

# REVIEW OF ENVIRONMENTAL FACTORS

Proposed Seniors Housing Development

at

10-14 Munmurra Road and 5 Bernadotte Street,

Riverwood NSW 2210

June 2024





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REVIEW OF ENVIRONMENTAL FACTORS

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Homes NSW

Postal address: Locked Bag 5022, Parramatta NSW 2124

[nsw.gov.au/homes-nsw](https://nsw.gov.au/homes-nsw)

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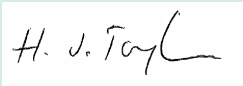


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## DOCUMENT SIGN-OFF

REF prepared by:	
Having prepared the REF: <ul style="list-style-type: none"><li>I have declared any possible conflict of interests (real, potential or perceived) to the a/Executive Director of Portfolio Strategy and Origination, Housing Portfolio, Homes NSW.</li><li>I do not consider I have any personal interests that would affect my professional judgement.</li><li>I will inform the a/Executive Director of Portfolio Strategy and Origination, Housing Portfolio, Homes NSW as soon as I become aware of a possible conflict of interest.</li></ul> Name: Howard Taylor Designation: Senior Planner, Planning & Assessment, Homes NSW Signature:  Date: 14.06.2024	
REF peer reviewed by:	
Name: Deborah Gilbert Designation: Team Leader, Planning & Assessment, Homes NSW Signature:  Date: 17.06.2024	
REF reviewed and endorsed by:	
I certify that I have reviewed and endorsed the contents of this REF document and, to the best of my knowledge, it is in accordance with the EP&A Act, the EP&A Regulation and the Guidelines approved under clause 170 of the EP&A Regulation, and the information it contains is neither false nor misleading. Name: Carolyn Howell Designation: Manager, Planning & Assessment, Homes NSW Signature:  Date: 21.06.2024	

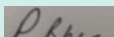
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Name: Peta Baker

Designation: Acting Director, Portfolio Services, Homes NSW

Signature: 

Date: 21.06.2024

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# 1 Executive Summary

The subject site is located at 10-14 Munmurra Road and 5 Bernadotte Street, Riverwood, and is legally described as Lots 57, 58, 59 and 60 in Deposited Plan 35818. The proposed seniors housing development is described as follows:

Removal of trees, and the construction of 16 independent living seniors housing units comprising 8 x 1 bedroom and 8 x 2 bedroom units, with associated landscaping and fencing, surface parking for 12 cars, and consolidation into a single lot.

The proposed activity is permissible within consent in the zone (R2 – Low Density Residential) and seniors housing can therefore be carried out by the NSW Land and Housing Corporation (LAHC) 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 does not form part of this activity. Approval for the demolition of existing dwellings and associated structures will be sought separately.

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 (REF) 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 Housing Design Guide* and taken into consideration *Good Design for Social Housing* and *NSW Land and Housing Corporation Design Requirements*;
- the site planning and design of the proposed activity adequately address the applicable local environmental planning and development controls of Georges River 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
- Georges River 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 8 May 2024. Comments on the response are provided in Section 7.1 of this REF. One submission was received from occupiers of adjoining land. Comments on the submission are provided in Section 7.2 of this REF.

The proposed activity, when carried out in accordance with the environmental mitigation measures outlined in the REF, will not result in any significant and long-term negative impacts on the environment and can proceed subject to the implementation of the identified requirements within the ***Activity Determination***.

## 2 Introduction

This REF under Part 5 of the EP&A Act is for an activity involving the removal of trees, and the construction of 16 independent living seniors housing units comprising 8 x 1 bedroom and 8 x 2-bedroom units, with associated landscaping and fencing, surface parking for 12 cars, and consolidation into a single lot at 10-14 Munmurra Road and 5 Bernadotte Street, Riverwood.

The activity<sup>1</sup> will be carried out by NSW Land and Housing Corporation (LAHC) and is considered 'development without consent' under the Housing SEPP.

This REF has been prepared by LAHC to satisfy the provisions of Part 5 of the EP&A Act and Part 8 of the EP&A Regulation.

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.

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### 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;
- recommending identified requirements to ensure the mitigating measures are implemented if the activity were to proceed; and
- outlining the notification and consultation process that was undertaken prior to the preparation of the REF.

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### 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 *Georges River Local Environmental Plan 2021* (GRLEP 2021);

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<sup>1</sup> Note: The proposed development is permitted without consent and is therefore subject to environmental impact assessment as an 'activity' under Part 5 of the Environmental Planning and Assessment Act 1979.

- it was determined that seniors housing is 'permitted with consent' in the R2 – Low Density Residential zone pursuant to the GRLEP 2021, and can be carried out 'without consent' under the provisions of the Housing SEPP;
- a desktop analysis and investigation of the site and surrounds was undertaken based on site clearance information to determine the suitability of the site for the proposed development activity, particularly taking into account the existing site conditions, constraints and local context;
- a site inspection was undertaken;
- 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 REF; 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 in the Georges River local government area (LGA) and comprises 4 residential allotments, described as Lots 57, 58, 59 and 60 in Deposited Plan 35818. A location plan is provided at **Figure 1** and **Figure 2**.

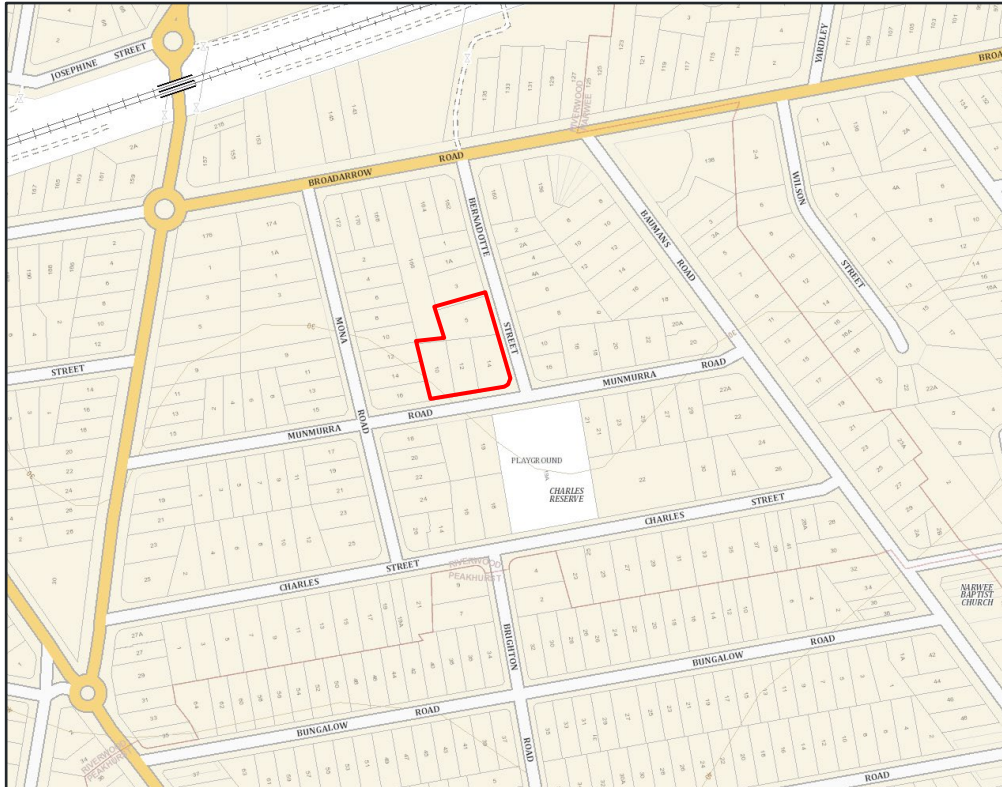


Figure 1 Location Plan (Source: SIX Maps accessed April 2024)





Figure 2 Location Plan (Source: Nearmap accessed April 2024)

The site is currently occupied by 4 single storey brick dwellings with tiled roofs (refer to photographs at **Figure 3** to **Figure 7**).



Figure 3 Development site – 10 Munmurra Road (Source: LAHC Site Visit on 16 April 2024)





Figure 4 Development site – 12 Munmurra Road (Source: LAHC Site Visit on 16 April 2024)



Figure 5 Development site – 14 Munmurra Road – Munmurra Road frontage (Source: LAHC Site Visit on 16 April 2024)





Figure 6 Development site – 14 Munmurra Road – Bernadotte Street frontage (Source: LAHC Site Visit on 16 April 2024)



Figure 7 Development site – 5 Bernadotte Street (Source: LAHC Site Visit on 16 April 2024)



The subject site has frontages to Munmurra Road and Bernadotte Street.

The properties immediately adjoining the site to the west include 12, 14, 16 and 16A Mona Road, and 166 Broadarrow Road. The property at 12 Mona Road contains a double storey rendered dwelling with tiled roof (refer photograph at **Figure 8**), 14 Mona Road contains a double storey brick dwelling with tiled roof (refer photograph at **Figure 9**), while 16 and 16A Mona Road both contain a single storey brick dwelling with tiled roof (refer photographs at **Figures 10** and **Figure 11**). The property at 166 Broadarrow Road contains a 1 and 2-storey multi dwelling housing development. Charles Reserve is located directly opposite the site on the southern side of Munmurra Road.



Figure 8 Adjoining development – 12 Mona Road (Source: Google Maps, Streetview, October 2021)





Figure 9 Adjoining development – 14 Mona Road (Source: Google Maps, Streetview, October 2021)



Figure 10 Adjoining development – 16 Mona Road (Source: Google Maps, Streetview, October 2021)





Figure 11 Adjoining development – 16A Mona Road (Source: Google Maps, Streetview, October 2021)

The property to the north of 5 Bernadotte Street is 3 Bernadotte Street, which contains a single storey rendered dwelling with tile roof (refer to photograph at **Figure 12**).



Figure 12 Adjoining development – 3 Bernadotte Street (Source: Google Maps, Streetview, October 2021)

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## 3.2 Site Description

Copies of the Section 10.7(2) & (5) Planning Certificates (PL2024/1377, PL2024/1376, PL2024/1375 and PL2024/1374) dated 8 April 2024 are provided in *Appendix F*.

