewer services are located along the front boundary. Overhead electricity services are located on either side of Pank Parade. Both 62 and 66 Pank Parade are serviced by an overhead line located within the road boundary. Electricity services for 64 Pank Parade are located along the opposite side of Pank Parade.

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

3.3 Neighbouring Development and Locality

The site is located within an established residential area which is characterised by older style single storey detached dwelling houses of weatherboard cladding and fibro 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 **Figure 7, Figure 8, Figure 9, Figure 10, Figure 11 and Figure 12**).



Figure 7: More recent two story brick development at London Street (south east of the site) (Source – Google Maps)



Figure 8: More recent two story, dual occupancy brick development at London Street (south east of the site) (Source – Google Maps)



Figure 9: More recent two story brick development at McCulloch Street (south east of the site) (Source – Google Maps)



Figure 10: More recent dual occupancy development at Robyn Street (north east of the site) (Source – Google Maps)



Figure 11: More recent two story medium density brick development at London Street (south east of the site) (Source – Google Maps)



Figure 12: More recent medium density development at Robyn Street (north west of the site) (Source – Google Maps)

There are numerous bus stops located within proximity of the site. Two bus stops are located on either side of Pank Parade within walking distance to the site. One bus stop is located directly opposite 62 Pank Parade and another is located directly in front of 68 Pank Parade. Walking distance to the bus stops is up to 42m (refer to the Long Section Surveys provided at **Appendix D**). These stops are serviced by Sydney Buses Network Route 753, which is a loop service connecting Blacktown to Doonside via Marayong and Quakers Hill including train stations and local centres in these areas.

Surrounding land uses are predominantly residential with other surrounding land uses including open space, community based land uses, commercial and industrial development. The site is within close proximity to open space including Doonside Crescent Bushland Reserve to the south west, a children's playground to the north east and Mary Reserve to the north east. Commercial and industrial development is located approximately 2km to the east and north east of the site, accessible via the road and rail network and Sydney Buses Network Route 753. Scattered services are located within the residential area surrounding the site including a medical centre, hair salon and cafes/restaurants. The site is also located within walking distance of the Marayong South Primary School.

4 Project Description

The proposed activity is described below.

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 32 trees (refer to **Appendix J**). There are 27 trees located within the site, 3 trees within neighbouring property and 2 trees on the adjacent road reserve. The proposal includes the removal of 25 trees within the property and retention of remaining 7 trees within the property, neighbouring properties and adjacent road reserve.

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 development process and remain stable and viable (refer to submitted Arboricultural Impact Assessment and Tree Management Plan in **Appendix J**).

More appropriate tree plantings, including trees capable of reaching mature heights of up to 12m, will be provided as part of the proposed landscaping plan to compensate for the loss of these trees (refer to submitted Landscape Plan in **Appendix B**).

4.3 Proposed development

The proposed 2 storey seniors housing development will deliver 12 independent living units, comprised of 6 x 1 bedroom and 6 x 2 bedroom dwellings. A driveway providing access to the communal car parking area is located central within the site, dividing the two proposed built structures. The car park is located within the rear portion of the site. An additional driveway providing access to Unit 8 carport is located along the eastern boundary of the site.

Of the 12 independent living units, 6 (ground floor units) have been designed as liveable units which are capable of being adapted to suit persons with a disability should the need arise in the future.

The proposed housing development represents a contemporary, high-quality design. The use of face brick and metal cladding for external walls and metal roofing is consistent with the existing and developing character of the Blacktown suburb. Of the 12 proposed units 8 will address the street (Units 1, 2, 7 & 8 on the ground floor and Units 4, 5, 10 & 11 on the first floor) with living/dining areas, ground floor private open spaces and first floor balconies facing Pank Parade providing passive surveillance to the street.

Minor cut and fill is proposed to provide a level building platform. Small scale retaining walls are proposed offset from the eastern side and southern rear boundaries, to assist with stability of the site as shown on the Site Plan and Civil Plans (refer to **Appendix A** and **Appendix C**).

A variety of new landscape plantings are proposed to offset the proposed tree removal and enhance the appearance of the site. New plantings will consist of a mixture of new 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 these 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 a living area. A communal open space area is also located at the rear of the site.

A total of 6 surface car parking spaces will be provided on site. A communal parking area located at the rear of the site will provide 5 car parking spaces, including 2 accessible spaces. One adaptable parking space servicing Unit 8 is located along the eastern boundary of the site.

Stormwater will be collected via a series of stormwater pits and gutters on the site connected to an underground onsite stormwater detention (OSD) tank. The OSD tank drains into a proposed kerb inlet pit at the Pank Parade frontage and then into the existing kerb inlet pit at the location of 52 Pank Parade. Roof water will be collected from downpipes and connected to an underground rainwater tank for recycling with overflow connected to the underground OSD tank. Refer to civil plans in **Appendix C**.

Metal fencing is proposed along the side and rear boundaries with a maximum height of 1.8m. Metal fencing is also provided to the private open space areas of each ground floor unit. A combination of brick walls for letterboxes and garbage bin storage areas and aluminium slatted fencing will be provided at the front of the development. The front of the development is orientated to Pank Parade.

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

Figures 13-17 include extracts from the architectural plans illustrating the proposed development.

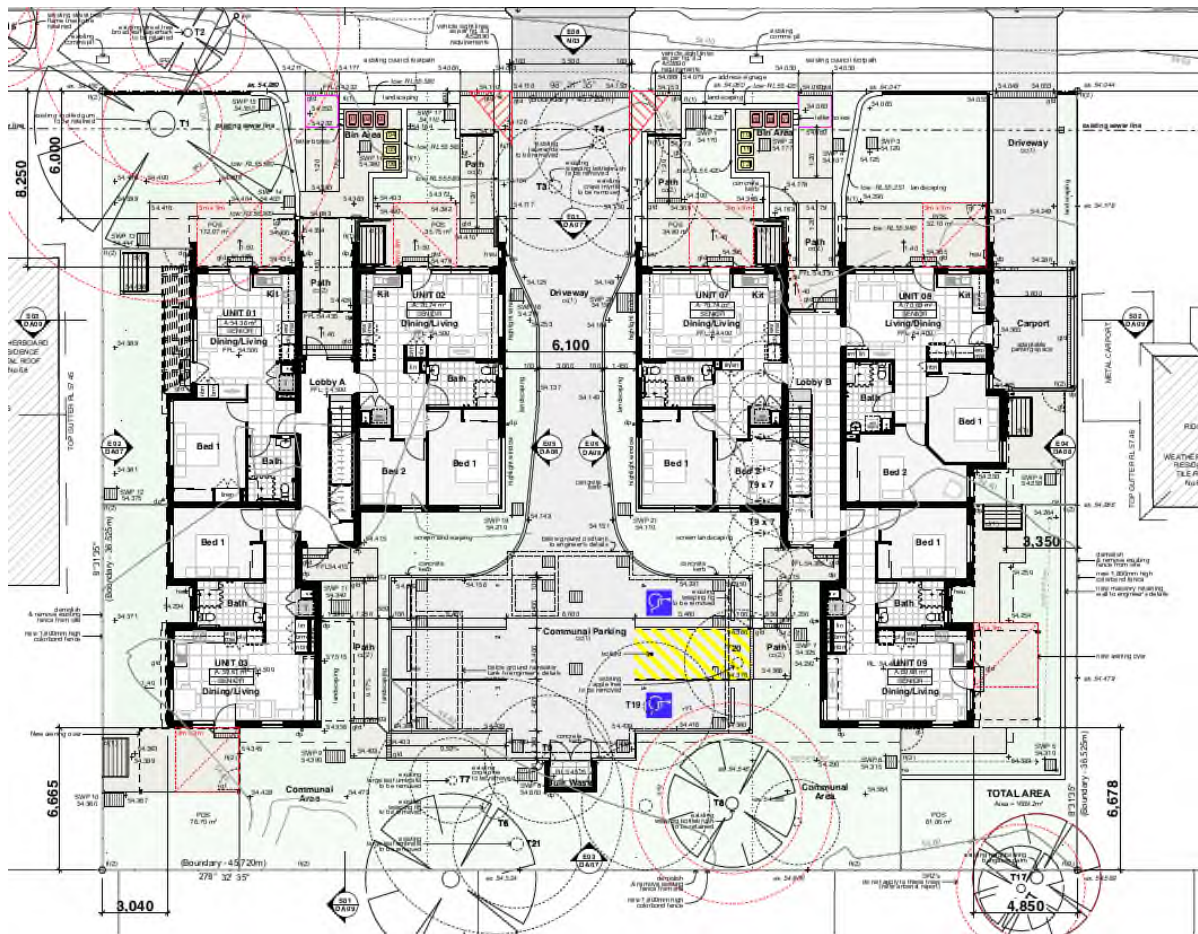


Figure 13: Extract from Architectural Plans – Site Plan (Source: Architectural Plans, Stanton Dahl Architects, dated 23/06/2023)

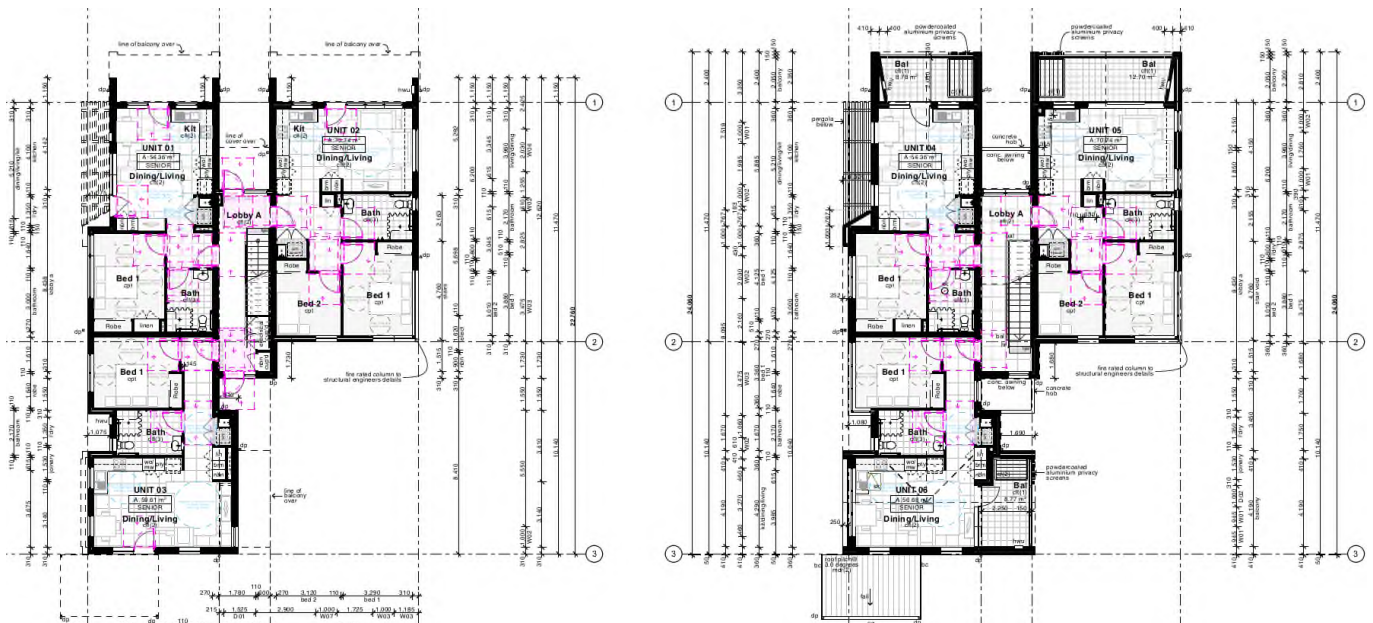


Figure 14: Extract from Architectural Plans – Ground & First Floor Plan (Block A) (Source: Architectural Plans, Stanton Dahl Architects, dated 23/06/2023)

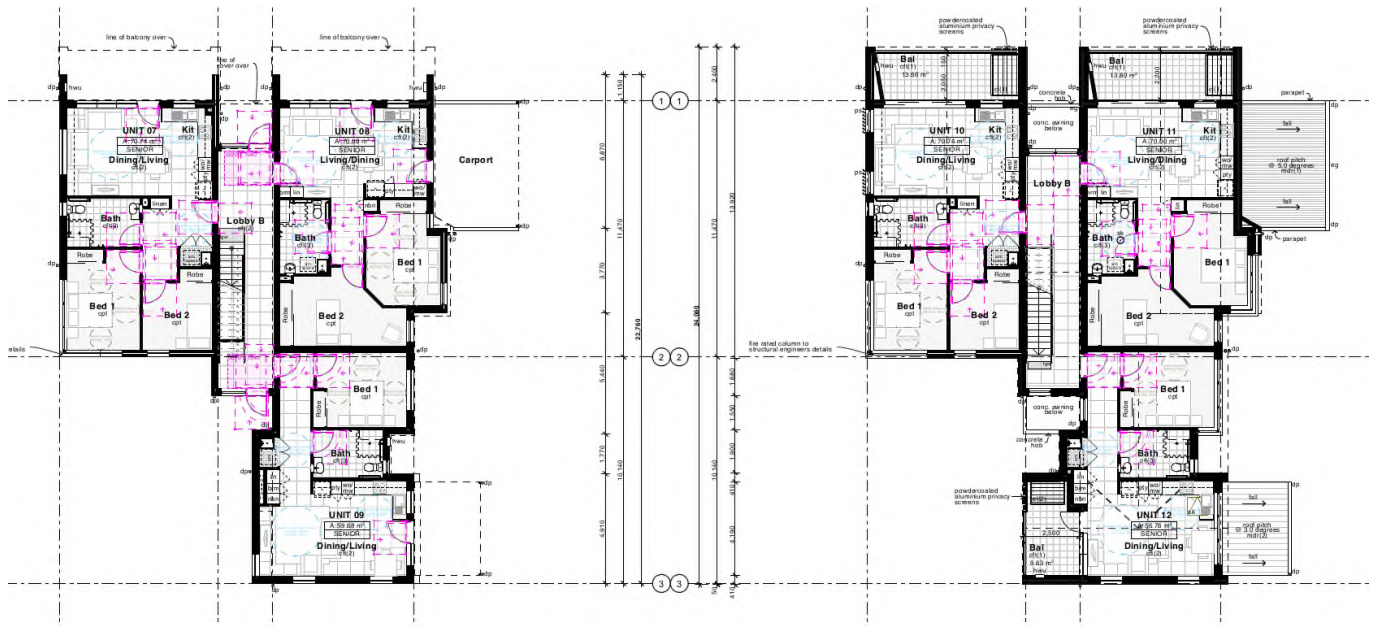


Figure 15: Extract from Architectural Plans – Ground & First Floor Plan (Block B) (Source: Architectural Plans, Stanton Dahl Architects, dated 23/06/2023)



Figure 16: Extract from Architectural Plans – Perspective Images (Source: Architectural Plans, Stanton Dahl Architects, dated 10/11/2022)



Figure 17: Extract from Architectural Plans – Elevations Sheet 1 (Source: Architectural Plans, Stanton Dahl Architects, dated 10/11/2022)

4.4 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				
Coversheet	DA00	2	23.06.2023	Stanton Dahl Architects
Perspective Images	DA01	2	23.06.2023	Stanton Dahl Architects
Site Plan & Block Analysis Plan	DA02	2	23.06.2023	Stanton Dahl Architects
Site & External Works Plan	DA03	2	23.06.2023	Stanton Dahl Architects
Ground & First Floor Plan (Block A)	DA04	2	23.06.2023	Stanton Dahl Architects
Ground & First Floor Plan (Block B)	DA05	2	23.06.2023	Stanton Dahl Architects
Roof Plans (Block A&B)	DA06	2	23.06.2023	Stanton Dahl Architects
Elevations – Sheet 1	DA07	2	23.06.2023	Stanton Dahl Architects
Elevations – Sheet 2	DA08	2	23.06.2023	Stanton Dahl Architects
Streetscape elevation & sections	DA09	2	23.06.2023	Stanton Dahl Architects

Landscape, Deep Soil & GFA Diagrams	DA10	2	23.06.2023	Stanton Dahl Architects
Shadow Diagrams (21 June)	DA11	2	23.06.2023	Stanton Dahl Architects
Shadow Diagrams – View from Sun	DA12	2	23.06.2023	Stanton Dahl Architects
Demolition Plan	DA13	2	23.06.2023	Stanton Dahl Architects
Landscape Plan – Appendix B				
Landscape Plan	L01	6	21.06.2023	Stanton Dahl Architects
Civil Design – Appendix C				
Notes & Legends	C01	7	20.06.2023	Greenview Consulting
Ground Floor Drainage Plan	C02	7	20.06.2023	Greenview Consulting
Site Stormwater Details Sheet 1	C03	7	20.06.2023	Greenview Consulting
OSD Catchment Plan	C04	2	20.06.2023	Greenview Consulting
Notes & Legends	ESM1	2	23.06.2023	Greenview Consulting
Environmental Site Management Plan	ESM2	2	23.06.2023	Greenview Consulting
Contour and Detail Survey – Appendix D				
Contour and Detail Survey Sheet 1	322113-01A-DS01-DS03	A	31.03.2022	Premise
Contour and Detail Survey Sheet 2	322113-01A-DS01-DS03	A	31.03.2022	Premise
Contour and Detail Survey Sheet 3	322113-01A-DS01-DS03	A	31.03.2022	Premise
Contour and Detail Survey Sheet 4	322113-01A-DS01-DS03	A	31.03.2022	Premise
Contour and Detail Survey Sheet 5	322113-01A-DS01-DS03	A	31.03.2022	Premise
Notification Plans – Appendix E				
Cover Page	N01	2	23.06.2023	Stanton Dahl Architects
Site & Landscape Plan	N02	2	23.06.2023	Stanton Dahl Architects
Development Data	N03	2	23.06.2023	Stanton Dahl Architects
Elevations	N04	2	23.06.2023	Stanton Dahl Architects
Schedule of Finishes	N05	2	23.06.2023	Stanton Dahl Architects
Shadow Diagrams	N06	2	23.06.2023	Stanton Dahl Architects
Access Report – Appendix H				
Part 5 Application Access Report	22353	C	23.06.2023	Vista Access Architects
AHIMS Web Search – Appendix I				
AHIMS search	795598		28.06.2023	AHIMS Web Service
Arboricultural Impact Assessment and Tree Management Plan – Appendix J				
Arborist's Impact Assessment and Tree Management Plan	7729	-	29.09.2022	Redgum Horticultural
BASIX – Appendix K				
BASIX Certificate	1334613M_03	3	15.11.2022	Greenview Consulting Pty Ltd
BCA report – Appendix L				
BCA Compliance Assessment	P220145	1	19.12.2022	BCA Vision

NatHERS Certificate – Appendix N

Nationwide house energy rating scheme – class 2 summary	0008084010	-	15.11.2022	Greenview Consulting Pty Ltd
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Geotechnical Investigation Assessment - Appendix P

Geotechnical Investigation Assessment	22/0695	-	March 2022	STS Geotechnics Pty Ltd
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Titles & Deposited Plan – Appendix Q

Deposited Plan 32163	32163	-	-	Infotrack
Title Search – Lot 46	Folio: 46/32163	-	6.10.2021	NSW Land Registry Services
Title Search – Lot 47	Folio: 47/32163	-	6.10.2021	NSW Land Registry Services
Title Search – Lot 48	Folio: 48/32163	-	6.10.2021	NSW Land Registry Services

Waste Management Plan – Appendix R

Waste Management Plan	2793.22	-	23.06.2023	Stanton Dahl Architects
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Traffic Impact Assessment - Appendix S

Traffic and Parking Impact Assessment	22.030r01v03	-	23.06.2023	TRAFFIX
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Section 10.7 Planning Certificates – Appendix F

Lot 46 DP 32163, Cert no. PL2023/05806, dated 02.05.2023 - Blacktown City Council

Lot 47 DP 32163, Cert no. PL2023/05808, dated 02.05.2023 - Blacktown City Council

Lot 48 DP 32163, Cert no. PL2023/05811, dated 02.05.2023 - Blacktown City Council

Notification letters & submissions – Appendix G

Design compliance and checklists – Appendix M

Architect's Certificate of Building Design Compliance – 29/09/2022

Certificate of Landscape Documentation Compliance –15/11/2022

Certificate of Stormwater Documentation Compliance – 27/09/2022

Safety in Design Documentation Compliance Report – 16/11/2022

Housing for seniors checklist – Appendix O

Seniors Living Urban Design Guidelines, LAHC Dwelling Requirements & Good Design for Social Housing, prepared by Stanton Dahl Architects, undated.

5 Zoning and Permissibility

The site is zoned R2 Low Density Residential under *Blacktown Local Environmental Plan 2015* (BLEP 2015), refer to **Figure 18** below. The proposed development is defined as ‘seniors housing’ under the provisions of BLEP 2015 and is permissible with consent in the R2 zone.

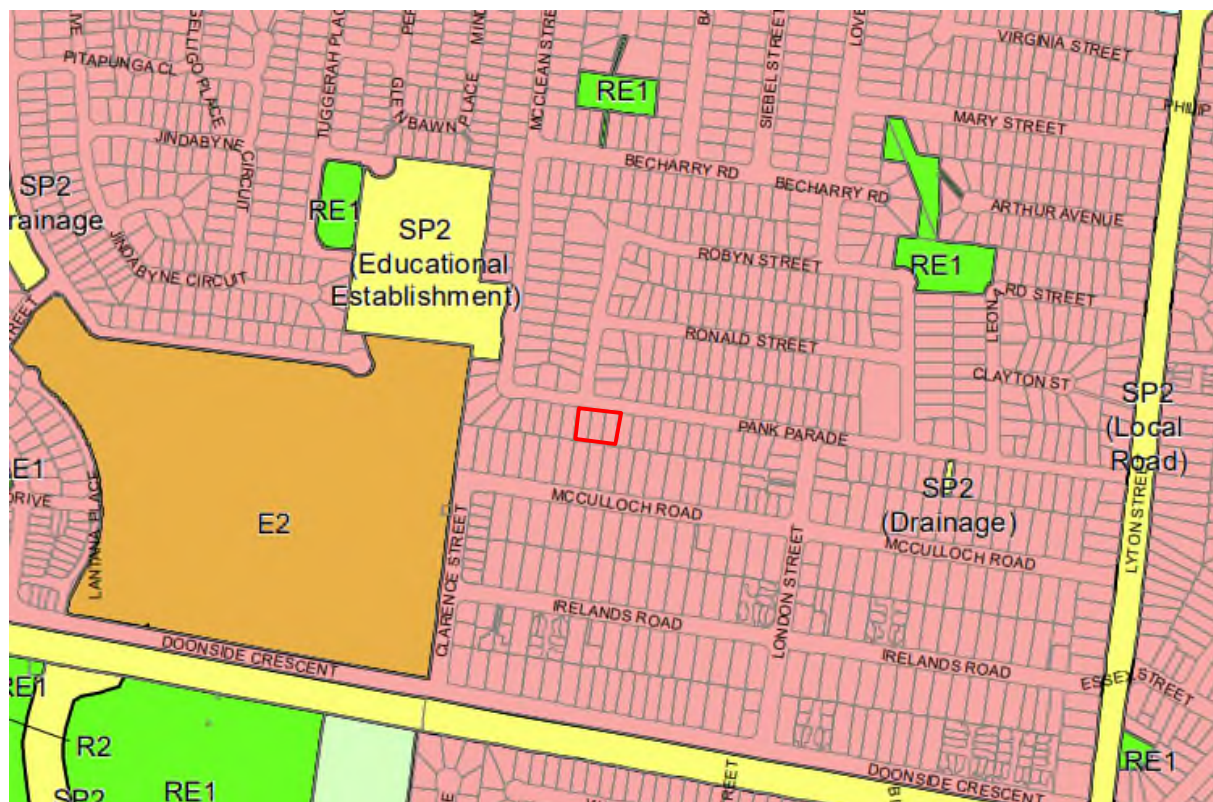


Figure 18 Land zoning map (Source: BLEP 2015, Land Zoning Map Sheet LZN_013)

Seniors housing is permitted in the R2 zone under BLEP 2015, and the subject land is not excluded from the provisions of the Housing SEPP set out under section 80(1)(a)&(b). Therefore, seniors housing is permitted on the subject land with consent under the provisions of the Housing SEPP pursuant to Part 5 Division 1.

The relevant objectives of the R2 zone, as set out in BLEP 2015 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 enable certain activities to be carried out within the zone that do not adversely affect the amenity of the neighbourhood.

The proposed development provides a mix of 1 and 2 bedroom dwellings for seniors in an area of high demand for these dwelling types. The expected waitlist time for social housing in Blacktown for a 1 bedroom dwelling being 5-10 years and for 2 bedroom dwelling 10+ years. The development has also been sympathetically designed to fit within its context and complement the surrounding area and streetscape. The proposal is therefore consistent with the relevant objectives of the R2 zone.