The site has a total area of 2,493m<sup>2</sup> and has frontages of 43.595m to Munmurra Road and 52.30m to Bernadotte Street, connected by a curvilinear section of boundary measuring 10.275m. The site has a northern side boundary of 32.185m, a western side boundary of 38.98m and rear boundaries of 16.52m (to Munmurra Road) and 19.56m (to Bernadotte Street). Refer to Detail and Level Survey (*Appendix D*).

The site falls in a uniform north-easterly direction from a height of 31.08m AHD at the south-western corner of the site at the Munmurra Road frontage to 27.35m at the north-eastern corner of the site at the Bernadotte Street frontage, equating to a fall of 3.7m (approximately 5%). An easement for stormwater drainage is not required as the site is able to drain to Bernadotte Street.

The section 10.7(2) certificate for Lot 59 DP 35818 (14 Munmurra Road) identifies the site as being between the flood planning area and the probable maximum flood extents in Georges River Council's *Overland Flow Floodplain Risk Management Study and Plan for Hurstville, Mortdale, and Peakhurst Wards*.

There are 15 trees on and adjoining the site. Trees 5-14 are located wholly within the site, trees 1-4 are located within the Munmurra Road and Bernadotte Street road reserves and tree 15 is located on an adjoining property.

### Traffic and Access

Vehicular access is currently provided to each dwelling via a crossover from Munmurra Road (10 & 12 Munmurra Rd) or Bernadotte Street (14 Munmurra Rd & 5 Bernadotte St). Unrestricted on-street parking is permitted along both sides of Munmurra Road and Bernadotte Street.

### Services

Water, sewer, electricity and telephone facilities are available to the site (refer to the Detail and Level Survey for the location of available services at *Appendix D*). Water, electricity and telephone services are located along the road alignment of Munmurra Road. Telephone services are located within the Bernadotte Street road reserve. Sewer lines traverse the rear boundary of 10, 12 and 14 Munmurra Road and along the frontage of 5 Bernadotte Street.

### Encumbrances

Lot 57 in DP 358218 (10 Munmurra Road) benefits from an easement to drain water 1m wide, as identified on the Certificate of Title in *Appendix Q*. The easement enables 10 Munmurra Road to drain to Broadarrow Road through Lot 1 in DP 873453, however the proposed development does not rely on this easement as drainage is proposed directly to Bernadotte Street. No other encumbrances have been identified on title, section 10.7 certificates or indicated on the Detail and Level Survey.

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## 3.3 Neighbouring Development and Locality

The site is located within an established residential area characterised by older style single storey detached dwelling houses of brick construction with tiled roofs interspersed with more contemporary 2-storey residential developments of rendered and/ or brick construction (refer to photographs at **Figures 13 to Figure 16**).





Figure 13 More recent dual occupancy development at 2 Bernadotte Street (north of the site) (Source – LAHC Site Visit on 16 April 2024)



Figure 14 More recent dual occupancy development at 1 Bernadotte Street (north of the site) (Source – LAHC Site Visit on 16 April 2024)



Figure 15 Multi unit development - seniors housing at 149-151 Broadarrow Road (north of the site) (Source – LAHC Site Visit on 16 April 2024)





Figure 16 Two storey development at 8 Mona Road (Source – LAHC Site Visit on 16 April 2024)

### Public Transport

The subject site is well serviced by the following public transport services located on Broadarrow Road:

- Stop ID: 2210291 (Broadarrow Road opposite Mona Road) – approximately 300m walking distance north of the site.
- Stop ID: 2210290 (Broadarrow Road at Mona Road) – approximately 230m walking distance north of the site.

Subject to the construction of a new accessible pathway along the Munmurra Road site frontage and the length of Bernadotte Street and some pathway upgrading as identified in the Access Report, the bus stops are accessible to seniors and people with a disability.

The stops on Broadarrow Road are serviced by Busways Route 940, which connects Bankstown to Hurstville via Mount Lewis, Punchbowl, Riverwood, Narwee and Penshurst including train stations and major shopping centres which provide residents with access to a full range of services and facilities. Bus route 940 (Bankstown to Hurstville via Riverwood) operates at a frequency which satisfies the criteria for seniors housing pursuant to the Housing SEPP.



The area, although residential in nature, is also close to some open space areas including Judd Reserve, Oleander Reserve and Peakhurst Park. Riverwood train station is located approximately 950m to the west of the site. Narwee train station is also located approximately 1.2km to the east of the site. There are also several community-based land uses including a childcare centre, primary school, medical centres and churches in the vicinity.

## 4 Project Description

The proposed activity can be described as follows.

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### 4.1 Demolition

Demolition is not proposed as part of this activity. Identified Requirement (No. 29) is recommended requiring separate approval to be obtained prior to commencement.

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### 4.2 Removal of Trees

There are 15 trees on and adjoining the site. Trees 1-4 are located within the Munmurra Road and Bernadotte Street road reserves; trees 5-14 are located wholly within the site; and tree 15 is located within an adjoining property.

The following 7 trees are proposed to be removed. Reasons for their removal are detailed below:

- Tree No. 6 – assessed as dead.
- Tree No. 7 – identified as being of high significance, however located within the footprint of proposed Units 2 and 3.
- Tree No. 8 – identified as being of medium significance, however located within the footprint of proposed Units 3, 5 and 6, concrete pedestrian footpaths and communal parking area.
- Trees 9 and 10 – identified as being of medium significance, however within the footprint of the common driveway/ car park.
- Tree No. 11 – identified as being of low significance, and within the footprint of the common driveway/ car park.
- Tree No. 14 – identified as being of low significance with low amenity value and limited useful life expectancy.

Tree 4 in Council's reserve was originally proposed to be removed. However, in its response to notification of the development, Council requested that Tree 4 be retained as the tree may provide potential habitat – refer to Section 7.1 of this REF.

Tree removal is recommended primarily to accommodate the proposed development, or the individual species are recommended for removal as they are not considered to be worthy of retention (refer to submitted Arboricultural Impact Assessment in *Appendix J*).

More appropriate tree plantings, including trees capable of reaching mature heights of 15m, 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*).

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### 4.3 Proposed Dwellings

The proposed housing represents a contemporary, high-quality design. The proposed development has been split into two distinct building forms - the northern building form comprises 4 units while the southern building form comprises 12 units.

All units have been designed to address either Munmurra Road and/or Bernadotte Street, with habitable rooms, ground floor patios and upper-level balconies facing the street for passive surveillance. Units 4-8 at ground floor and Units 12-16 at first floor are designed to address Bernadotte Street. It is noted that Unit 12 has an additional balcony that addresses Munmurra Road. Units 1-3 at ground floor and Units 9-11 face Munmurra Road.

The use of a mix of face brick and wall cladding for external walls and metal roofing is generally consistent with the existing and emerging character of the Riverwood suburb.

All ground floor units are capable of being adapted to suit persons with a disability should the need arise in the future. It is noted that the buildings have been designed to allow for the provision of a lift in the future.

As depicted in the long sections on the Cut and Fill Diagrams (*Appendix A*), a maximum cut of approximately 680mm and maximum fill of approximately 1m is proposed to provide level carparking areas and building platforms. Retaining walls up to 1m in height are proposed to assist with stability of the site as shown on the Site Plan (refer to *Appendix A*) and Civil Plans (refer to *Appendix C*). Battering is proposed along the Bernadotte Street frontage.

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 dwelling will be provided with its own enclosed private open space area. All these spaces are directly accessible from the living areas. A communal landscaped open space is located in the north western corner of the site.

Reverse cycle air conditioning will be provided to the living areas of each dwelling to assist with climate control, as well as photovoltaic systems to offset energy costs.

A total of 12 surface car parking spaces will be provided on the site, including 4 accessible spaces. On-site car parking is proposed in a central common parking area, with the exception of 1 space which is located adjacent to Unit 8 and will be allocated for the use of residents of this dwelling.

Stormwater will be collected via a series of stormwater pits and gutters on the site connected to underground on-site detention (OSD) tanks with a combined volume of 52.9m<sup>3</sup>, draining to a proposed junction pit at Bernadotte Street. Roof water will be collected from downpipes and connected to underground rainwater tank for recycling with overflow connected to the OSD tanks. Swales along parts of the site's side and rear boundaries will collect any overland flow from adjoining sites and direct the water via a stormwater pit and pipework to the proposed junction pit in Bernadotte Street. Kerbing to a height of 100mm along the length of the northern boundary is proposed to direct internal run off from the rear landscaped areas out to Bernadotte Street.

In relation to boundary fencing, it is noted that there are a number of inconsistencies between the Architectural and the Landscape Plans. Identified requirement (No. 71) is recommended requiring the Architectural and Landscape Plans to be updated to provide 1.8m high metal panel fencing (colour Monument or similar) at the site's boundaries and tapering to 1.2m in height between the front building line and the front property boundary.

Palisade fencing 1.5m high is proposed inset by approximately 0.5m from the front property boundaries which is not in keeping with Council's DCP requirements. Identified requirement (No. 72) is recommended to limit the height of fencing at the front property boundaries to a maximum height of 1.2m.

Metal fencing 1.5m high is proposed for the private open space areas facing Bernadotte Street. Identified requirement (No. 73) is recommended requiring a less open form of fencing than proposed that allows for casual surveillance whilst providing privacy.