Section 108B of the Housing SEPP permits seniors housing development to be carried out by LAHC as ‘development without consent’ subject to the provisions set out under that clause. Table 4 in subsection 5.1.6 of this REF demonstrates compliance with the relevant provisions of section 108B of the SEPP.

6 Planning and Design Framework

6.1 Environmental Planning and Assessment Act 1979

Duty to consider environmental impact [Section 5.5]

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

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

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

Matters for consideration under sub-section 3 of Section 5.5 of the EP&A Act	
Matter for consideration	Effect of Activity
<p><i>Sub-section 3</i></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.

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 & 3** below have been taken into account in considering the likely impact of the proposed activity on the environment. The table and comments made in this section of the REF are not mutually exclusive and are to be read in conjunction with the other sections of the REF dealing with the environmental impacts of the proposed development activity.

Table 2 Environmental Planning and Assessment Regulation 2021 Section 171

Factors to be taken into account concerning the impact of an activity on the environment.	Comment
Is the activity of a kind for which specific guidelines are in force? If so the factors to be taken into account when considering the likely impact of the activity on the environment are those referred to in the guidelines.	No specific guidelines This does not include guidelines such as the Seniors Living Urban Design Guidelines, that are in force under other legislation or instruments.
Is the activity of any other kind for which general guidelines are in force? If so the factors to be taken into account when considering the likely impact of the activity on the environment are those referred to in those guidelines.	Yes - Department of Planning and Environment issued "Guidelines for Division 5.1 assessments" made under Section 170 of the EPA regulation 2021.

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

Guidelines for Division 5.1 assessments require the following environmental factors to be taken into account	Relevant?	Impact		
	Yes/NA	Temporary	Minor	Significant [Note 1]
(a) environmental impact on the community	Y	x	x	
(b) transformation of a locality;	Y		x	
(c) environmental impact on the ecosystems of the locality;	Y		x	
(d) reduction of the aesthetic, recreational, scientific or other environmental quality or value of a locality;	Y	x	x	
(e) effect on a locality, place or building having aesthetic, anthropological, architectural, cultural, historical, scientific or social significance or other special value for present or future generations;	N/A			
(f) impact on the habitat of protected animals (within the meaning of Biodiversity Conservation Act 2016);	N/A			
(g) endangering of any species of animal, plant or other form of life, whether living on land, in water or in the air;	N/A			
(h) long-term effects on the environment;	Y		x	
(i) degradation of the quality of the environment;	Y	x	x	
(j) risk to the safety of the environment;	N/A			
(k) reduction in the range of beneficial uses of the environment;	N/A			
(l) pollution of the environment;	Y	x	x	
(m) environmental problems associated with the disposal of waste;	Y		x	

(n) increased demands on resources (natural or otherwise) that are, or are likely to become, in short supply;	Y		x	
(o) cumulative environmental effect with other existing or likely future activities.	Y		x	
(p) impact on coastal processes and coastal hazards, including those under projected climate change conditions. [Note 2]	N/A			
(q) applicable local strategic planning statements, regional strategic plans or district strategic plans made under the Act, Division 3.1,	Y discussed below in Section 6.42		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 social benefits of providing affordable housing that meets the needs of the community. The applicable Greater Sydney Regional Plan, Central City District Plan, Local Strategic Planning Statement (LSPS) and Community Strategic Plan are considered below at Section 5.1.5 of this report.

6.4.2 Strategic Planning Framework

Greater Sydney Regional Plan – A Metropolis of Three Cities

The Greater Sydney Region Plan—A Metropolis of Three Cities was adopted in 2018 and “*is built on a vision of three cities where most residents live within 30 minutes of their jobs, education and health facilities, services and great places. This is consistent with the 10 Directions in Directions for a Greater Sydney which establish the aspirations for the region over the next 40 years and are a core component of the vision and a measure of the Plan’s performance.*”

Direction 4 of the regional plan is Housing the City which endeavours to provide residents with housing choice and includes the following objectives:

- Objective 10. Greater housing supply, and
- Objective 11. Housing is more diverse and affordable.

This proposal, which will expand the supply of affordable housing, with 12 new senior housing units, is consistent with these objectives. The site is located within the Blacktown local government area which is part of the Central City District and the details of this plan are provided below.

Our Greater Sydney 2056 Central City District Plan

Our Greater Sydney 2056 Central City District Plan was adopted in March 2018 and covers the local government areas of Blacktown, Cumberland, Paramatta and The Hills. Similar to the main regional strategy the Central City District Plan identifies planning priorities to achieve a liveable, productive and sustainable future for the District, which includes a priority to provide housing supply, choice and affordability, with access to jobs, services and public transport.

The plan states that the District will see a 183% proportional increase in people aged 85 and over, and a 95% increase in the 65–84 age group, by 2036. This means 16% of the District's population will be aged 65 or over in 2036, up from 11% in 2016. This will require more diverse housing opportunities, including medium density housing located in walkable neighbourhoods. This will enable older people to continue living in their community, where being close to family, friends and established health and support networks. This proposal will provide 12 seniors living units which will assist in providing alternative social housing types in an existing residential area.

Blacktown Local Strategic Planning Statement 2020

The Blacktown Local Strategic Planning Statement was endorsed by Blacktown Council in March 2020. It is a 20 year plan that identifies 18 Planning Priorities for the LGA, focused around *“sustainable growth, supported by essential infrastructure, efficient transport, a prosperous economy and equitable access to a vibrant, healthy lifestyle”*.

Notably, Priority 5 seeks to promote a greater housing supply with more diverse and affordable housing options. The proposed development will be contributing 12 seniors living units to the affordable housing supply in the Blacktown LGA. It is diversifying the residential uses in Blacktown LGA by introducing seniors housing options to accommodate the ageing population in the locality and is well serviced by existing public transport options.

The proposed development, of 12 seniors living units contributes to the objectives of the Blacktown Local Strategic Planning Statement, with more density and diversity in housing types and will increase the provision of affordable and seniors living units.

Community Strategic Plan: Our Blacktown 2041

The Our Blacktown 2041 Community Strategic Plan was adopted by Council in June 2022. It is a 10 year plan that outlines 6 strategic directions for the LGA that are derived from an extensive community engagement process, which identified priorities for the community's future. The 6 strategic directions include:

- A vibrant, inclusive and resilient community
- A clean, sustainable and climate resilient city
- A smart and prosperous economy
- A growing city supported by accessible infrastructure
- A healthy, sporting and active city
- A leading city

Under these strategic directions there are key focus areas and subsequent strategies for Council to facilitate in partnership with the community, government agencies and business and indicators to measure progress towards achieving the long term community outcomes.

The proposed development for 12 seniors living units is not in conflict with the Our Blacktown 2041 Community Strategic Plan and will provide new housing supply which supports affordable seniors housing within the LGA.

6.4.3 Activities in Catchments [Section 171A]

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

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

An assessment of these controls on development is provided in **Table 10** of this REF. The assessment concludes that the proposed activity is unlikely to significantly impact the Hawkesbury Nepean Catchment.

6.5 State Environmental Planning Policy (Housing) 2021

6.5.1 Development without Consent

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

Table 4 Compliance with relevant provisions under Chapter 3, 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 Residential zone under the BLEP2015.
(b) in a prescribed zone	The R2 zone is a prescribed zone under the SEPP. Part 5, Division 8 of the SEPP therefore applies.
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 development standards are provided in Tables 5 and 6 below.
(b) will not result in a building with a height of more than 9.5 m, and	The maximum building height is 8.32m to the ridge.
(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 –	

Provision	Compliance
(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 Blacktown City Council regarding additional persons or properties that should be notified of the development via an email sent to Council on 11 August 2022. Council provided a response on 12 August 2022 advising that the extent of notification was considered 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 Blacktown City Council of the proposed development activity was sent by LAHC on 23 November 2022. Letters notifying landowners and occupiers of adjoining land of the proposed development activity were sent by LAHC on the same date.
(c) take into account the responses to the notice that are received within 21 days after the notice is given, and	Council responded to LAHC's notification by letter dated 16 December 2022. Comments on the response are provided in Section 7.1 of this REF. No submissions were received from adjoining owners or occupiers.
(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 O and subsection 6.5.3 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 6.5.1 of this report. In these cases, suitable alternatives are proposed which are necessary due to site specific constraints, site and locality characteristics and specific LAHC design requirements and policies.
(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) <i>Good Design for Social Housing</i> , published by the Land and Housing Corporation in September 2020, and (ii) the <i>NSW Land and Housing Corporation Design Requirements</i> , published by the Land and Housing Corporation in February 2023, and	Refer to Tables 8 & 9 in section 6.5.4 and 6.5.5 and the Architect's Statement and Certificate of Building Design Compliance in Appendix M which indicate that the proposed development is designed in accordance with the LAHC Dwelling requirements 2020. However, this document now repealed by LAHC Design Requirements 2023 which are assessed in section 6.5.5 and found the development generally in compliance with the updated Design Requirements.
(f) consider the design principles set out in Division 6	Consideration of these principles is discussed in Table 11 .
(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.

Provision	Compliance
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
84 Development standards – general (2) Development consent must not be granted for development to which this section applies unless – (a), and (b), and (c) for development on land in a residential zone where residential flat buildings are not permitted – (i), and (ii), and (iii) if the development results in a building with more than 2 storeys – the additional storeys are set back within planes that project at an angle of 45 degrees inwards from all side and rear boundaries of the site.	NA. Proposed development is two storeys only.
85 Development standards for hostels and independent living units (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. (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. 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.	The proposed development complies with relevant standards specified in Schedule 4 as demonstrated in Table 10 below. Noted.
88 Restrictions on occupation of seniors housing (1) Development permitted under this Part may be carried out for the accommodation of only the following – (a) seniors or people who have a disability, (b) people who live in the same household with seniors or people who have a disability,	An Identified Requirement no. 74 is recommended to achieve compliance.

(c) staff employed to assist in the administration and provision of services to housing provided under this Part. (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.	An Identified Requirement no. 74 is recommended to achieve compliance.
89 Use of ground floor of seniors housing in business zones	Not applicable. The proposed development is in an R2 low density residential zone.

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

Development Standard	Required	Comment
Building Height:	9.5m or less	Complies - maximum height 8.32m.
Density and Scale:	Floor Space Ratio 0.5:1 or less	0.52:1, however non-compliance does not result in any adverse impacts on adjoining properties or the streetscape (refer to FSR discussion below).
Landscaped Area:	Minimum 35m ² per dwelling (12 x 35m ² = 420m ²)	Complies - 604m ²
Deep Soil Zone:	Minimum 15% of area of site (15% x 1,669.2m ² = 250.38m ²)	Complies - 412.8m ²
	Minimum 65% to be preferably located at rear of site (65% X 250.38m ² = 162.74m ²)	Complies - 262.7m ²
	Minimum dimension 3m	Complies - Minimum dimension 3m
Solar Access:	70% of living areas & main private open space to receive minimum 2 hrs direct solar access between 9 am and 3 pm at mid-winter	Complies - 75% of living areas and 100% of private open space achieve 2 hours of direct solar access to private open space and living areas between 9am and 3pm mid-winter.
Private Open Space:	Ground level:	
	Minimum 15m ² per dwelling	Complies
	One area minimum 3m x 3m, accessible from living area	Complies - minimum 3m x 3m.
	Upper level/s: 1 bedroom: Minimum 6m ² Minimum dimensions 2m 2 or more bedrooms: Minimum 10m ² Minimum dimensions 2m	Complies. Complies.
Car parking:	Minimum 1 car parking space for each 5 dwellings (LAHC concession) – 2.4 car parking spaces required	Complies - 6 car parking spaces for 12 dwellings, including 3 accessible parking spaces.

Non-Compliance with FSR Standard

The development proposes a total gross floor area (GFA) of 870.68m² calculated in accordance with the Seniors SEPP definition. This translates to an FSR of 0.52:1 and represents a minor exceedance of 36.08m² 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 appropriate to 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 existing and desired future character of the locality, maintains appropriate visual relationships with the existing area, will not adversely affect the streetscape, skyline or landscape, and does not result in adverse environmental effects on adjoining lands, as demonstrated below.

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

- separation of building form to reflect the nature of existing detached development within the locality;
- significant landscaping within the site to break up hard surfaces and building bulk;
- existing vegetation along the edges of the site including within adjoining properties and the road reserve are to be protected and retained;
- provision of considered dwelling layouts, including the careful placement and sizes of window/door openings, the treatment of windows and balconies with privacy screens and substantial buffer landscaping along boundaries to ensure no overlooking of adjoining residential private open space areas or living areas occurs;
- 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, natural ventilation, accessibility etc; and
- the development has been stepped along the frontage to minimise the bulk and scale of the development.

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 north or south of the site. Shadows to neighbouring development to the east (60 Pank Parade) will be confined to the afternoon period. Private open space areas of properties to the east will retain high levels of solar access. The property to the east will receive adequate solar access in the morning and midday periods with solar impacts to the western elevation of 60 Pank Parade limited to 3pm and after. Shadows to neighbouring development to the west (68 Pank Parade) will be confined to the morning period. Private open space areas of properties to the west will retain high levels of solar access. The property to the west will receive adequate solar access in the midday and afternoon periods with solar impacts to the eastern elevation of 68 Pank Parade limited to between 9am and 12pm noon. The proposal therefore generates no unacceptable solar impacts to surrounding development and the minor numerical non-compliance in relation to FSR is supportable.

The proposed development accommodates the variation to FSR without impacting side setback and building separation between adjacent developments. 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 objectives of the Seniors SEPP in that it:

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

The proposed exceedance of the floor space ratio therefore has significant environmental benefits as the development increases the supply of seniors housing while 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 (Sch 4)	Required	Comment
2. Siting Standards:		
Wheelchair access	N/A	N/A
'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 AS1428.1 to the front boundary. Compliance indicated as per the submitted Accessibility Report prepared by Vista Access Architects
'Sloping' sites i.e. with gradients entirely or partially >1:10	% of ground floor dwellings, equal to % of site with gradient <1:10 or minimum 50% (whichever is greater), to have wheelchair access by a continuous accessible path of travel as per AS1428.1 to driveway or public road that is accessible to all residents	Not applicable, as the site does not have a gradient of more than 1 in 10.
Common areas	All common areas and facilities to have wheelchair accessibility as per AS1428.1	The common area at the rear have accessible paths of travel in accordance with AS1428.1. Access has been provided to common areas such as garbage bin areas and letter boxes.

		Compliance indicated as per the submitted Accessibility Report prepared by Vista Access Architects
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	All lighting will be designed as per requirements at construction documentation stage (subject to Identified Requirement 75). Capability of compliance indicated as per the submitted Access Report prepared by Vista Access Architects
4. Letterboxes:		
	To be lockable, located in central location adjacent to street entry or in one or more central locations on a hard standing area and have wheelchair access and circulation by a continuous path of travel (as per AS1428.1)	Letterboxes have been provided in two locations adjacent to Pank Parade street entries on hardstand areas and have wheelchair access and circulation by a continuous path of travel in accordance with AS1428.1. Compliance indicated as per the submitted Access Report prepared by Vista Access Architects
5. Private car accommodation:		
Disabled car parking	Car parking spaces must comply with the requirements for parking for persons with a disability set out in AS2890 and at least 10% of the total number of car parking spaces (or at least 1 space if there are fewer than 10 spaces) must be designed to enable the width of the spaces to be increased to 3.8m	Two accessible car parking spaces are provided with one space designed as 3.8m wide space, which meet the requirements of AS2890. Compliance indicated as per the submitted Access Report prepared by Vista Access Architects.
Garages	Must have power-operated door or there must be a power point and an area for motor or control rods to enable a power-operated door to be installed at a later date	Not applicable, as the proposal does not incorporate garages.
6. Accessible entry		
every entry, whether front entry or not	Must comply with clauses 4.3.1 and 4.3.2 of AS4299	All entries with external doorways to be designed to comply with AS1428.1 where flush access is not provided at construction documentation stage (subject to Identified Requirement No 73). Compliance indicated as per the submitted Access Report prepared by Vista Access Architects
7. Interior: general Note: consideration only required for ground floor units in accordance with clause 85(2)		
	Internal doorways must have a minimum clear opening that complies with AS1428.1	Internal doorways comply with AS1428.1. Internal corridors meet the minimum 1000mm width.

	Internal corridors must have a minimum unobstructed width of 1,000mm Circulation space at approaches to internal doorways must comply with AS1428.1	Circulation spaces comply with AS 1428.1. Compliance indicated as per the submitted Access Report prepared by Vista Access Architects (Appendix H).
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, (ii) in the case of a self-contained dwelling - a queen size bed, and (b) a clear area for the bed of at least: (i) 1,200mm wide at the foot of the bed, and (ii) 1,000mm wide beside the bed between it and the wall, wardrobe or any other obstruction, and (c) 2 double general power outlets on the wall where the head of the bed is likely to be, and (d) at least 1 general power outlet on the wall opposite the wall where the head of the bed is likely to be, and (e) a telephone outlet next to the bed on the side closest to the door and a general power outlet beside the telephone outlet, and (f) wiring to allow a potential illumination level of at least 300 lux	Circulation spaces within bedrooms included to each unit, with compliance or ability to provide compliance indicated as per the submitted Access Report prepared by Vista Access Architects (Appendix H). Further detailed information relating to electrical information will be required to be assessed at construction documentation stage (refer to Identified Requirement No. 73).
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: (a) a slip-resistant floor surface, (b) a washbasin with plumbing that would allow, either immediately or in the future, clearances that comply with AS1428.1, (c) a shower that complies with AS1428.1, except that the following	Bathrooms within ground floor dwellings comply with spatial requirements as per AS1428.1. Refer to Access Report prepared by Vista Access Architects (Appendix H). Further detailed information relating to fixtures and fittings will be required to be assessed at construction documentation stage (refer to Identified Requirement No. 73).

	<p>must be accommodated either immediately or in the future:</p> <ul style="list-style-type: none"> (i) a grab rail, (ii) portable shower head, (iii) folding seat, (d) a wall cabinet that is sufficiently illuminated to be able to read the labels of items stored in it, (e) a double general power outlet beside the mirror <p>The requirement under item (c) does not prevent the installation of a shower screen that can easily be removed to facilitate future accessibility</p>	
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	Compliance as per Access Report prepared by Vista Access Architects (Appendix H).
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	Capability of compliance indicated as per the submitted Access Report prepared by Vista Access Architects (Appendix H).
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	Capability of compliance indicated as per the submitted Access Report prepared by Vista Access Architects (Appendix H).
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	Capability of compliance indicated as per the submitted Access Report prepared by Vista Access Architects (Appendix H).
15. Living room and dining room: Note: consideration only required for ground floor units in accordance with clause 85(2)		
	<p>A living room in a self-contained dwelling must have:</p> <ul style="list-style-type: none"> (a) a circulation space in accordance with clause 4.7.1 of AS4299, and (b) a telephone adjacent to a general power outlet. <p>A living room and dining room must have wiring to allow a potential illumination level of at least 300 lux</p>	<p>All living rooms comply with spatial requirements.</p> <p>Compliance indicated as per the submitted Access Report prepared by Vista Access Architects (Appendix H).</p>

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
- (b) a width at door approaches complying with clause 7 of this Schedule, and
- (c) the following fittings in accordance with the relevant subclauses of clause 4.5 of AS4299:
 - (i) benches that include at least one work surface at least 800mm in length that comply with clause 4.5.5 (a),
 - (ii) a tap set (see clause 4.5.6),
 - (iii) cooktops (see clause 4.5.7), except that an isolating switch must be included,
 - (iv) an oven (see clause 4.5.8), and
 - (d) “D” pull cupboard handles that are located towards the top of below-bench cupboards and towards the bottom of overhead cupboards, and
 - (e) general power outlets:
 - (i) at least one of which is a double general power outlet within 300mm of the front of a work surface, and
 - (ii) one of which is provided for a refrigerator in such a position as to be easily accessible after the refrigerator is installed

The spatial arrangement of the kitchens meet the requirements, with compliance indicated as per the submitted Access Report prepared by Vista Access Architects (**Appendix H**). Detailed kitchen layout and electrical drawings are to be reviewed at construction documentation stage (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

Compliance indicated as per the submitted Access Report prepared by Vista Access Architects (**Appendix H**).

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 does not include a passenger lift. LAHC is exempted to provide lift as per section 85(2).

19. Laundry:

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

	<p>A self-contained dwelling must have a laundry that has:</p> <ul style="list-style-type: none"> (a) width at door approaches that complies with AS 1428.1, 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 	<p>Compliance indicated as per the submitted Access Report prepared by Vista Access Architects (Appendix H).</p>
<p>20. Storage for linen: Note: consideration only required for ground floor units in accordance with clause 85(2)</p>		
	<p>A self-contained dwelling must be provided with a linen storage in accordance with Clause 4.11.5 of AS 4299</p>	<p>Capability of compliance indicated as per the submitted Access Report prepared by Vista Access Architects (Appendix H).</p>
<p>21. Garbage:</p>		
	<p>To be provided in accessible location</p>	<p>Two bin storage areas have been provided. A bin storage area is located at the front of each block (Block A and Block B). These areas are compliant with AS1428. Compliance with spatial requirements indicated as per the submitted Access Report prepared by Vista Access Architects (Appendix H).</p>

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 O**. 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
3.02 Provide a front setback that relates to adjoining development?	<p>Existing development on the subject site is setback between approximately 8m to 10m from the front boundary.</p> <p>The proposed development is setback 6m from the front boundary.</p> <p>The proposed development has been setback in accordance with Blacktown City Council's front setback requirements for new developments of 6m.</p> <p>Additionally, the proposed development is consistent with other development along Pank Parade and surrounding locality, particularly newer style developments.</p> <p>In addition, the development proposes 4 balconies at the developments closest point to the front boundary.</p> <p>All habitable rooms are setback a minimum of 8.25m from the front boundary. The proposed setback of 6m to the balcony structures is considered appropriate due to their open structure and associated reduced building bulk and visual impact from the street. The proposed balconies are also considered appropriate as they will allow casual surveillance of the street.</p>
3.06 Setback upper levels behind the front building façade?	<p>The upper levels of the development have not been setback from the ground floor for ease of construction.</p> <p>The design of the development with balconies facing the street at the upper level is considered appropriate as the open structure reduces building bulk and therefore visual impact from the street.</p> <p>In addition, a mix of materials and finishes allow for a varied façade that works well within the streetscape.</p> <p>Compliance with DCP setbacks has been achieved.</p>
3.12 Plant in front of front fences to reduce their impact and improve the quality of the public domain?	<p>The development proposes landscaping forward of the fencing for bin enclosures, the courtyards of units 02 and 04 and adjacent to the pedestrian and vehicular entries to the site. The front fencing for units 01 and 05 has been located on the front boundary to maximise Private Open Space areas to the ground floor units facing the street and to provide articulation and stepping in the fence line. The front fence design is a mixture of solid masonry and open style fencing allowing for a varied façade that works well within the streetscape.</p> <p>Landscaping is proposed behind the courtyard fencing which will also add to the quality of the public domain.</p>
3.27 Vary the driveway surface material to break it up into a series of smaller spaces? (e.g. to delineate individual dwellings)	<p>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.</p>
3.29 Provide gates at the head of driveways to minimise visual 'pull' of the driveway	<p>Driveway gates to common parking areas are not provided by LAHC for maintenance reasons.</p> <p>Landscaping for the length of the driveway and at the rear of the communal parking area is considered sufficient to minimise visual 'pull' of the proposed driveways.</p>

Guideline Requirement	Response
4.03 Set upper storeys back behind the side or rear building line	The proposed development does not setback the first floor from the side or rear setbacks. It is noted that setting back upper floors is not a requirement under the BLEP 2015 or DCP 2015. The proposed development is setback 3.35m from the eastern side boundary, 3.04m from the western side boundary and 6.665m from the rear/southern boundary. The controls of the Blacktown DCP 2015 for multi dwelling housing require any wall of a building to a site boundary to be setback 2.3m. The proposed development is well within the controls of the DCP.
4.05 Incorporate second stories within the roof space and provide dormer windows?	Second storeys within roof spaces are not a characteristic in the locality. The proposed second storey complies with height and setback requirements and does not give rise to any adverse streetscape or amenity impacts.
5.29 Provide private open space areas that use pervious pavers where private open space is predominantly hard surfaced to allow for water percolation and reduced run-off?	The proposed landscape design does not propose any permeable paving within the design. Sufficient deep soil/landscape areas have been proposed within common and private open spaces. It is therefore considered that permeable surfaces for hard stand private open area is not necessary.

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 ground floor dwellings and permits adaptation to allow for the changing needs of tenants over time, allowing them to age in place.

The development proposes safe access from the car park to entries of the building. The units have been designed to ensure residents have privacy and feel safe e.g. they have fenced, landscaped private open space areas.