**Figure 17 to Figure 20** include extracts from the architectural plans illustrating the proposed development.



Figure 17 Extract from Architectural Plans – Site Plan (Source: Architectural Plans dated 17/05/2024)

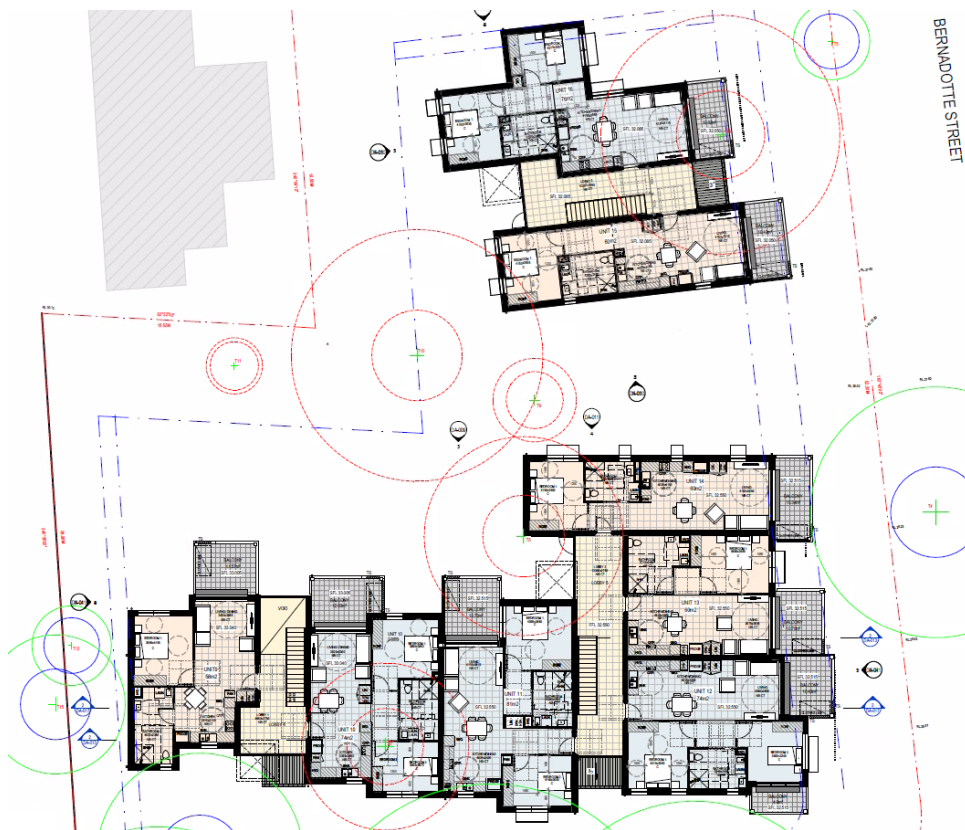


Figure 18 Extract from Architectural Plans – General Arrangement Plan – First Level (Source: Architectural Plans, Custance, dated 18/01/2024)





Figure 19 Extract from Architectural Plans – Bernadotte Streetscape Perspective (Source: Architectural Plans, Custance, dated 18/01/2024)



Figure 20 Extract from Architectural Plans – Corner of Munmurra Road and Bernadotte Street Perspective (Source: Architectural Plans, Custance, dated 18/01/2024)

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## 4.4 Supporting information

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

Table 1 Supporting documentation

Title / Name:	Drawing No. / Document Ref	Revision / Issue:	Date [dd/mm/yyyy]:	Prepared by:
<b>Architectural – Appendix A</b>				
Cover Sheet	DA-001	6	17/05/2024	Custance Associates Australia Pty Ltd
Site Analysis	DA-002	5	18/01/2024	Custance Associates Australia Pty Ltd
Development Data	DA-004	5	18/01/2024	Custance Associates Australia Pty Ltd
Site Plan	DA-005	6	17/05/2024	Custance Associates Australia Pty Ltd
General Arrangement Plan - Ground Level - Part 2	DA-006.A	4	17/05/2024	Custance Associates Australia Pty Ltd
General Arrangement Plan - Ground Level - Part 1	DA-006	8	17/05/2024	Custance Associates Australia Pty Ltd
General Arrangement Plan - Level 1	DA-007	8	17/05/2024	Custance Associates Australia Pty Ltd
Roof Plan	DA-008	5	18/01/2024	Custance Associates Australia Pty Ltd
External Elevations	DA-009	6	18/01/2024	Custance Associates Australia Pty Ltd
External Elevations	DA-010	6	18/01/2024	Custance Associates Australia Pty Ltd
External Elevations	DA-011	7	17/05/2024	Custance Associates Australia Pty Ltd
External Finishes	DA-012	5	18/01/2024	Custance Associates Australia Pty Ltd
Building Sections	DA-013	5	18/01/2024	Custance Associates Australia Pty Ltd
Shadow Diagrams	DA-014	5	18/01/2024	Custance Associates Australia Pty Ltd
Solar Access Studies - Bernadotte St	DA-015	5	18/01/2024	Custance Associates Australia Pty Ltd
Solar Access Studies - Internal Carpark	DA-016	6	17/05/2024	Custance Associates Australia Pty Ltd
Cut and Fill Diagrams	DA-017	3	18/01/2024	Custance Associates Australia Pty Ltd
Views from the Sun – Sheet 1	DA-018	4	17/05/2024	Custance Associates Australia Pty Ltd
Views from the Sun – Sheet 2	DA-019	4	17/05/2024	Custance Associates Australia Pty Ltd
Views from the Sun – Sheet 3	DA-020	4	17/05/2024	Custance Associates Australia Pty Ltd
Views from the Sun – Sheet 4	DA-021	4	17/05/2024	Custance Associates Australia Pty Ltd
<b>Landscape Plan – Appendix B</b>				
Landscape Coversheet	000	G	11/06/2024	Site Image

Title / Name:	Drawing No. / Document Ref	Revision / Issue:	Date [dd/mm/yyyy]:	Prepared by:
Existing Tree Master Plan	001	E	11/06/2024	Site Image
Landscape Masterplan (Colour)	C100	G	11/06/2024	Site Image
General Arrangement Plan 1	101	D	25/01/2024	Site Image
General Arrangement Plan 2	102	G	11/06/2024	Site Image
Planting Plan 1	201	E	25/01/2024	Site Image
Planting Plan 2	202	H	11/06/2024	Site Image
Landscape Specification Notes & Planting Schedule	500	G	21/05/2024	Site Image
Landscape Details	501	B	03/11/2023	Site Image

**Civil Plan – Appendix C**

Site Stormwater Plan	CSK01	G	13/06/2024	JN
Level 1 Stormwater Plan	CSK02	G	13/06/2024	JN
Roof Stormwater Plan	CSK03	G	13/06/2024	JN
WSUD Plan	CSK04	G	13/06/2024	JN
ESM Site Plan	ESM1	B	13/06/2024	JN
ESM Site Plan	ESM2	B	13/06/2024	JN

**Survey Plans – Appendix D**

Detail and Level Survey	1 of 10	C	5/12/2023	Norton Survey Partners
Detail and Level Survey	2 of 10	C	5/12/2023	Norton Survey Partners
Detail and Level Survey	3 of 10	C	5/12/2023	Norton Survey Partners
Detail and Level Survey	4 of 10	C	5/12/2023	Norton Survey Partners
Detail and Level Survey	5 of 10	C	5/12/2023	Norton Survey Partners
Detail and Level Survey	6 of 10	C	5/12/2023	Norton Survey Partners
Detail and Level Survey	7 of 10	C	5/12/2023	Norton Survey Partners
Detail and Level Survey	8 of 10	C	5/12/2023	Norton Survey Partners
Detail and Level Survey	9 of 10	C	5/12/2023	Norton Survey Partners
Detail and Level Survey	10 of 10	C	5/12/2023	Norton Survey Partners
Survey Plan Showing Detail and Levels	1 of 1	A	19/12/2022	Mepstead and Associates

**Notification Plans – Appendix E**

Cover Sheet	N-01	2	21/12/2023	Custance Associates Australia Pty Ltd
Site/Landscape Plan	N-02	A	14/02/2024	Custance Associates Australia Pty Ltd
External Elevations	N-03	2	21/12/2023	Custance Associates Australia Pty Ltd
External Elevations	N-04	2	21/12/2023	Custance Associates Australia Pty Ltd
External Finishes	N-05	2	21/12/2023	Custance Associates Australia Pty Ltd
Shadow Diagrams	N-06	2	21/12/2023	Custance Associates Australia Pty Ltd

**Access Report – Appendix H**



Title / Name:	Drawing No. / Document Ref	Revision / Issue:	Date [dd/mm/yyyy]:	Prepared by:
Access Report	23008-DA	R1.3	8/03/2024	Ai Consultancy

**AHIMS Web Search – Appendix I**

AHIMS search	-	-	16/04/2024	NSW Government
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**Arborist Report – Appendix J**

Arboricultural Impact Assessment Report	D4910	-	June 2024	Allied Tree Consultancy
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**BASIX – Appendix K**

BASIX Certificate	1740102M	-	16/03/2024	Eco Engineering Group Pty Ltd
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**BCA report – Appendix L**

BCA Compliance Assessment	P220164	2	6/12/2023	BCA Vision
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**NatHERS Certificate – Appendix N**

Nationwide House Energy Rating Scheme – Class 2 Summary	0009311090	-	18/03/2024	House Energy Certified
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**Geotechnical Investigation Assessment - Appendix P**

Geotechnical Investigation	22/3102	-	September 2022	STS Geotechnics Pty Ltd
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**Waste Management Plan – Appendix R**

Waste Management Plan	-	-	-	Custance Associates Australia Pty Ltd
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**Traffic Report - Appendix S**

Traffic Impact and Parking Assessment	N0221293	B	22/11/2023	Jones Nicholson Pty Ltd
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**Overland Flow Report – Appendix T**

Overland Flow Report	N0221293 – CRPT.02D	-	5 February 2024	Jones Nicholson Pty Ltd
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**Section 10.7 Planning Certificates – Appendix F**

Lot 57 DP 35818, Cert no. PL2024/1377, dated 08.04.2024 – Georges River Council

Lot 58 DP 35818, Cert no. PL2024/1376, dated 08.04.2024 – Georges River Council

Lot 59 DP 35818, Cert no. PL2024/1375, dated 08.04.2024 – Georges River Council

Lot 60 DP 35818, Cert no. PL2024/1374, dated 08.04.2024 – Georges River Council

**Notification letters & submissions – Appendix G****Design compliance and checklists – Appendix M**

Architect's Certificate of Building Design Compliance – 14/06/2024

Certificate of Landscape Documentation Compliance – 14/06/2024

Certificate of Stormwater Documentation Compliance – 14/06/2024

**Housing for seniors checklist – Appendix O**

Seniors Housing Design Guide, LAHC Design Requirements & Good Design for Social Housing, prepared by Custance Associates Australia Pty Ltd, undated.

### **Titles and Deposited Plans – Appendix Q**

Title Search, Folio: 57/35818, Search date 15.09.2021, First Schedule: New South Wales Land and Housing Corporation. Second Schedule: DP873453 Easement to Drain Water 1 Wide

Title Search, Folio: 58/35818, Search date 15.09.2021, First Schedule: New South Wales Land and Housing Corporation.

Title Search, Folio: 59/35818, Search date 15.09.2021, First Schedule: New South Wales Land and Housing Corporation

Title Search, Folio: 60/35818, Search date 15.09.2021, First Schedule: New South Wales Land and Housing Corporation

Deposited Plan 35818, Search Date 15.09.2021

### **Council Flood Advice – Appendix U**

Flood Advice Letter for 14 Munmurra Road, Riverwood, dated 25/08/2023 – Georges River Council

## 5 Zoning and Permissibility

The site is zoned R2 Low Density Residential under *Georges River Local Environmental Plan 2021* (GRLEP 2021) (**Figure 23**). The proposed development is defined as ‘seniors housing’ under the provisions of GRLEP 2021 and is permitted with consent in the R2 zone.



Figure 21 Land zoning map (Source: NSW Planning Portal)

The relevant objectives of the R2 zone, as set out in GRLEP 2021 are:

- To provide for the housing needs of the community within a low density residential environment.
- To promote a high standard of urban design and built form that enhances the local character of the suburb and achieves a high level of residential amenity.
- To provide for housing within a landscaped setting that enhances the existing environmental character of the Georges River local government area.

The proposed development provides seniors housing that meets the identified needs of the community and includes a mix of 1 and 2-bedroom units. The proposal has been sympathetically designed to fit with the emerging character of the surrounding area and will provide a high level of amenity for residents. A variety of new landscape plantings, including a mixture of new trees, shrubs and groundcovers, will provide a landscaped setting for the development. 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 section. **Table 5** in subsection 6.5.1 of this REF demonstrates compliance with the relevant provisions of Chapter 3 Part 5 Division 8 of the SEPP.

## 6 Planning and Design Framework

### 6.1 Environmental Planning and Assessment Act 1979

#### 6.1.1 Duty to consider environmental impact [Section 5.5]

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

**Table 2** below demonstrates the effect of the proposed development activity on the matters listed for consideration in subsection 3 of Section 5.5.

Table 2 Compliance with subsection 3 of Section 5.5 of the EP&A Act

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

### 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 3** and **Table 4** 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 3 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 Housing Design Guide, 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 4 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 Assessment		
	YES/NA	Temporary	Minor	Significant [Note 1]
(a) environmental impact on the community	Yes	x	x	
(b) transformation of a locality;	Yes		x	
(c) environmental impact on the ecosystems of the locality;	NA			
(d) reduction of the aesthetic, recreational, scientific or other environmental quality or value of a locality;	Yes	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;	NA			
(f) impact on the habitat of protected animals (within the meaning of Biodiversity Conservation Act 2016);	NA			
(g) endangering of any species of animal, plant or other form of life, whether living on land, in water or in the air;	NA			
(h) long-term effects on the environment;	Yes		x	
(i) degradation of the quality of the environment;	Yes	x	x	
(j) risk to the safety of the environment;	Yes	x	x	
(k) reduction in the range of beneficial uses of the environment;	NA			
(l) pollution of the environment;	Yes	x	x	
(m) environmental problems associated with the disposal of waste;	Yes		x	

Guidelines for Division 5.1 assessments require the following Environmental factors to be taken into account:	Relevant?	Impact Assessment		
	YES/NA	Temporary	Minor	Significant [Note 1]
(n) increased demands on resources (natural or otherwise) that are, or are likely to become, in short supply;	Yes		x	
(o) cumulative environmental effect with other existing or likely future activities.	Yes		x	
(p) impact on coastal processes and coastal hazards, including those under projected climate change conditions. [Note 2]	NA			
(q) applicable local strategic planning statements, regional strategic plans or district strategic plans made under the Act, Division 3.1,	Yes – discussed below in Section 6.4.2		x	
(r) other relevant environmental factors.	Yes – discussed in Section 8.	x	x	

**Note 1:** A 'significant' impact will trigger the need for 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 Local Strategic Planning Statement (LSPS) and Community Strategic Plan are considered below at Section 6.4.2 of this report.

## 6.4.2 Strategic Planning Framework

### Georges River 2040 Local Strategic Planning Statement

The Georges River Local Strategic Planning Statement was endorsed by Georges River Council in March 2020. It is a 20-year plan that seeks to realise the vision of *a productive place to live, work and enjoy with diverse, active, green, well designed and connected places* through 5 interrelated themes:

- Access and movement
- Infrastructure and community
- Housing and neighbourhoods
- Economy and centres
- Environment and open space

Furthermore, 20 Planning Priorities are identified to facilitate the delivery and realisation of the desired future for Georges River. Under the theme 'Housing and neighbourhood', the challenge of facilitating a supply of a diversity of housing is discussed. Planning Priority 9 under the relevant theme highlights the need to provide a mix of well-designed housing for all life stages to cater for a range of lifestyle needs and incomes.

The proposed development will contribute 16 seniors living units to the affordable housing supply in the Georges River LGA. It is diversifying residential uses in Georges River by introducing a seniors housing development to accommodate the ageing population in the locality that is well serviced by existing public transport options and essential services.



The proposed development contributes to the objectives of the Georges River Local Strategic Planning Statement with the provision of 16 seniors living units.

### **Georges River 2022 - 2032 Community Strategic Plan**

The Georges River 2022 - 2032 Community Strategic Plan is a 10 year plan that outlines 6 broad inter-related themes derived from an extensive community engagement process, which identified priorities for the community's future. The themes are as follows:

- Our community
- Our green environment
- Our economy
- Our built environment
- Our place in Sydney
- Our governance

The 6 themes are further broken down into key goals and strategies for Council to facilitate, in partnership with the community, government agencies and business. Under the theme 'Our built environment', the goal of affordable and quality housing options is identified. The proposed development for 16 seniors living units is consistent with this goal as it provides new social housing within the LGA which integrates renewable practices and provides a high quality development that will contribute to the character of the local area. As such, the proposal is not in conflict with the Georges River 2022 - 2032 Community Strategic Plan.

### **6.4.3 Activities in catchments [Section 171A]**

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

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

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

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## **6.5 State Environmental Planning Policy (Housing) 2021**

### **6.5.1 Development without Consent**

#### **Development for Seniors Housing**

The Housing SEPP is very specific in terms of the matters that LAHC must consider in determining whether or not to proceed with a seniors housing development that meets the thresholds for self-approval under the SEPP. There are locational and detailed design requirements that also need to be considered. These are discussed below.

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 5 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 seniors 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 (R2 zone) under the GRLEP 2021.
(b) in a prescribed zone or an equivalent land use zone.	The R2 zone is also a prescribed zone under the SEPP.  Chapter 3, 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 a relevant authority without development consent if -	
(a) the relevant authority has considered the applicable development standards specified in sections 84(2)(c)(iii), 85, 88, 89 and 108, and	Consideration of the development standards are provided in <b>Tables 6</b> and <b>Table 7</b> below.
(b) the development will not result in a building with a height of more than- (i) 9.5m, or (ii) if the roof of the building contains servicing equipment resulting in the building having a height of more than 9.5m and the servicing equipment complies with section 84(3) – 11.5m, and	The maximum building height is 8.7m.
(c) the seniors housing will not contain more than 40 dwellings on the site.	The development is for 16 dwellings on the site.
(2) <i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i> , sections 2.15 and 2.17 apply to the development and, in the application of the clauses –	Sections 2.15 and 2.17 of <i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i> 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 – Notification before carrying out development (1) Before carrying out development to which this Division applies, a relevant authority must do the following –	
(a) request the council to nominate a person or persons who must, in the council’s opinion, be notified of the development,	Advice was sought from Georges River Council regarding additional persons or properties that should be notified of the development via an email sent to Council on 1 March 2024. Council provided a response on 12 March 2024 advising that the extent of notification is considered satisfactory subject to owners also being notified.

Provision	Compliance
(b) give written notice of the intention to carry out the development to — (i) the council, and (ii) any persons nominated by the council under paragraph (a), and (iii) the occupiers of adjoining land	A letter dated 26 March 2024 was sent by LAHC to notify Georges River Council of the proposed development activity. Letters dated 26 March 2024 were also sent by LAHC to notify owners and occupiers of adjoining land of the proposed development activity.
(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 email dated 8 May 2024. Comments on the response are provided in Section 7.1 of this REF.  A submission was received from an adjoining owner. Comments on the submission are provided in Section 7.2 of this REF.
(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 carried out.	Noted
108 CB - Considerations before carrying out development (1) Before carrying out development to which this division applies, the relevant authority must consider —	
(a) the <i>Seniors Housing Design Guide</i> , published by the Department in December 2023, and	Refer to checklist in <b>Appendix O</b> and subsection 6.5.3 of this REF. These conclude that the development complies with all relevant development standards relating to the <i>Seniors Housing Design Guide</i> with the exception of a minor variation discussed in subsection 6.5.3 of this report. In this case, suitable alternatives are proposed which are necessary due to site specific constraints, site and locality characteristics and specific LAHC design requirements and policies.
(b) the design principles for seniors housing set out in Schedule 8.	Consideration of these principles is discussed in Section 6.5.6.
(2) Before carrying out development to which this division applies, the Aboriginal Housing Office must consider the <i>AHO Design Guidelines NSW</i> , published by the Aboriginal Housing Office in January 2020.	The relevant authority for the subject application is LAHC therefore 108CB (2) is not applicable.
(3) Before carrying out development to which this division applies, the Land and Housing Corporation must consider —	
(a) <i>Good Design for Social Housing</i> , published by the Land and Housing Corporation, in partnership with the Government Architect NSW, in September 2020, and	Refer to subsection 6.5.4 of this REF and the Architect's Statement and Certificate of Building Design Compliance in <b>Appendix M</b> which indicate that the <i>Good Design for Social Housing</i> has been considered.
(b) the <i>NSW Land and Housing Corporation Design Requirements</i> , published by the Land and Housing Corporation in February 2023.	Refer to subsections 6.5.5 of this REF and the Architect's Statement and Certificate of Building Design Compliance in <b>Appendix M</b> which indicate that the design requirements have been considered.