The orientation of each dwelling and private open space area has been designed to optimise natural light to these areas. The development complies with BASIX requirements (**Appendix H**).

The proposal includes high quality landscaping and outdoor areas to enhance the site amenity for residents and the streetscape.

Belonging

The development comprises a mixture of 1 and 2 bedroom units, with all of the ground floor units achieving a Silver Level rating as per the Liveable Housing Design Guidelines with all the upper level units (without a lift) achieving the equivalent Silver Level rating to the interior, allowing mixed tenures, from various stages of life and with varying mobility levels.

Communal pathways and the common lobbies are well-connected and defined, and the development is set in a garden setting with landscaped interfaces to neighbours and the street.

The 2-storey development is well-articulated, addresses the street and includes well landscaped front setbacks, so as to make a positive contribution to the street.

Value

The redevelopment is an efficient and economical use of existing serviced urban land as the proposal is for the replacement of older housing stock with new and additional high-quality dwellings, designed to be fit-for-purpose, and incorporating sustainable design elements.

The use of durable materials and rationalised unit-above-unit floorplates minimise waterproofing issues and construction costs.

The development has been designed in accordance BASIX and BCA requirements and includes a rainwater tank for water reuse in landscaped areas. The proposed landscape plantings scheme focusses on native and drought-tolerant species.

The orientation of each dwelling and private open space area has been designed to optimise natural light to these areas allowing reduced dwelling running costs.

Collaboration

The proposal is of a scale and character that assists with place making, by ensuring 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 Blacktown City 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 O) as the design was completed before the Design Requirements came into effect. 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)

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 no residential care facility proposed.
(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 locality as illustrated in Section 3.3 above. Contemporary residential development in the locality is suggestive of a transition of character in the Blacktown suburb and likely future development.
(c) complement heritage conservation areas and heritage items in the area, and
The site is not located within a heritage conservation area nor are there any 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
Building setbacks allow for substantial landscape plantings, are consistent with newer style developments in the area and generally comply with Blacktown DCP 2015 objectives and controls.
A suitable balance of cut and fill and retaining walls are proposed to address the access requirements of the Seniors SEPP.
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 with no buildings located on the boundary.
The proposed development is consistent with scale and design of more contemporary development in Blacktown.
(e) set back the front building on the site generally in line with the existing building line, and
The building line is consistent with the setbacks of newer dwelling houses along Pank Parade and the surrounding locality. The proposed development is setback 6m from the front boundary which is in keeping with Council's requirements for new development.
The development proposes 4 balconies setback 6m from the front boundary. All habitable rooms are setback a minimum of 8.25m from the front boundary. The proposed setback of 6m to the balcony structures is considered appropriate due to their open structure and associated reduced building bulk and visual impact from the street. The proposed balconies are also considered appropriate as they will allow casual surveillance of the street
(f) include plants reasonably similar to other plants in the street, and
The proposed landscape design incorporates substantial plantings at the front and rear of the development which will enhance the streetscape and provide a quiet space for residents to enjoy at the rear.

Three mature trees are proposed within the front setback. Proposed tree planting within the front setback will include mature heights of between 8m to 12m reducing the visual impact of the proposed development. Additional planting of shrubs and groundcovers are considered to further soften the visual impact of the proposed development.

Native species have been chosen to complement existing vegetation within the surrounding locality including native frangipani and crepe myrtle.

The proposal also seeks to retain street trees within the road reserve directly in front of and to the north west of Block A.

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

Seven trees (2 within the site, 2 on Council verge and 3 within neighbouring properties) are to be retained and protected in accordance with the recommendations of the Arboricultural Impact Assessment report (**Appendix J**). 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
- (b) ensuring acceptable noise levels in bedrooms of new dwellings by locating them away from driveways, parking areas and paths.

The proposed development has been designed to maintain visual and acoustic privacy to adjoining properties and within the development. Design solutions include appropriate building setbacks and heights, dwelling layouts, placement and sizes of window openings and location and future mature height of landscaping.

Mature tree landscaping as well as shrubs, groundcovers and feature plants are proposed within the rear (southern) boundary of the site and within the vicinity of the communal parking area and communal areas on site. Shrubs and feature plants are also proposed along the eastern boundary for the length of the driveway to the parking space for Unit 8. Landscaping along the southern boundary adjacent to proposed communal parking as well as along the eastern boundary will assist with maintaining visual and acoustic privacy of adjacent neighbours.

Boundary fencing to a height of 1800mm will assist with mitigation of visual and acoustic impacts associated with the internal hard stand car parking. Perimeter landscaping will also act as a visual and acoustic buffer between the car park, driveways and adjacent development. The generous rear building setback to the south of the site will further limit any unacceptable impacts associated with vehicle movements within the subject site.

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.

Solar access and design for climate [section 101]

The design of seniors housing should —

- (a) for development involving the erection of a new building — provide residents of the building with adequate daylight in a way that does not adversely impact the amount of daylight in neighbouring buildings, and
- (b) involve site planning, dwelling design and landscaping that reduces energy use and makes the best practicable use of natural ventilation, solar heating and lighting by locating the windows of living and dining areas in a northerly direction.

The design and siting of the proposed development will provide adequate daylight access to its living areas and private open spaces and the living areas and private open spaces of adjoining properties. The northern orientation of proposed living and open space areas will maximise solar access. 75% of the proposed dwellings will receive a minimum of three hours sunlight between 9am and 3pm on June 21 to their living area. 100% to their private open

space proposed dwellings will receive a minimum of three hours sunlight between 9am and 3pm on June 21 to their private open space.

No solar impact to the built form will be generated to development north or south of the site.

Shadows to neighbouring development to the east (60 Pank Parade) will be confined to the afternoon period. Private open space areas of properties to the east will retain high levels of solar access. The property to the east will receive adequate solar access in the morning and midday periods with solar impacts to the western elevation of 60 Pank Parade limited to 3pm and after (refer to shadow diagrams at **Appendix A**).

Shadows to neighbouring development to the west (68 Pank Parade) will be confined to the morning period. Private open space areas of properties to the west will retain high levels of solar access. The property to the west will receive adequate solar access in the midday and afternoon periods with solar impacts to the eastern elevation of 68 Pank Parade limited to between 9am and 12pm noon (refer to shadow diagrams at **Appendix A**).

Landscaping will also assist in microclimate management.

Stormwater [section 102]

The design of seniors housing should aim to –

- (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
- (b) include, where practical, on-site stormwater detention or re-use for second quality water uses.

Impervious surfaces have been minimised in the design to reduce the potential impact from stormwater. Site stormwater will be drained as shown on the submitted stormwater drainage plans and incorporates on-site detention and a rainwater tank (refer to the submitted stormwater drainage plans at **Appendix C**).

Crime prevention [section 103]

Seniors housing should –

- (a) be designed in accordance with environmental design principles relating to crime prevention, and
- (b) provide personal property security for residents and visitors, and
- (c) encourage crime prevention by –
 - (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
 - (ii) providing shared entries, if required, that serve a small number of dwellings and that are able to be locked, and
 - (iii) providing dwellings designed to allow residents to see who approaches their dwellings without the need to open the front door.

Fencing will be constructed along the side and rear site boundaries, and along the edges of the ground floor private open space to each dwelling to provide an appropriate level of safety and security to proposed residents.

The design of the proposed development will allow for general surveillance of all common areas, particularly Units 03, 06, 09 and 12. Units 01, 02, 04, 05, 07, 08, 10 and 11 also have habitable rooms, living areas and/or balconies facing Pank Parade providing casual surveillance of the street.

Identified Requirement No. 78 is recommended to ensure front doors of each dwelling include door viewers to enable residents to view approaches to their dwelling 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.

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.

Upgrade to the road crossing on one side of Pank Parade is required for compliance with the SEPP and this has been addressed by identified requirement no. 77.

Refer to the Access Report attached in **Appendix H** for confirmation.

Car parking is provided for residents within the site, including 3 accessible parking spaces and accessible pathways are provided between the car parking area and the internal lobby. There is ample street parking available on Pank Parade for visitors.

Waste management [section 105]

Seniors housing should include waste facilities that maximise recycling by the provision of appropriate facilities.

Waste and recycling facilities will be provided in accordance with Council's requirements. The proposed development provides shared waste and recycling collection facilities on the site.

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 (Sustainable Buildings) 2022 (formerly SEPP (Building Sustainability Index: BASIX) 2004)	A BASIX Certificate has been obtained for the development proposal, as required under the SEPP (refer to Appendix K).
SEPP (Transport and Infrastructure) 2021	<p>The Transport and Infrastructure SEPP provides Planning controls relating to development for the purposes of essential services infrastructure (hospitals, roads, water supply, telecommunications and electrical networks), educational establishments and child care facilities and major infrastructure corridors.</p> <p>The site is not located in close proximity to a State Classified Road, adjacent/near a rail corridor or electricity infrastructure and as such, the provisions of the SEPP do not apply..</p>
SEPP (Biodiversity and Conservation) 2021	<p>This Biodiversity and Conservation SEPP provides planning controls related to conservation and management, to ensure protection of the natural environment.</p> <p>Clause 2.6(1) of this SEPP requires a permit from Council for clearing of vegetation required under the policy.</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> <p><u>Hawkesbury Nepean Catchment</u></p> <p>The site is located within a regulated catchment, namely, the Hawkesbury River Catchment. Accordingly, the controls for development set out in Division 2 of Part 6.2 of the Biodiversity and Conservation SEPP apply to the activity.</p>

State Environmental Planning Policy	Applicability
	<p>Under Section 171A(1) of the EP&A Regulation, LAHC, as determining authority for the activity, when considering the likely impact on the environment of an activity proposed to be carried out in a regulated catchment, must consider <u>State Environmental Planning Policy (Biodiversity and Conservation) 2021</u>, sections 6.6(1), 6.7(1), 6.8(1) and 6.9(1), and</p> <p>Further, as the consent authority LAHC must be satisfied under <u>State Environmental Planning Policy (Biodiversity and Conservation) 2021</u>, sections 6.6(2), 6.7(2), 6.8(2) and 6.9(2).</p> <p>6.6 Water quality and quantity</p> <p>This clause requires the consent authority to consider whether the development will:</p> <ul style="list-style-type: none"> • have a neutral or beneficial effect on the quality of water entering a waterway, • have an adverse impact on water flow in a natural waterbody, • increase the amount of stormwater run-off from a site, and • incorporate on-site stormwater retention, infiltration or reuse. <p>The consent authority is also required to assess the impact of the development</p> <ul style="list-style-type: none"> • on the level and quality of the water table, • the cumulative environmental impact of the development on the regulated catchment, and • and whether the development makes adequate provision to protect the quality and quantity of ground water. <p>Further this clause also requires that consent is not issued unless the consent authority is satisfied the development ensures:</p> <ul style="list-style-type: none"> • the effect on the quality of water entering a natural waterbody will be as close as possible to neutral or beneficial, and • the impact on water flow in a natural waterbody will be minimised. <p><u>Comment:</u> Identified Requirement (No. 13) recommends that sediment control measures be implemented during demolition/ construction in accordance with Council requirements and/or the guidelines contained in the <i>Blue Book Managing Urban Stormwater: Soils and Construction</i> (4th edition, Landcom, 2004).</p> <p>Identified Requirements (Nos 6-9) are applied to the activity determination recommending that stormwater management of the activity is designed in accordance with Blacktown City Council's technical guidelines and policies.</p> <p>6.7 Aquatic ecology</p> <p>This clause requires the consent authority to consider whether the development:</p> <ul style="list-style-type: none"> • will have a direct, indirect or cumulative adverse impact on terrestrial, aquatic or migratory animals or vegetation, • involves the clearing of riparian vegetation and, if so, whether the development will require either a controlled activity approval under the <u>Water Management Act 2000</u>, or a permit under the <u>Fisheries Management Act 1994</u>,