Provision	Compliance
(4) Before carrying out development to which this division applies, Landcom must consider the <i>Landcom Affordable Housing Design Guideline</i> , published by Landcom, in partnership with the Government Architect NSW, in November 2023.	Not applicable.
108D - Exempt development Development for purposes of landscaping and gardening is exempt development if it is carried out by or on behalf of a relevant authority in relation to seniors housing	Noted
108E - Subdivision of seniors housing not permitted Development consent must not be granted for subdivision of seniors housing.	Subdivision is not proposed.

The Housing SEPP requires LAHC to consider the applicable development standards specified in section 84(2) (c) (iii), 85, 88, 89 and 108. Consideration of these sections of the SEPP is demonstrated in **Table 6** and **Table 7** below.

Table 6 Compliance with section 84(2) (c) (iii), 85, 88, 89 of the Housing SEPP 2021

Provision	Compliance
<b>84 Development standards—general</b> (2) Development consent must not be granted for development to which this section applies unless— (c) for development on land in a residential zone where residential flat buildings are not permitted— (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.	The proposed development is in the R2 zone where residential flat buildings are not permitted.  NA – The proposed buildings are 2-storeys only.
<b>85 Development standards for hostels and independent living units</b> (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, 5–13 and 15–21 if the development application is made by, or by a person jointly with, a social housing provider or Landcom.  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 <b>Table 7</b> below.  Noted.

Provision	Compliance
<b>88 Restrictions on occupation of seniors housing</b> (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, (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.	Identified Requirement no. 66 is recommended to achieve compliance.
<b>89 Use of ground floor of seniors housing in business zones</b>	Not applicable as the site is not located in a business zone.

Table 7 Non-Discretionary standards for Independent Living units (Section 108)

Development Standard	Required	Comment
Building Height:	9.5m or less	Complies - Maximum height 8.7m
Density and Scale:	Floor Space Ratio 0.5:1 or less	Complies - Proposed FSR 0.5:1 [1239.50m <sup>2</sup> GFA/ 2493m <sup>2</sup> site area = 0.497:1]
Landscaped Area:	A minimum landscaped that is the lesser of —  (i) 35m <sup>2</sup> per dwelling (16 x 35m <sup>2</sup> = 560m <sup>2</sup> ), or (ii) 30% of the site area (30% x 2493 = 747m <sup>2</sup> )	Complies – 971m <sup>2</sup>
Deep Soil Zone:	Minimum 15% of area of site (15% x 2493m <sup>2</sup> = 373.95m <sup>2</sup> )	Complies – 712m <sup>2</sup> or 28.6% of site area
	Minimum 65% to be preferably located at rear of site (65% x 373.8 = 243m <sup>2</sup> )	Complies – 363m <sup>2</sup>
	Minimum dimension 3m	Complies – Minimum dimensions of 3m
Solar Access:	70% of living areas & main private open space to receive minimum 2 hrs direct solar access between 9am and 3pm at mid-winter	Complies - 81.2% (13 units) receive at least 2 hours of direct solar access to their living and private open space areas between 9am and 3pm at mid-winter.
Private Open Space:	<u>Ground level:</u>	

Development Standard	Required	Comment
	Minimum 15m <sup>2</sup> per dwelling	All units on ground floor level meet or exceed the minimum requirements, with POS ranging from 15m <sup>2</sup> to 17.07m <sup>2</sup> .
	One area minimum 3m x 3m, accessible from living area	Complies – each dwelling is provided with a minimum 3m x 3m area accessible from the living area
	Upper level:  1 bedroom: Minimum 6m <sup>2</sup> Minimum dimensions 2m	Complies  Minimum 10.12m <sup>2</sup> Minimum 2m
	2 or more bedrooms: Minimum 10m <sup>2</sup> Minimum dimensions 2m	Minimum 10.02m <sup>2</sup> Minimum 2m
Car parking:	Minimum 1 car parking space for each 5 dwellings (LAHC concession) – 3.2 car parking spaces required for 16 units.	Complies – 12 car parking spaces for 16 dwellings, including 4 accessible parking spaces.

## 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 8** below.

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 8 Accessibility and useability standards [Schedule 4]

Development Standard (Sch 4)	Required	Comment
2.Siting Standards:		
Wheelchair access 'Non-sloping' sites i.e. with gradients entirely <1:10	100% of ground floor dwellings to have wheelchair access by a continuous accessible path of travel to an adjoining public road	100% of the ground floor units have accessible paths of travel in accordance with AS1428.1 to the front boundaries as confirmed by the submitted Access Report (refer <b>Appendix H</b> ).
'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	Compliance readily achievable.  All common areas have accessible paths of travel in accordance with



		AS1428.1. Compliance indicated as per the submitted Access Report.
3. Letterboxes:		
	To be located on a hard standing area, have wheelchair access by a continuous accessible path of travel from the letterbox to the relevant dwelling and lockable.	Letterboxes have been provided adjacent to the Bernadotte Street and Munmurra Road pedestrian entries, situated on hard standing areas with wheelchair accessibility as per AS 1428.1. Compliance indicated as per the submitted Access Report. Further specification to be provided at detailed construction documentation stage.
Multiple letterboxes	The structure must be in a prominent location.	Letterboxes have been provided adjacent to the Bernadotte Street and Munmurra Road pedestrian entries.
Finished level	At least 20% of the letterboxes on the site must be more than 600mm and less than 1,200mm above ground level (finished).	Compliance readily achievable.  Further specification to be provided at detailed construction documentation stage.
4. Car parking:		
Parking spaces associated with a class 1, 2 or 3 building under the <i>Building Code of Australia</i> are	<p>(2) Provided in a common area for use by occupants who are seniors or people with a disability, the following applies –</p> <p>(a) for a parking space not in a group – the parking space must comply with AS/NZS 2890.6,</p> <p>(b) for a group of 2–7 parking spaces –</p> <p>(i) at least 1 of the parking spaces must comply with AS/NZS 2890.6, and</p> <p>(ii) 50% of the parking spaces must –</p> <p>(A) comply with AS/NZS 2890.6, or</p> <p>(B) be at least 3.2m wide and have a level surface with a maximum gradient of 1:40 in any direction,</p> <p>(c) for a group of 8 or more parking spaces –</p> <p>(i) at least 15% of the parking spaces must comply with AS/NZS 2890.6, and</p> <p>(ii) at least 50% of the parking spaces must –</p> <p>(A) comply with AS/NZS 2890.6, or</p> <p>(B) be at least 3.2m wide and have a level surface with a maximum gradient of 1:40 in any direction.</p>	<p>Complies</p> <p>As a social housing provider LAHC is required to provide 4 car parking spaces in accordance with 108(2)(j) of the Housing SEPP. All 4 of the required car spaces meet the requirements of AS2890.6.</p> <p>An additional 8 spaces are provided on site, 1 of which (space no.12) can achieve a clear width of 3.8m.</p>
Multiple parking spaces accessible by a common access point	(6) Accessible by a common access point, the access point must be secured by a power-operated garage door, vehicle gate, vehicle barrier or similar device.	<p>Not applicable.</p> <p>The proposal does not incorporate power-operated doors, gates, barriers and the like as they pose a maintenance issue for LAHC.</p>
	<p>(7) A parking space, other than a parking space under subsection (6), must be –</p> <p>(a) secured by a power-operated door, or</p>	<p>Not applicable.</p> <p>The proposal does not incorporate power-operated doors, gates,</p>

	(b) capable of accommodating the installation of a power-operated door, including by having — (i) access to a power point, and (ii) an area for motor or control rods for a power-operated door.	barriers and the like as they pose a maintenance issue for LAHC.
	(8) A requirement in this section for a parking space to comply with AS/NZS 2890.6 extends to the associated shared area within the meaning of AS/NZS 2890.6.	Noted
	(9) In this section, a parking space is in a <b>common area</b> if it is not attached to or integrated with a hostel or independent living unit.	Noted

#### 5. Accessible entry

Main entrance to a dwelling

Must have —  
(a) a clear opening that complies with AS 1428.1, and  
(b) a circulation space in front of the door and behind the door that complies with AS 1428.1.

All main entries for each ground floor dwelling are detailed with circulation space and clear door opening as per AS 1428.1-200 (subject to Identified Requirement No. 65).

Compliance achievable as per the submitted Access Report.

#### 6. Interiors

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

Internal doorway	(1) Must have an unobstructed opening that complies with AS1428.1	Compliance readily achievable.  The unobstructed doorway opening of all internal doors in every ground floor dwelling is readily capable of compliance with AS 1428.1 as per the submitted Access Report.
Internal corridor	(2) Must have a minimum unobstructed width of 1,000mm	Compliance readily achievable.  The unobstructed internal corridor width in every ground floor dwelling is readily capable of compliance with AS 1428.1 as per the submitted Access Report.
Circulation spaces	(3) in front of and behind an internal doorway in the following areas must comply with AS 1428.1 — (a) a kitchen, (b) a laundry, (c) a bathroom, (d) a toilet, (e) a bedroom, (f) a living area, (g) the main area of private open space.	Compliance readily achievable.  The doorway circulation space to the specific areas listed in this clause are readily capable of compliance with AS 1428.1-2009 as per the submitted Access Report.