State Environmental Planning Policy	Applicability
	<ul style="list-style-type: none"> • will minimise or avoid the erosion of land abutting a natural waterbody, or the sedimentation of a natural waterbody, or will have an adverse impact on wetlands that are not in the coastal wetlands and littoral rainforests area, • includes adequate safeguards and rehabilitation measures to protect aquatic ecology, • if the site adjoins a natural waterbody – whether additional measures are required to ensure a neutral or beneficial effect on the water quality of the waterbody. <p>Further this clause also requires that consent is not issued unless the consent authority is satisfied the development ensures:</p> <ul style="list-style-type: none"> • that the direct, indirect or cumulative adverse impact on terrestrial, aquatic or migratory animals or vegetation will be kept to the minimum necessary for the carrying out of the development, • the development will not have a direct, indirect or cumulative adverse impact on aquatic reserves, • if a controlled activity approval under the <i>Water Management Act 2000</i> or a permit under the <i>Fisheries Management Act 1994</i> is required in relation to the clearing of riparian vegetation – the approval or permit has been obtained, • the erosion of land abutting a natural waterbody or the sedimentation of a natural waterbody will be minimised, • the adverse impact on wetlands that are not in the coastal wetlands and littoral rainforests area will be minimised. <p><u>Comment:</u> The subject site is not located on riparian land and will not require a controlled activity permit. The site does not adjoin a natural waterbody. Suitable erosion and sedimentation controls will be required to minimise erosion and maintain water quality. The proposed development includes planting of suitable native indigenous vegetation. In addition, the scale and nature of the activity, together with its location, is unlikely to have significant impacts upon aquatic ecology.</p> <p>6.8 Flooding</p> <p>This clause relates to flood liable land.</p> <p><u>Comment:</u> The site is not located on flood liable land.</p> <p>6.9 Recreation and public access</p> <p>This clause relates to development on recreational land and public access to natural water bodies and foreshores</p> <p><u>Comment:</u> The proposed activity will not impact recreational land uses or alter public access to recreational land or foreshores.</p>

State Environmental Planning Policy	Applicability
SEPP (Resilience and Hazards) 2021	<p>The Resilience and Hazard SEPP provides provisions for development in the coastal zone, management of hazardous and offensive development and remediation of contaminated land.</p> <p>Section 4.6 of this SEPP requires the consent authority to consider whether land is contaminated prior to granting development consent. The site is located within a developed residential area of Blacktown. The s10.7 Planning Certificates have not identified the site as potentially contaminated (refer to Appendix F). Identified Requirement 63 requires implementation of management measures in the event of contamination during construction works. This is discussed further in section 8 of this REF.</p>
SEPP (Precincts – Western Parkland City) 2021	<p>The subject site is located within the 3-30km zone as shown on the Wind Turbine Buffer Zone Map.</p> <p>Section 4.2 of this SEPP regulates the construction of wind monitoring towers and development for the purposes of an electricity generating works comprising a wind turbine on land within 30 kilometres of the Airport.</p> <p>The proposal does not include this type of development and therefore consultation with the relevant Commonwealth body is not required.</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 Recommendations to overcome the DTS non-compliances, to be addressed at Building Certification stage. Refer to Appendix L.</p>
Contaminated Land Management Act 1997	<p>The 10.7 Planning Certificates stipulate <i>that there are no matters prescribed by Section 59(2) of the Contaminated Land Management Act 1997 to be disclosed.</i></p>

6.8 Blacktown Local Environmental Plan 2015 (BLEP 2015)

The applicable local planning instrument for the site is Blacktown LEP 2015 (BLEP 2015). The site is zoned R2 Low Density Residential, wherein 'seniors housing' is permissible.

The relevant objectives of the R2 zone, as set out in BLEP2015 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 control 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 BLEP 2015 is demonstrated in **Table 12** below.

Table 12 Blacktown Local Environmental Plan 2015

Relevant Provisions / Development Standards for Seniors Housing			
Clause	Provision / Development Standard	Required	Provided
4.3	Height of Buildings	(2) The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map (9 metres)	Maximum building height (measured in accordance with the LEP definition) is 8.32 metres.

6.8.1 Blacktown Development Control Plan 2015

Blacktown Development Control Plan 2015 (BDCP 2015) contains some specific development controls for seniors housing. However, the building setbacks for Multi Dwelling Housing have been considered 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 BDCP 2015 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

Compliance with controls for multi-unit housing		
Clause	Requirement	Proposed
5.2 Building Setbacks	The building setback from the street is 6m	The proposed development is setback 6m from the front (north) boundary.
5.5 Building Height	The height of any attached dwelling or multi dwelling housing is to be in accordance with Clause 4.3 (Height of buildings) of Blacktown LEP 2015. (2) The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map (9 metres)	The proposed development is a maximum 8.32m to the ridge.
5.9 Setback of Dwellings	Each dwelling shall be setback from the site boundaries (other than the street frontage boundary), from other dwellings on the site and from common accessways in accordance with the following principles: (a) The minimum distance from any wall of a building to a site boundary shall be 2.3m. No eaves, window hoods or structures likely to obstruct the access of light and air may extend into this minimum setback distance by more than 600mm (b) As far as practicable, long walls or groups of walls along a boundary setback area should be broken or	The proposed development is setback a minimum of 3.039m to the western side boundary and 3.350 to the eastern side boundary. The proposed development is setback 6.665m from the rear boundary. Walls along the side boundary setbacks have been staggered. Unit 2 and Unit 7 are located within 3 metres of the common driveway. The main building walls of these units have been setback a maximum 1.45 metres from the shared driveway.

Compliance with controls for multi-unit housing		
	<p>staggered, subject to the maintenance of reasonable solar access to all dwellings</p> <p>(c) Main building walls shall be setback from the pavement of a common accessway by at least 3m</p> <p>(d) Where dwellings are attached to each other and constructed in groups, the minimum distance between any external wall of one group of dwellings and any external wall of another group of dwellings shall be 6m</p> <p>(e) Where individual detached dwellings are constructed, the minimum distance between any external walls of any 2 dwellings shall be 2.5m.</p>	<p>The proposed locality of the walls to driveway is considered appropriate as the proposed development is not a high traffic generating development. Landscaping has been proposed along the length of the building wall to increase privacy to residents. The use of highlight windows will further contribute to privacy of residents.</p> <p>The development proposes a minimum distance of 6.1m between Block A and Block B.</p> <p>Point (e) is not applicable to the proposed development.</p>
5.18 Drainage	Adequate provision must be made for the collection and disposal of surface and roof water runoff.	Stormwater runoff and drainage has been designed in accordance with Council's requirements as outlined within the Stormwater Design Compliance Certificate (Appendix M).
7.2.1 Types of housing for seniors or people with a disability	Where housing for seniors or people with a disability is to be constructed in the general form of a dwelling house, multi dwelling housing, attached dwellings or a residential flat building, the provisions of Blacktown LEP 2015 and this Part of Blacktown DCP 2015 related to those forms of development will apply.	<p>The general form of the development is multi dwelling housing with setbacks for this type of development addressed above. The general controls including site layout and building design have been addressed under the provisions of the Housing SEPP above.</p> <p>It is noted that given the development is two storeys in height, the provisions of SEPP 65 and the ADG would not otherwise be relevant.</p>
7.2.2 Height of Buildings	Depending on the level of disability involved, buildings for seniors or people with a disability should be 1 storey in height.	Development has been designed in accordance with the housing needs of LAHC. 2-storey development is deemed appropriate in the circumstances and is compliant with Councils maximum building height of 9m.
7.2.3 Minimum room sizes	Room sizes of self-contained dwellings and hostel accommodation shall comply with the provisions of the Building Code of Australia.	The proposed development complies with the Building Code of Australia.
7.2.4 Designing for people with a disability	<p>Access for persons in wheelchairs should be provided where appropriate.</p> <p>Designs should incorporate ramps and steep slopes should be avoided.</p>	The development has been designed to meet the needs of future residents in accordance with LAHC requirements. The development also meets the requirements of the Housing SEPP in relation to accessibility, solar access and dwelling sizes. It is considered that the

Compliance with controls for multi-unit housing

	Units should be oriented to received direct sunlight to habitable rooms during winter months. A variety of sizes of self-contained dwellings should also be provided wherever practicable	development is consistent with the DCP design controls.
7.2.5 Laundries	Automatic washing and drying facilities shall be provided to the satisfaction of Council.	Each unit is to be provided with an automatic washing machine and clothes dryer as per the requirements of Schedule 4 of the Housing SEPP.
7.2.6 Wheelchair access	Wheelchair access shall be in accordance with Australian Standard 1428 – 2003 Design for access and mobility and the requirements of the Building Code of Australia. The maximum gradient for internal and external wheelchair access areas and pathways shall be 1:12.	As outlined within Table 8 above and the Access Report prepared by Vista Access Architects (Appendix H) confirms the development will be compliant with AS1428.
7.2.7 Facilities for nursing	All nursing and convalescent homes and hostel developments should provide on-site the following facilities: (a) Consulting rooms for medical services (b) Caretaker's office (c) Kitchen area (d) Craft/communal activities room (e) Reading library area (f) Television viewing area (g) Dining room (h) A small canteen.	Not applicable to the proposed development.
7.2.8 Community facilities for self-contained dwellings	All developments shall provide suitable indoor and outdoor community facilities for the use of residents and their visitors. The extent of the community facilities required will depend upon the scale of the development and the proximity of the development to suitable external community facilities.	Community facilities are not required for the scale of the development (12 dwellings) and the provision of appropriate living rooms and outdoor private open space areas for each unit which are suitable for use by the residents and their visitors.
7.2.9 Common rooms	All developments shall provide a suitable common room facility.	As above, community rooms are not required for the development considering its scale and the provision of appropriate living rooms and private open space areas for each unit.
7.2.10 Car parking	Car parking to be provided in accordance with Council's off-street car parking rates or relevant State Environmental Planning Policy.	Car parking provided in accordance with the requirements of the Housing SEPP.

Part J - Water Sensitive Urban Design and Integrated Water Cycle Management

4.2 Water Quality	All development where a Section 94 Contributions Plan applies shall meet the water quality requirements through the provision of contributions in accordance with the Contributions Plan as adopted by Council.	Proposed development is within Section 94 Contributions Plan No. 19 – Blacktown Growth Precinct and the water quality requirements can be met by providing contributions in accordance with Council's adopted policy.
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Compliance with controls for multi-unit housing

		<p>The contributions are payable for developments with consent whereas the proposed development is 'Development without consent' under Housing SEPP 2021.</p> <p>Nonetheless, LAHC intends to voluntarily make the payment of contribution in lieu of provision of water quality filtration system and MUSIC model. Blacktown City Council is supportive of the voluntary payment.</p> <p>Therefore, payment of the contribution amount of \$17,435 for stormwater quality (Appendix – U) is to be made in lieu of providing a filtration system within the site – refer to Identified Requirement no. 81.</p> <p>The contribution is indexed and will be adjusted at the time of payment.</p>
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7 Notification, Consultation and Consideration of Responses

7.1 Council Notification

In accordance with section 108C of the Housing SEPP, Blacktown City Council was notified of the development by letter dated 23 November 2022 (refer to **Appendix G**). The notification response period formally closed on 16 December 2022 and Council responded to the notification by letter dated 16 December 2022, with matters raised outlined in **Table 14** below. A response is provided in relation to the matters raised in Council's letter and where appropriate, these matters have been addressed in the identified requirements in the **Activity Determination**.

Table 14 Issues raised in Council submission

Issues raised	Response
Built Form <p>The development is two storeys and does not provide any mechanism to access the first floor for mobility impaired residents.</p> <p>More information is required to show how the internal stairs can be adapted to include chair lifts.</p> <p>Provide justification for FSR exceedance</p>	<p>The proposed seniors housing development is designed in accordance with the requirements under Schedule 4 of the Housing SEPP which does not require LAHC developments to provide access for mobility impaired residents to the second level.</p> <p>The proposed FSR is 0.52:1, which exceeds by 36.08m², is justified in section 6.5.1 of this REF and considered to be acceptable.</p> <p>It is noted that the Blacktown Local Environmental Plan does not contain FSR as a development standard.</p>
Communal space <p>The development should provide a suitable common room facility which is centrally located and accessible to all residents.</p>	<p>An area of landscaped communal open space is provided at the rear. This space can be utilised by tenants for small social gathering. A common room facility is not considered to be necessary for this scale of the development.</p>
Sustainability <p>The roof will benefit from solar panels as environmentally sustainable development encourages</p>	<p>The proposed development is designed in accordance with the LAHC heating and cooling policy and complies with BASIX requirements.</p>
Environmental Health <p>No acoustic report or site contamination report have been provided</p>	<p>The site is not identified as being in contaminated land and hence no assessment was undertaken.</p> <p>An acoustic report is not required as the development is not close to a classified road, and there is no new plant or equipment proposed that is considered likely to adverse impact upon the amenity of adjoining properties.</p>
Drainage <p>The bypass area of the OSD calculation table is not consistent with the by-pass area on the submitted</p>	

drawing. Provide a catchment area plan to confirm the by-pass areas of the OSD. Amend OSD calculation table as above. Submit spreadsheet of OSD calculation

The combined tank details must be provided. Weir of each chamber must be listed and marked on the submitted plan. Detailed plan of the tanks must be provided, including at least 3 sections to indicate the design level of the chamber

No design details of the WSUD chamber have been submitted. The filtering product in the proposed WSUD chamber must be listed and approved in Council's WSUD developer handbook. Minimum submission requirements must be provided and approved in accordance with Council WSUD developer handbook and Council's standard drawing A(BS)175M. And a MUSIC model must also be provided to ensure the water quality target has been achieved.

A new pit and pipe are proposed on Pank Pde, however Council does not accept 300mm diameter pipe. The minimum pipe size is 375mm diameter. The design details of the pit and pipe must be provided in accordance with Engineering Guide for Development 2005.

Waste

Loading bay

- Onsite collection of waste is required from a designated loading bay with waste rooms

The OSD calculations have been revised and the plans updated. Refer to Appendix C and Appendix V for OSD calculation spreadsheet.

Noted. The revised set of plans are at Appendix C.

Proposed development is within Section 94 (s7.11) Contributions Plan No. 19 – Blacktown Growth Precinct and the water quality requirements can be met by providing contributions in accordance with Council's adopted policy.

The contributions are only payable for developments with consent, however the proposed development is 'Development without consent' under Housing SEPP 2021.

Nonetheless, LAHC intends to voluntarily make the payment of contribution in lieu of provision of water quality filtration system and MUSIC model. Blacktown City Council is supportive of the voluntary payment. (See **Appendix U**)

The following monetary contributions under Section 7.11 of the Environmental Planning & Assessment Act 1979 must be paid prior to the issue of any Construction Certificate or Subdivision Certificate, whichever occurs first.

The current indexed contributions are:

S7.11 Contribution	Amount
Stormwater Quality	\$17,435

These contributions are based upon the following parameters as specified in the contributions plan.

Developable Area: 0.1669 hectares

The contribution is indexed and will be adjusted at the time of payment.

Refer to Identified Requirement no. 81.

The pipe size is revised to 375mm diameter. Refer to Appendix C.

The concerns raised by Council regarding providing on-site waste collection were discussed by LAHC with the

<p>incorporated into the building footprint at ground level</p> <ul style="list-style-type: none"> Onsite loading bay collection point should be adjacent to the ground level bin and bulky waste storage areas, and must be located towards the rear of the site and behind the building line. Ground level collection in the front setback is not supported. Ensure designated loading bay can accommodate the entire length of the truck plus an additional 3m rear clearance for bin servicing and rotation Provide physical treatment to loading bay to prevent unauthorised parking; lockable, removable bollards <p><u>Truck turning circle</u> Provide swept paths for a 10.5m long, heavy rigid vehicle with a 24m turning circle for the trucks entire travel path showing forward entry and exit with all manoeuvring onsite. 3 point turns onsite are acceptable.</p> <p><u>Location of bin store</u> Kerbside collection is not supported and doesn't comply with new waste DCP. Bins on kerb will consume entire frontage, detract from streetscape and potentially be blocked by parked cars. Waste storage areas in front setback are no longer supported</p> <p><u>Generation rates</u></p> <ul style="list-style-type: none"> Third organics bin needs to be accounted for Generation rates are inadequate; number of bins and storage areas are inadequate <ol style="list-style-type: none"> Waste and recycling rates: <ol style="list-style-type: none"> 240L/week/unit for waste (to be collected in 1100L bulk bins onsite) 80L/week/unit for recycling (to be collected in 240L bins onsite) 240L/week/unit for organics (to be collected onsite) Bin capacities for communal waste arrangements: <ol style="list-style-type: none"> 1100L bulk bins for waste 240L bins for recycling 240L bins for organics Cater for the following collection frequencies <ol style="list-style-type: none"> waste to be collected up to 3 times a week recycling collected once a week organics collected once a week <p><u>Bin storage areas</u></p>	<p>Blacktown City Council officers. The Council and LAHC mutually agreed on below waste management outcome for this site:</p> <ul style="list-style-type: none"> The bin areas are to be designed to meet LAHC generation rates of 1x240L waste bin and 1x240L recycling bin per 2 units and no FOGO bins at this stage. The bin areas, which are brick, not screens, are acceptable within the front setback provided they have their entrances from the rear of the bin room (not visible from street or pedestrian pathway). The bin areas do not need to be roofed. Waste and recycling will be collected from the street by Council or its contractors. A small, roofed bulk storage area will be provided at the rear of these developments to accommodate bulk waste which will be managed by LAHC contractors. <p>As on-site waste collection is not provided comments about truck turning circle are not applicable.</p> <p>Kerbside waste collection and waste storage area in front setback are provided as agreed by Blacktown City Council.</p> <p>The waste bins as mentioned above are provided in consultation with Blacktown City Council and an Identified Requirement no. 79 is included to ensure compliance.</p>
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<p>Provide a suitable enclosed, weatherproof and secure bin storage area incorporated into the building footprint at ground level. This space must also cater for the required bulky waste storage area. Provide 4m² of storage for discarded bulky waste items such as lounges and fridges</p> <ol style="list-style-type: none"> 1. Must be located adjacent to loading bay, caged and sign posted for this use 2. Doors must be min 1.5m wide 3. Waste management plan must be updated to this effect <p><u>Misc waste requirements</u></p> <ul style="list-style-type: none"> • Ensure maximum walk distance for residents with bagged rubbish does not exceed 30m • Ensure bin transfer grades do not exceed 1:24 for 1100L bulk bins • Ensure resident access to waste room is not via the loading bay where waste collection vehicles are moving and reversing • Provide a vertical cross section plan demonstrating a 4m headroom allowance clear of eaves, overhangs, balconies, services, sprinklers etc for the trucks entire travel path. The development will also need to comply with council's traffic requirements which may require 4.5m in accordance with AS2890.2 for access by removalists, delivery vehicles and emergency vehicles • Amend demolition and construction section of waste management plan to <ul style="list-style-type: none"> ○ Specifically identify off-site reuse and recycling opportunities and landfill destinations ○ Identify volumes of waste generated during demolition activity ○ Amend ongoing use sections 	<p>The proposed development includes:</p> <ol style="list-style-type: none"> 1. One waste and recycling bin will be shared between 2 units. Total 12 bins, 6 waste bins and 6 recycling bins are provided within two bin bays at pedestrian entry points of the site. 2. An easy access point from rear part of the bin bay is provided which is hidden from the street to avoid illegal dumping. 3. A roofed bulky waste room of 4m² is provided near the parking area rear to the building. The bulky waste will be collected by LAHC contractor as and when required. <p>An Identified Requirement no. 79 & 80 is recommended to ensure compliance.</p> <p>Noted.</p> <p>NA. 1100L bins are not provided.</p> <p>NA</p> <p>NA</p> <p>Revised waste management plan is provided at Appendix R.</p>
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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 11 August 2022. Council provided an email response on 12 August 2022 advising that the extent of notification was considered satisfactory. **Figure 19** illustrates the properties in which the occupiers and landowners were notified of the development.



Figure 19 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 23 November 2022. Copies of the notification letters are provided at **Appendix G**.

The notification response period formally closed on 16 December 2022. No submissions were received from occupiers of adjoining land.

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

In accordance with Part 5 of the EP&A Act, LAHC is required to consider the factors detailed in the table within Section 6.4.1 and ensure they are taken into account when consideration is being given to the likely impact of an activity on the environment. In addition to these proscribed factors the following is a review of additional environmental factors that are considered relevant to this activity. This review of additional environmental factors examines the significance of these likely environmental impacts of the proposal and the measures required to mitigate any adverse impacts to the environment.

8.1 Neighbourhood Character

The site is located within an established residential area generally supporting single storey detached dwelling houses. These dwellings tend to sit within lightly landscaped and lawned allotments and have tiled and sheet metal, pitched roofs. The character of the area is evolving, with a number of newer, two-storey dwellings, dual occupancy and medium density developments interspersed throughout the locality. These dwellings take a more contemporary form and introduce new design features to the area, including rendered finishes and muted grey, brown and white tones.

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

Mitigation Measures

No mitigation measures are required, as the design of the proposed development is sympathetic to the emerging neighbourhood character and complies with setback requirements under Blacktown DCP. Suitable design treatments, including fencing, landscaping and a considered planting mix ensure the proposal will generate benefits to neighbourhood character.

8.2 Bulk and Density

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

The proposal incorporates a maximum height of 8.32m to the ridge 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, which encourages a variety of housing types and densities.

LAHC is required to consider the FSR control of 0.5:1 contained within the Housing SEPP 2021. In accordance with the definition of gross floor area in the Housing SEPP the proposed FSR is 0.52:1, representing a variation of 36.08m². The proposed development causes no adverse impacts on surrounding properties, exhibits compliant setbacks from all boundaries, proposes extensive landscaping in the front setback, provides expansive deep soil areas, which will all minimise its perceived bulk. Moreover, the development is in line with the planning principles established in *GPC No 5 (Wombarra) Pty Ltd v Wollongong City Council [2003] NSWLEC 268*, in that it generates no physical impacts on nearby sites, takes a design that reflects newer developments

in the area and ensures that it is softened by landscaping, within the site, and articulating elements such as recessed private open space, variety of materials, colours and fencing.

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

Mitigation Measures

No mitigation measures are 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 landscaping resulting in a finer grained streetscape appearance, consistent with existing dwellings in the area. In addition, the hard stand car parking area will be obscured from street view, resulting in a built form that integrates with the evolving streetscape.

With its strong articulation and modulation along the front façades and improved landscaping proposed within the street setback areas, the proposed development makes a positive contribution to the streetscape of Pank Parade. 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

No mitigation measures are 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 emerging neighbourhood character. Articulation, diverse mix of materials and a neutral colour palette will assist with the overall aesthetic of the site.

Landscaping proposed in the Pank Parade setback, including a retained mature tree and new native canopy trees with a height of approximately 8m, will soften the visual impact of dwellings when viewed from the public domain. Furthermore, retention of a street tree along Pank Parade will 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 with shrubs, ground cover and mature trees adding to the long-term visual amenity of the surrounding properties and further improving the appearance of the site from the street.

Mitigation Measures

No mitigation measures are 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, privacy screens, adequate site setbacks and strategic placement of windows so as to avoid direct overlooking of neighbours.

Private open spaces and balconies have been oriented to the front and rear of the site, and as such will not directly overlook the windows or private open space at adjacent sites. Where proposed within the side setback (Unit 9 & 12), highlight windows and privacy screens have been incorporated into the design to contribute to privacy of residents. Further, extensive landscaping has been provided in the side and rear setbacks to provide a visual buffer between the windows and balconies on the subject site and properties to the east, west and south.

The building is setback greater than 2.3m from side boundaries in accordance with the setback requirements for multi-dwelling housing developments contained within the Blacktown Development Control Plan 2015. Rear setbacks are generous, being at minimum 6.665m. Finally, the front setback is consistent with the prevailing building line on Pank Parade and includes substantial landscaping to further mitigate privacy impacts.

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

Proposed 1.8m metal fencing will mitigate unacceptable overlooking from ground level units into properties to the west, and south and east, respectively. Brick and metal slat fencing combined with extensive landscaping within the front setback will screen private open space of ground floor units addressing Pank Parade.

Mitigation Measures

No mitigation measures are 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*.

The submitted Architectural Plans indicate that 75% of dwellings receive at least 3 hours direct solar access to their living area. Further, the plans indicate 100% of dwellings will receive a minimum of three hours sunlight between 9am and 3pm on June 21 to their private open space area. The development exceeds the Housing SEPP requirement for 70% of dwellings to achieve 2 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

No mitigation measures are required.

8.7 Overshadowing

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

At 9am, shadows generated by the proposed development are generally contained on site, within 68 Pank Parade adjoining the site to the west and development to the rear of the site. The level of overshadowing will be confined to the morning period and will largely cover adjoining sites private open space. However, shadows will move to the east around midday, meaning that sites will achieve sunlight to their private open space in the midday and/or afternoon periods. At 12pm, shadows are mostly contained within the subject site. At 3pm, shadows are predominately cast to the rear of the site and adjoining property to the east (60 Pank Parade) and development to the south east. Shadows to neighbouring development will be confined to the afternoon period and will largely impact areas of private open space. Properties to the east and south east will receive adequate solar access in the morning and/or midday periods with solar impacts predominately limited to 3pm and after.

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 at mid-winter. Accordingly, there are no unacceptable impacts.

Mitigation Measures

No mitigation measures are required.

8.8 Traffic & Parking

The proposal seeks on-site parking inclusive of 6 surface car parking spaces for residents, including 2 accessible spaces 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.