#### 7. Bedroom

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

<p>At least one bedroom in a dwelling must have:</p> <p>(a) a clear area, not including a circulation space, sufficient to accommodate</p> <p>(i) for a hostel- a wardrobe and a single size bed, or</p> <p>(ii) for an independent living unit - a queen size bed, and</p> <p>(b) a clear area for the bed of at least:</p> <p>(i) 1,200mm wide at the foot of the bed, and</p> <p>(ii) 1,000mm wide beside the bed between it and the wall, wardrobe or any other obstruction, and</p> <p>(c) at least 2 double general power outlets on the wall where the head of the bed is likely to be</p> <p>(d) at least 1 general power outlet on the wall opposite the wall where the head of the bed is likely to be</p>	<p>Compliance readily achievable.</p> <p>Further detailed information will be required at construction documentation stage (refer to Identified Requirement No. 65).</p>
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## 8. Bathroom

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

<p>(1) At least one bathroom in a dwelling must be located on —</p> <p>(a) the same floor as the entry to the dwelling, or</p> <p>(b) a floor serviced by a private passenger lift accessible only from inside the dwelling.</p>	<p>Complies.</p> <p>The bathrooms in each ground floor dwelling comply with the requirements of this clause indicated as per the submitted Access Report.</p>
<p>(2) The bathroom must have the following —</p> <p>(a) a slip resistant floor surface that achieves a minimum rating of P3 in accordance with AS 4586—2013,</p> <p>(b) a washbasin with tap ware capable of complying with AS 1428.1, including by future adaptation if the washbasin and tap ware continue to use existing hydraulic lines,</p> <p>(c) a shower that —</p> <p>(i) is accessible without a shower-hob or step, and</p> <p>(ii) complies with the requirements of AS 1428.1 for the entry, circulation space, floor gradient to the wastewater outlet and location of the mixer tap, and</p> <p>(iii) is in the corner of a room, and</p> <p>(iv) has a wall capable of accommodating the installation of a grab rail, portable shower</p>	<p>Compliance readily achievable.</p> <p>Further detailed information will be required at construction documentation stage (refer to Identified Requirement No. 65).</p>

	<p>head with supporting grab rail and shower seat, in accordance with AS 1428.1,</p> <p>(d) a wall cabinet with shelving illuminated by an illumination level of at least 300 lux,</p> <p>(e) a double general power outlet in an accessible location, in accordance with AS 1428.1.</p>	
	(3) Subsection (2)(c) does not prevent the installation of a shower screen that can easily be removed to enable compliance with that paragraph.	Noted

#### 9. Toilet

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

	<p>(1) At least one toilet in a dwelling must be located on —</p> <p>(a) the same floor as the entry to the dwelling, or</p> <p>(b) a floor serviced by a private passenger lift accessible only from inside the dwelling.</p>	<p>Complies.</p> <p>The toilets in each dwelling comply with the requirements of this clause indicated as per the submitted Access Report.</p>
	<p>(2) The toilet must have the following —</p> <p>(a) a water closet pan —</p> <p>(i) in the corner of the room, and</p> <p>(ii) with a centreline set-out in accordance with AS 1428.1,</p> <p>(b) a circulation space in front of the water closet pan that is —</p> <p>(i) at least 1,200mm long and at least 900mm wide, and</p> <p>(ii) clear of door swings and fixtures, other than a toilet paper dispenser or grab rails,</p> <p>(c) a circulation space around the water closet pan that complies with AS 1428.1,</p> <p>(d) a slip resistant floor surface that achieves a minimum rating of P3 in accordance with AS 4586 — 2013,</p> <p>(e) a wall capable of accommodating the installation of a back rest and grab rail that will comply with AS 1428.1.</p>	<p>Compliance readily achievable.</p> <p>Further detailed information will be required at construction documentation stage (refer to Identified Requirement No. 65).</p>
	(3) A removable shower screen may be located in the circulation space specified in subsection (2)(c).	Noted

#### 10. Surfaces of balconies and external paved areas

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

	<p>Balconies and external paved areas must have surfaces that are slip resistant and comply with —</p> <p>(a) the <i>Building Code of Australia</i>, or</p>	<p>Compliance readily achievable.</p> <p>Further detailed information will be required at construction documentation stage to ensure</p>
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(b) the Standards Australia Handbook SA HB 198:2014, *Guide to the specification and testing of slip resistance of pedestrian surfaces*, published on 16 June 2014.

compliance (refer to Identified Requirement No.65).

#### 11. Door Hardware

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

(1) Door handles and hardware for all doors, including entry doors and external doors, must comply with AS 1428.1.  
  
(2) To avoid doubt, subsection (1) does not apply to cabinetry.

Compliance readily achievable.  
  
Further detailed information will be required at construction documentation stage to ensure compliance (refer to Identified Requirement No. 65).

#### 12. Switches and power points

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

(1) Switches and power points must —  
(a) comply with AS 1428.1, or  
(b) be capable of complying with AS 1428.1 through future adaptation.  
  
(2) Subsection (1) does not apply to —  
(a) remote controls, or  
(b) power points likely to serve appliances that are not regularly moved or turned off.

Compliance readily achievable.  
  
Further detailed information will be required at construction documentation stage to ensure compliance (refer to Identified Requirement No. 65).

#### 13. Private passenger lifts

(1) This section applies to a private passenger lift that is required by this schedule to be accessible only from inside a particular dwelling.

Not Applicable.  
  
Private passenger lifts have not been proposed.

### Part 2 Additional standards for independent living units

14. The standards set out in this Part apply in addition to the standards set out in Part 1 to any seniors housing consisting of independent living units.

#### 15. Bedroom

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

At least one bedroom in an independent living unit that complies with this schedule, section 7 must be located on —  
(a) the same floor as the entry to the unit, or  
(b) a floor serviced by a private passenger lift accessible only from inside the unit.

In this development each respective independent living unit is single level with the kitchen, main bedroom and toilet located on the same level.

#### 16. Living room

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

(1) A living room in an independent living unit must be located on —  
(a) the same floor as the entry to the dwelling, or  
(b) a floor serviced by a private passenger lift accessible only from inside the dwelling.  
  
(2) The living room must have —

Compliance readily achievable.  
  
Further detailed information will be required at construction documentation stage to ensure compliance (refer to Identified Requirement No. 65).

	<ul style="list-style-type: none"> <li>(a) a circulation space that — <ul style="list-style-type: none"> <li>(i) is clear of all fixtures, and</li> <li>(ii) has a diameter of at least 2,250mm, and</li> </ul> </li> <li>(b) a telecommunications or data outlet adjacent to a general power outlet.</li> </ul>	
<b>17 Main area of private open space</b> Note: consideration only required for ground floor units in accordance with section 85(2)		
	The main area of private open space for an independent living unit must be located on — <ul style="list-style-type: none"> <li>(a) the same floor as the entry to the dwelling, or</li> <li>(b) a floor serviced by a private passenger lift accessible only from inside the dwelling.</li> </ul>	Complies.  The private open space area for each ground floor dwelling complies with the requirements of this clause as per the submitted Access Report.
<b>18. Kitchen</b> Note: consideration only required for ground floor units in accordance with section 85(2)		
	(1) A kitchen in an independent living unit must be located on — <ul style="list-style-type: none"> <li>(a) the same floor as the entry to the dwelling, or</li> <li>(b) a floor serviced by a private passenger lift accessible only from inside the dwelling.</li> </ul>	Complies.  The kitchen area for each ground floor dwelling complies with the requirements of this clause as per the submitted Access Report.
	(2) The kitchen must have a circulation space with a diameter of at least 1,200mm between each bench top, cupboard or large appliance and each other bench top, cupboard or large appliance.	Compliance readily achievable.  Further detailed information will be required at construction documentation stage (refer to Identified Requirement No. 65).
	(3) Each circulation space specified in subsection (2) must be capable of being increased to a diameter of 1,550mm without — <ul style="list-style-type: none"> <li>(a) relocating the sink, or</li> <li>(b) moving a load-bearing wall, or</li> <li>(c) breaching another circulation requirement.</li> </ul>	Compliance readily achievable.  Further detailed information will be required at construction documentation stage (refer to Identified Requirement No. 65).
	(4) The kitchen must have the following fittings — <ul style="list-style-type: none"> <li>(a) a bench that includes at least one work surface that is — <ul style="list-style-type: none"> <li>(i) at least 800mm long, and</li> <li>(ii) clear of obstructions, and</li> <li>(iii) not in the corner of the room,</li> </ul> </li> <li>(b) a lever tap set with the lever and water source that is within 300mm of the front of the bench,</li> <li>(c) a cooktop next to the work surface,</li> <li>(d) an isolating switch for the cooktop,</li> <li>(e) an oven that —</li> </ul>	Compliance readily achievable.  Further detailed information will be required at construction documentation stage (refer to Identified Requirement No. 65).