Proposed on-site parking provision of 4 x parking spaces and 2 x accessible parking spaces complies with the Housing SEPP parking rate requirements. In accordance with the requirements of the Housing SEPP, the proposed development is nominally required to provide a minimum of 2 car parking spaces. The development proposes an additional 4 standard parking 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 will result in a public benefit, thereby improving the amenity of other residents in the locality.

Unrestricted street parking is available on Pank Parade to accommodate any overflow parking demand generated by the proposed development.

The Traffic Impact Statement (**Appendix S**) indicates that the development will have a projected nett decrease of 3 vehicles per hour in the AM peak hour and a nett increase in 2 vehicle per hour in the PM peak hour. The projected nett change in traffic activity as a consequence of the development proposal is negligible and will not have any unacceptable implications in terms of road network capacity.

The Traffic Impact Statement examined the adequacy of the proposed internal vehicular access. The proposed development requires a 3.0-5.5m wide combined entry-egress. The development proposes two vehicular accesses comprising a 5.5m wide combined entry egress for five spaces within at grade car parking and a 3.0m wide domestic driveway for one space within a carport to service Unit 8. The vehicular access arrangements are considered suitable.

The Traffic Impact Statement examined the adequacy of the proposed internal design. The assessment confirmed that the internal configuration of the car park areas have been suitably designed.

Mitigation Measures

It is noted that the Traffic Impact Statement envisaged that a mitigation measure would be imposed requiring compliance with AS2890.1 (2004). As such, any minor amendments to the internal design of the proposed development considered necessary (if any) can be dealt with prior to the release of a Construction Certificate.

Standard 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 and Tree Management Plan has been prepared for the site by Redgum Horticultural (**Appendix J**). The report considers 32 trees, 27 of which are located within the subject site while 2 are street trees in the Pank Parade road reserve and the remaining 3 are within neighbouring properties.

The report recommends the removal of 25 existing trees within the site that are either located within the proposed development footprint or that would be impacted by an unavoidable major encroachment within their tree protection zones. It also recommends retention of 2 existing trees within the site, 2 street trees and 3 trees within neighbouring properties (Tree Nos. 1, 2, 8, 16, 17x2 and 18).

Appropriate replacement planting is proposed, as indicated on the landscape plan and details. The new plantings will provide replacement tree cover on the site and increase the variety of species, including flowering trees, which will provide additional habitat for fauna in the long-term.

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

Mitigation Measures

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

8.10 Heritage (European / Indigenous)

No heritage items are identified in Blacktown City 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 01 November 2021 (**Appendix I**) 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 Blacktown City Council's 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

Standard Identified Requirements (No. 46 and 47) have 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 Site Investigation prepared by STS Geotechnics (*Appendix P*) indicates the following:

- The subsurface conditions generally consist of topsoil overlying silty clays and weathered rock. The topsoil is present from the surface to depths of 0.3 metre. Stiff, becoming very stiff with depth, silty clay underlies the topsoil to depths of 2.3 to 2.5 metres and could not be penetrated below depths of 0.6 metre in BH4 and BH5. In BH1, BH2 and BH3, weathered rock underlies the silty clays to the depth of drilling, 3.0 metres.
- Groundwater was not observed during drilling works.

Mitigation Measures

No mitigation measures are required.

Contamination

According to Council's Section 10.7(2) & (5) Planning Certificates, Council does not have an adopted policy that restricts the development of the land because of the likelihood of contamination.

The subject site is unlikely to be affected by contamination as the development site has long term continuous use of the land for residential purposes and is considered highly disturbed.

Mitigation Measures

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

Acid Sulfate Soils

According to Council's Section 10.7(2) & (5) Planning Certificates, Council does not have an adopted policy that restricts the development of the land because of the likelihood of acid sulfate soils.

A review of the NSW Government ePlanning Spatial viewer does not identify the land as having the potential to contain Acid Sulfate Soils.

Mitigation Measures

No mitigation measures are required.

Salinity

Council’s Section 10.7(2) & (5) Planning Certificates indicate that Council does not have an adopted policy that restricts the development of the land because of the likelihood of salinity. Further, the Geotechnical Site Investigation, prepared by STS Geotechnics, states “*Reference to DLWC (2002) “Site Investigations for Urban Salinity” indicates that ECe values of 1.6 to 2.4 dS/m are consistent with the presence of non-saline and slightly saline soils.*”

Mitigation Measures

No mitigation measures are required.

8.12 Drainage / Flood Prone Land / Hydrology/ Water Quality

Stormwater drainage

Stormwater drainage for the proposed development has been designed in accordance with Council’s requirements. Stormwater will be collected via a series of stormwater pits and gutters on the site connected to an underground detention tank draining to the proposed street drainage pit within Pank Parade at the site frontage. A new stormwater kerb inlet pit is proposed within Pank Parade to cater for the development. Roof water from the subject development will be collected from downpipes and connected to an underground rainwater tank for recycling with overflow connected to the underground detention tank.

Flood prone land

The Section 10.7(2) & (5) Planning Certificates issued by Council for the subject site indicate there are currently no mainstream or backwater flood related development controls adopted by Council that apply to the land subject.

Hydrology

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

Water Quality

Development upon the site is to section 7.11 Contributions Plan No. 19 – Blacktown Growth Precinct and shall meet the water quality requirements through the provision of contributions in accordance with the Contributions Plan as adopted by Council. The contributions are only payable for developments with consent, however, the proposed development is ‘Development without consent’ under Housing SEPP 2021. Nonetheless, LAHC intends to voluntarily make the payment of contribution in lieu of provision of water quality filtration system and MUSIC model. Blacktown City Council is supportive of the voluntary payment.

Blacktown City Council has provided a quote for Section 7.11 contributions for stormwater quality in their letter dated 7 September 2023. The following monetary contributions under Section 7.11 of the *Environmental Planning & Assessment Act 1979* must be paid prior to the commencement of construction.

The current indexed contributions are:

S7.11 Contribution	Amount
Stormwater Quality	\$17,435

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.

An Identified Requirement no. 81 has been recommended to ensure payment of contribution in lieu of providing water quality treatments is made prior to commencement of construction.

8.13 Bushfire Prone Land

The Section 10.7(2) & (5) Planning Certificates issued by Blacktown City Council for the subject site advise that the subject land is identified on Council's Bush Fire Prone Land Map as being clear of any bushfire prone land

Mitigation Measures

No mitigation measures are required.

8.14 Noise and Vibration

During Demolition / Construction

During demolition/construction typical noise levels associated with these works will be limited to between the hours of 7am and 5pm Monday to Saturday with no work permitted on Sundays or public holidays. These hours are consistent with the requirements for construction of Complying Development across NSW. for

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 to 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 *Building Code of Australia* and EPA criteria with respect to noise transmission.

Appropriate standard Identified Requirements (Nos. 2 & 58) 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 standard Identified Requirements (Nos. 64 & 65) have been applied that will satisfactorily mitigate any potential or adverse impacts on air quality.

8.16 Waste Minimisation

A Waste Management Plan by Stanton Dahl Architects (**Appendix R**) indicates the following waste minimisation and management measures. The following measures 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 Stanton Dahl Architects, demolition materials will be stored wholly within the site prior to removal for recycling or disposal. Demolition waste will be reused, recycled or disposed of via the below methods:

- Excavation material - Topsoil retained by Building Contractor and stored on-site for re-use. Surplus material to be removed from site for recycling. Building Contractor to specify recycling subcontractor.
- Green materials - Mulch and store on-site for reuse in landscape works. Surplus mulched material to be removed from site for recycling. Building Contractor to specify recycling subcontractor. Green waste to be recycled – As per Building Contractors supplier.
- Bricks - Off-cuts and waste to be re-used for fill where appropriate. Surplus material to be removed from site for recycling. Building Contractor to specify recycling subcontractor.
- Concrete - Waste to be re-used for fill where appropriate. Surplus material to be removed from site for recycling. Building Contractor to specify recycling subcontractor.
- Timber - Off-cuts and waste material to be removed from site for recycling. Building Contractor to specify recycling subcontractor.
- Plasterboard - Removed from site to be recycled. Building Contractor to specify recycling subcontractor.
- Metals - Suitable off-cuts and waste material to be removed from site for recycling. Building Contractor to specify recycling subcontractor. Non-recyclable material to be removed to suitable landfill site to be specified by the Building Contractor.

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

During Construction

As per the Waste Management Plan prepared by Stanton Dahl Architects, construction materials will be stored wholly within the site prior to removal for recycling or disposal. Construction materials will be reused, recycled or disposed of via the below methods:

- Excavation Material - Topsoil retained by Building Contractor and stored on-site for re-use. Surplus material to be removed from site for recycling. Building Contractor to specify recycling subcontractor.

- Green Material - Mulch and store on-site for re-use in landscape works. Surplus mulched material to be removed from site for recycling. Building Contractor to specify recycling subcontractor.
- Bricks - Off-cuts and waste to be re-used for fill where appropriate. Surplus material to be removed from site for recycling. Building Contractor to specify recycling subcontractor. Bricks to be recycled as per Building Contractors nominated Contractor.
- Concrete - Waste to be re-used for fill where appropriate. Surplus material to be removed from site for recycling. Building Contractor to specify recycling subcontractor. Bricks to be recycled as per Building Contractors nominated Contractor.
- Timber - Off-cuts and waste material to be removed from site for recycling. Building Contractor to specify recycling subcontractor. All Materials to be re-used where possible or recycled. All items unable to be recycled will be taken to Land Fill – location to be confirmed by Building Contractor.
- Plasterboard - Removed from site to be recycled. Building Contractor to specify recycling subcontractor.
- Metals - Suitable off-cuts and waste material to be removed from site for recycling. Building Contractor to specify recycling subcontractor. Non-recyclable material to be removed to suitable landfill site to be specified by the Building Contractor.

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. One 240L general waste bin per two units is provided.

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. One 240L recycling bin per two units is provided.

As recommended by Blacktown City Council, 1X240L general waste bin, 1X240L recycle bin per two units in the bin enclosures within the front setback, and a roofed bulky waste room at the rear next to car parking area is provided.

Mitigation Measures

Standard Identified Requirements (Nos. 49-54 & 66) are recommended to ensure construction/demolition waste is appropriately managed and disposed of.

A standard 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.

An Identified Requirement (no. 79 & 80) is recommended to ensure compliance with Blacktown City Council's requirements regarding the number of bins and roofed bulky waste storage.

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 Blacktown local government and surrounding area wherein the expected waiting time for a 1 bedroom dwelling is 5-10 years and for a 2 bedroom dwelling is greater than 10 years, as at 30 June 2022 (GW03 Blacktown Allocation Zone);
- assist LAHC in improving the amenity of accommodation for its tenants, by providing new, more appropriate housing aligning with demand for social housing;
- As per the waiting list data available on NSW Communities and Justice website, there are more than 1000 people on general waitlist and approximately 46 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 Blacktown City local government and surrounding areas through:

- more efficient use of land resources, existing infrastructure and existing services, where possible;
- 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

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

The proposed activity has been considered in terms of the provisions of Section 5.5 of the EP&A Act and Section 171 and 171A of the EP&A Regulation. 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, BLEP 2015, 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 within the **Activity Determination**.

10 Appendices

APPENDIX A – ARCHITECTURAL PLANS

APPENDIX B – LANDSCAPE PLAN

APPENDIX C – CIVIL & STRUCTURAL PLANS

APPENDIX D – SURVEY PLAN

APPENDIX E – NOTIFICATION PLANS, & SCOPE OF NOTIFICATION

APPENDIX F – SECTION 10.7 CERTIFICATES

APPENDIX G – NOTIFICATION LETTERS AND SUBMISSIONS

APPENDIX H – ACCESS REPORT

APPENDIX I – AHIMS SEARCH

APPENDIX J – ARBORIST REPORT

APPENDIX K – BASIX CERTIFICATE

APPENDIX L – BCA REPORT

APPENDIX M – DESIGN COMPLIANCE CERTIFICATES

APPENDIX N – NatHERS CERTIFICATE

APPENDIX O – HOUSING FOR SENIORS CHECKLIST

APPENDIX P – GEOTECHNICAL INVESTIGATIONS

APPENDIX Q – TITLE SEARCH AND DP

APPENDIX R – WASTE MANAGEMENT PLAN

APPENDIX S – TRAFFIC REPORT

APPENDIX T – SAFETY IN DESIGN REPORT

APPENDIX U – S7.11 CONTRIBUTIONS QUOTE – STORMWATER QUALITY