	<p>(i) has operative elements between 450mm and 1,250mm above the finished floor level, and</p> <p>(ii) is next to the work surface,</p> <p>(f) at least one double general power outlet located within 300mm of the front of a work surface.</p>	
	<p>(5) The cupboards must —</p> <p>(a) not be entirely located in the corner of the bench or the corner of the room, and</p> <p>(b) face where the user of the fixture is likely to be.</p>	<p>Compliance readily achievable.</p> <p>The kitchen layout is readily capable of compliance with the requirements of this clause as per the submitted Access Report.</p>
	<p>(6) An overhead cupboard in the kitchen must be capable of being fitted with “D” pull cupboard handles towards the bottom of the cupboard.</p>	<p>Compliance readily achievable.</p> <p>Further detailed information will be required at construction documentation stage to ensure compliance (refer to Identified Requirement No. 65).</p>
	<p>(7) A below-bench cupboard in the kitchen must be capable of being fitted with “D” pull cupboard handles towards the top of the cupboard.</p>	<p>Compliance readily achievable.</p> <p>Further detailed information will be required at construction documentation stage to ensure compliance (refer to Identified Requirement No. 65).</p>
	<p>(8) The lever tap set, cooktop, isolating switch, oven and double general power outlet must —</p> <p>(a) not be in the corner of the bench or the corner of the room, and</p> <p>(b) face where the user of the fixture is likely to be.</p>	<p>Compliance readily achievable.</p> <p>Further detailed information will be required at construction documentation stage to ensure compliance (refer to Identified Requirement No. 65).</p>
	<p>(9) Cabinetry below a work surface must be able to be easily removed to allow wheelchair access to the work surface.</p>	<p>Compliance readily achievable.</p> <p>Further detailed information will be required at construction documentation stage to ensure compliance (refer to Identified Requirement No. 65).</p>
<b>19. Laundry</b> Note: consideration only required for ground floor units in accordance with section 85(2)		
	<p>(1) A laundry in an independent living unit must be located on —</p> <p>(a) the same floor as the entry to the dwelling, or</p>	<p>Complies.</p>



	(b) a floor serviced by a private passenger lift accessible only from inside the dwelling.	The laundry in ground floor dwelling complies with the requirements of this clause as per the submitted Access Report.
	<p>(2) The laundry must have the following –</p> <p>(a) a circulation space that complies with AS 1428.1 at the approach to any external doors,</p> <p>(b) an appropriate space for an automatic washing machine and a clothes dryer,</p> <p>(c) a clear space in front of each appliance of at least 1,550mm,</p> <p>(d) a slip resistant floor surface that achieves a minimum rating of P3 in accordance with AS 4586 – 2013,</p> <p>(e) a continuous accessible path of travel to the main area of private open space or any clothesline provided for the dwelling.</p>	<p>Compliance readily achievable.</p> <p>Further detailed information will be required at construction documentation stage (refer to Identified Requirement No. 65).</p>
	(3) The space specified in subsection (2)(c) may overlap with a door swing or the circulation space for a door.	Noted
	<p>(4) For laundry facilities in a cupboard, the cupboard must be capable of being fitted with “D” pull cupboard handles in the following locations –</p> <p>(a) for below-bench cupboards – towards the top,</p> <p>(b) for overhead cupboards – towards the bottom,</p> <p>(c) for floor-to-ceiling doors – between 900mm and 1,100mm above the finished floor level.</p>	<p>Compliance readily achievable.</p> <p>Further detailed information will be required at construction documentation stage to ensure compliance (refer to Identified Requirement No. 65).</p>
	<p>(5) In this section –</p> <p><i>laundry</i> includes laundry facilities in a cupboard.</p>	Noted

## 20. Linen Storage

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

	<p>An independent living unit must have a floor-to-ceiling linen storage cupboard that –</p> <p>(a) is at least 600mm wide, and</p> <p>(b) has adjustable shelving.</p>	<p>Compliance is readily achievable.</p> <p>A linen cupboard of 600mm minimum width has been detailed in every ground floor dwelling. The height of the cupboard and the shelves shall be reviewed at the next design phase as per the submitted Access Report.</p>
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## 20. Lift access in multi-storey buildings

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

	An independent living unit on a storey above the ground storey must be accessible by a lift that complies with the <i>Building Code of Australia</i> , Volume 1, Part E3.	The requirements of this clause do not apply to this development based on the available concession under Section 85(2) of the SEPP.
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## 21. Garbage

	A garbage storage area and a recycling storage area provided for an independent living unit must be accessible by a continuous accessible path of travel from the dwelling entrance.	Compliance readily achievable.  There is a garbage bin area provided adjacent to the driveway along Bernadotte Street which is considered convenient for all users. This area is accessed via walkways with suitable gradients. Suitable provisioning has been made within the design, as per the submitted Access Report.
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6.5.3 Seniors Housing Design Guide

The *Seniors Housing Design Guide* (SHDG) (November 2023) has been prepared to assist in the design and assessment of applications for seniors housing development under the Housing SEPP.

The SHDG outlines the design issues, principles and better practices that must be considered when designing a development for assessment under the Housing SEPP. There are 7 Guidance Chapters in the document, each corresponding to a key issue when designing development under the Housing SEPP. These include:

- Designing for Country
- Care for the planet
- Site analysis – environmental response
- Site analysis – urban response
- Heritage
- Care, wellbeing and community
- Design for physical ageing and dementia

Section 108CB(1)(a) of the Housing SEPP requires the relevant authority to take into account the relevant provisions of the SHDG when assessing a proposed seniors housing development under Chapter 3, Part 5, Division 8 of the Housing SEPP.

An assessment of the design of the activity against the SHDG is provided at *Appendix O*. The design has followed the Guidelines, except in relation to the following justifiable departures outlined in **Table 9**.

Table 9 Seniors Housing Design Guide

Guideline Requirement	Response
<b>Part 3 Density and Related Design Principles</b>	
15.5.1 Provide clearly identifiable and accessible shared pedestrian entry for small clusters of dwellings.	Due to the sloping site, only one of two entries to the building facing Bernadotte Street is accessible. Overall, building entries comply with the relevant accessibility standards.

6.5.4 Good Design for Social Housing

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

Section 108CB(3)(a) of the Housing SEPP requires the relevant authority to consider the relevant provisions of *Good Design for Social Housing* (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, and detailed responses are provided by the architect in the Housing for Seniors Checklist in *Appendix O*.

### **Wellbeing**

The proposed development supports the wellbeing of future tenants by providing safe and accessible housing where residents have privacy and feel safe. The floor plan design allows for future adaptation to accommodate the changing needs of tenants over time and allowing them to age in place.

The development incorporates passive and active sustainable design, durable and low maintenance materials and appropriately sized units to reduce running costs. The proposal achieves a NatHERS rating with an average of 7.3 stars which exceeds the minimum target (7 stars) set by LAHC. Reverse cycle air conditioning will be provided to the living areas of each dwelling to assist with climate control, as well as photovoltaic systems to offset energy costs.

Each unit is provided with an area of private open space that accommodates a paved area for outdoor dining. High quality landscaping across the site will enhance the amenity for residents, and the common seating area at the rear will encourage social interaction in a peaceful landscaped setting.

Ample parking is provided to residents, and pedestrian access through the site is generally accessible and has good passive surveillance.

### **Belonging**

The form and materiality of the proposed development have been selected to respond to the style and character of the local area and will make a high quality contribution to the streetscape. The predominant use of brickwork and cladding with an earth-toned colour palette will ensure the visual appeal of the development is maintained over time.

The pedestrian entries, central foyers and communal spaces have been designed as welcoming, pleasant environments that create a sense of place for tenants and a safe transition from public to private spaces.

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

### **Value**

The development overall meets sustainability targets, with 9 of the 16 dwellings achieving a NatHERS score of 7 stars or above and the overall development achieving an average NatHERS rating of 7.3 stars. The scheme incorporates sustainable features including insulation, clothes lines, native plantings, ceiling fans, and good solar access and cross-ventilation. Photovoltaic panels and rainwater re-use will assist in minimising the use and cost of access to natural resources.

The building materials, construction method and services have been selected to ensure that the development is durable, minimises maintenance and contributes to the low on-going running costs of the dwellings.

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

Collaboration

The project involved a rigorous design process in collaboration with design professionals and engineers to ensure that the development incorporates the current best practice in affordable housing design. The development is in keeping with current government initiatives to deliver quality housing stock.

The design and assessment process involved close collaboration with a number of stakeholders, including input from Georges River Council and adjoining landowners.

6.5.5 Land and Housing Corporation Design Requirements

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.

Section 108CB(3)(b) of the Housing SEPP requires the relevant authority to consider the relevant provisions of the *Land and Housing Corporation Design Requirements* when assessing a proposed seniors housing development under Chapter 3, Part 5, Division 8 of the Housing SEPP.

The assessment of the proposed development against the LAHC Design Requirements deems that the development achieves compliance. Refer to Certificate of Compliance from the Architect in *Appendix M*. Further details will be incorporated in the construction documentation.

6.5.6 Housing SEPP Design Principles

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

A site analysis was undertaken as part of the design process. The impact of the bulk, scale and built form is considered compatible with the existing uses and the future character of the area. There are services, facilities and infrastructure that will be available to meet the demands arising from the proposed activity.

The Housing SEPP articulates a range of design principles that the LAHC must consider in determining whether to proceed with a proposed seniors housing activity. **Table 10** below demonstrates how the principles have been considered in the design of the proposal.

Table 10 Response to Design Principles (Schedule 8)

1 Neighbourhood amenity and streetscape
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 existing character is predominantly single and two storey residential development of varying age and architectural styles in landscaped settings. Face brick with pitched roofs is a prominent feature of housing in the immediate area. Dispersed throughout the neighbourhood are more recent additions including larger, contemporary rendered dwellings and dual occupancy developments with flat roofs. Contemporary residential development in the locality of the proposed development is suggestive of a transition of character in the Riverwood suburb and likely future form of development.



The proposal is generally compatible in form, scale and character with more contemporary residential development in the locality. The proposed landscaped front setback areas with tree plantings will enhance the existing leafy streetscape character, consistent with the future desired character of the Riverwood locality.

The proposed development complies with the local development controls, which reflect a future character of residential development with a 9m height limit and permissible density (FSR) of 0.55:1.

The building has been designed as 2 distinct, but compatible forms when viewed from the street. The proposed building footprints and massing are articulated to express individual units as separate dwellings, with sun shading and balconies, including balcony roofs, articulated to further break down the scale of the new buildings. High quality finishes and the well-considered design of the development add to the identity of the locality.

(c) complement heritage conservation areas and heritage items in the area, and

The site is not located within a heritage conservation area nor are there any heritage items that adjoin 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 landform, and
- (iii) adopting building heights at the street frontage that are compatible in scale with adjacent buildings, and
- (iv) considering, where buildings are located on the boundary, the impact of the boundary walls on neighbours, and

The development has been designed to reflect the desirable characteristics of the area which include landscaped front setbacks, prominent entry points, face brick to external elevations and ample landscaping throughout the site.

The proposed building setbacks are compatible with the streetscape character of the locality and are generally consistent with Council's DCP requirements. Greater side and rear setbacks have been provided, where possible, in association with screening vegetation.

Given the orientation of the site and the proposed building setbacks, shadows cast by the proposed development will predominantly fall within the site or to the adjoining road reserves. As shown in the shadow diagrams in **Appendix A**, some minor overshadowing of the adjoining property at 16A Mona Road will occur at 9am in mid-winter. However, the dwelling and associated private open space will receive solar access throughout the remainder of the day. The proposed development will therefore not unacceptably reduce the amount of solar access to the living areas and private open spaces of neighbouring dwellings in mid-winter.

The development is below the height limit permitted under the Housing SEPP and GRLEP 2021 and is compatible with the height and scale of adjoining dwellings and other contemporary residential developments in the vicinity.

A suitable balance of cut and fill is proposed to address the access requirements for seniors housing under the Housing SEPP.

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

The building line generally responds to the existing building line at both street frontages.

(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 vegetative buffer at the rear of the site.

The proposed tree species have generally been obtained from Georges River Council's Tree Management Policy. The scheme incorporates a mix of native ground covers including Native Violet and Kidney Weed; native shrubs including Bottlebrush and Coastal Rosemary; and native trees including Lemon Scented Myrtle, Tuckeroo, Blueberry Ash, Sydney Peppermint. The incorporation of a mix of low maintenance ground covers, native shrubs and feature trees will create a pleasant environment for residents and attract animal and birdlife.

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

The Arboricultural Impact Assessment (**Appendix J**) recommends the removal of 7 trees (Trees 6, 7, 8, 9, 10, 11 and 14). These trees are either located within the proposed development footprint and would be impacted by an unavoidable major encroachment within their tree protection zones or have been assessed as dead. It is noted that whilst T4 is assessed as dead and recommended for removal, Council in its submission requested that T4 be retained and protected.

Trees 5, 12 and 13 within the site and all of Council's street trees are to be retained and protected in accordance with the recommendations contained in the Arborist Report.

Appropriate replacement planting is proposed, with the inclusion of 19 trees, some of which are capable of reaching a maximum height of 15m, as indicated on the Landscape Plan (*Appendix B*). 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.

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

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

## 2 Visual and acoustic privacy

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 sizing of window openings and location of landscaping, particularly at the side and rear boundaries.

The buildings have generally been designed so that high use areas such as living rooms and private open space areas are oriented to the front or rear of the site to minimise privacy impacts. Where balconies facing the side boundary, privacy screening is provided to restrict direct overlooking where appropriate.

Boundary fencing to a height of 1.8m 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 and adjacent development.

Generally, bedroom windows are located away from the driveway and pathways. 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.

## 3 Solar access and design for climate

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.

Of the 16 units, 13 receive at least 2 hours direct solar access to their living and private open space areas between 9am and 3pm on June 21. Units have been designed to take advantage of natural ventilation, with 12 units being configured to enable cross-ventilation.

Overall, the development exceeds the sustainability targets and achieves an average NatHERS rating of 7.3 stars.

As demonstrated on the shadow diagrams (*Appendix A*), overshadowing to neighbouring properties is limited to the morning, with more than 2 hours solar access is maintained to living spaces and private open space of neighbouring dwellings in mid-winter.

## 4 Stormwater

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.

Stormwater will be collected via a series of stormwater pits and gutters on the site connected to an underground on site detention tanks draining to a proposed junction pit on Bernadotte Street. Roof water from the proposed development will be collected from downpipes and connected to an underground rainwater tank for recycling with overflow connected to the underground detention tank. A rainwater tank is proposed to facilitate water re-use for landscape irrigation.

## 5 Crime prevention

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.

The principles of *Crime Prevention Through Environmental Design* have been applied to the design to manage the safety of residents.

Site planning enforces territorial reinforcement by establishing clear entry points and boundaries through fencing and landscaping. The central entry points provide a secure progression from public to private spaces and will create a safe environment for residents. All units face either Munmurra Road and/or Bernadotte Street, and provide passive surveillance of public areas as well as the pedestrian and vehicle entry points. Further, the design of the proposed development will allow for general surveillance of common areas including walkways to each block, the communal car park and open space areas.

Fencing will be constructed along the side and rear boundaries, and all areas of private open space are fenced to create security and delineate between public and private spaces. Peepholes will also be provided on the front doors of each dwelling to enable residents to view approaches to their dwelling without having to open the door (Identified Requirement No.70).

## 6 Accessibility

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 safe environments for pedestrians and motorists with convenient access and parking for residents and visitors.

The proposed development contains safe pedestrian links within the site and the construction of an accessible pathway from the site to bus stops on Broadarrow Road will provide a safe pedestrian link to transport services that will take residents to services and facilities. An attractive and safe environment for pedestrians and motorists with convenient access to car parking areas for residents is also provided in the proposed development.

The closest surveyed bus stops are on Broadarrow Road:

- Broadarrow Rd opposite Mona Rd – Bus Stop ID2210291; and
- Broadarrow Rd at Mona Rd – Bus Stop ID2210290),

Both bus stops are within 400m walking distance of the site as specified under section 93(3)(a) of the Housing SEPP; and are serviced by bus route 940 which can take residents to a full range of services and facilities in Bankstown, Hurstville and Riverwood. The frequency of bus services meets the criteria specified for seniors housing in the Housing SEPP.

Subject to the construction of a new footpath at the street frontages east of the western entrance on Munmurra Road and along the full length of Bernadotte Street and some minor upgrading works as identified in the Access Report, a continuous accessible path of travel will be available from the site to these bus stops. It is noted that residents will be

able to safely cross Broadarrow Road to access the bus stop on the north side of Broadarrow Road by utilising an existing pedestrian island (Identified Requirement No.69).

In accordance with the recommendations in the Arborist Report, the finished level of the proposed pathway at the Munmurra Road frontage is required to be raised to match existing ground levels to minimise excavation and potential damage to the pathway from tree roots. As such, identified requirement (No. 77) is recommended requiring the construction documentation plans to be updated to amend the finished levels of the pathway within the road reserve to match existing ground levels adjacent to trees 2, 3 and 4; and for the Access Report to be updated to provide an assessment of, and recommendations in relation to, the updated plans.

Car parking is provided for residents within the site, including 4 accessible parking spaces, and accessible pathways are provided between the car parking area and the internal lobbies. There is also ample street parking available on both Bernadotte Street and Munmurra Road for visitors.

7 Waste management

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

A waste storage area is provided in proximity to the main vehicular driveway and will accommodate general waste, recycling and bulky waste. The storage area has been appropriately screened to minimise visual impact but still retain good visibility to avoid the creation of entrapment spaces. The site will be serviced by council’s standard kerb-side pickup service.

6.6 Other State Environmental Planning Policies

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

Table 11 Compliance with other applicable State and Environmental Planning Policies

SEPP (Sustainable Buildings) 2022
A BASIX Certificate has been obtained for the development proposal, as required under the SEPP (refer to <i>Appendix K</i> ). An Identified Requirement (No 64) is recommended to require a revised BASIX certificate to be provided due to the introduction of air conditioning units to each of the dwellings and provision of additional solar panels (photovoltaic energy system) to reduce associated running costs.
SEPP (Transport and Infrastructure) 2021
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.
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.
SEPP (Biodiversity and Conservation) 2021
This Biodiversity and Conservation SEPP provides planning controls related to conservation and management, to ensure protection of the natural environment.
Clause 2.6(1) of this SEPP requires a permit from Council for clearing of vegetation required under the policy. The proposed development seeks the removal of 7 trees within the site (refer to Arboricultural Impact Assessment Report at <i>Appendix J</i> ).
Section 6 of the 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.



An assessment of the proposed tree removal has been undertaken within Section 8.9 of this REF.

### Part 6.2 Development in Regulated Catchments

The site is located within a regulated catchment, namely, the Georges 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.

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 *State Environmental Planning Policy (Biodiversity and Conservation) 2021*, sections 6.6, 6.7, 6.8 and 6.9.

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

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

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

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

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

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

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

Comment: Stormwater will be collected within the site via a series of stormwater pits and gutters on the site connected to underground on site detention tanks draining, via stormwater pollution filters, to a proposed junction pit on Bernadotte Street. Roof water will be collected from downpipes and connected to an underground 1Kl rainwater tank for recycling with overflow connected to the underground detention tank.

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

Identified Requirements (Nos 6 and 41) are applied to the activity determination recommending that stormwater management of the activity is designed in accordance with Georges River Council's technical guidelines and policies.

#### **6.7 Aquatic ecology**

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

- will have a direct, indirect or cumulative adverse impact on terrestrial, aquatic or migratory animals or vegetation,
- involves the clearing of riparian vegetation and, if so, whether the development will require either a controlled activity approval under the *Water Management Act 2000*, or a permit under the *Fisheries Management Act 1994*,
- will minimise or avoid the erosion of land abutting a natural waterbody, or the sedimentation of a natural waterbody, or will have an adverse impact on wetlands that are not in the coastal wetlands and littoral rainforests area,

- includes adequate safeguards and rehabilitation measures to protect aquatic ecology,
- if the site adjoins a natural waterbody — whether additional measures are required to ensure a neutral or beneficial effect on the water quality of the waterbody.

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

- 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 *Water Management Act 2000* or a permit under the *Fisheries Management Act 1994* 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.

Comment: 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 removal of existing trees is supported by the arborist in the accompanying Arboricultural Impact Assessment Report. The proposed development includes planting of suitable native indigenous vegetation and trees, improving the ecological value of the site. In addition, the scale and nature of the activity, together with its location, is unlikely to have significant impacts upon aquatic ecology.

## 6.8 Flooding

This clause relates to flood liable land and requires the consent authority to consider whether the development:

- will have a likely impact on periodic flooding that benefits wetlands and other riverine ecosystems.

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

- if there is a flood, result in a release of pollutants that may have an adverse impact on the water quality of a natural waterbody, or
- have an adverse impact on the natural recession of floodwaters into wetlands and other riverine ecosystems.

Comment: 14 Munmurra Road and 5 Bernadotte Street are identified by the *Overland Flow Floodplain Risk Management Study and Plan for Hurstville, Mortdale, and Peakhurst Wards* (Overland Flood Study) as being between the flood planning area and the probable maximum flood extents and therefore may be subject to flood related development controls.

**Figures 22 and 23**, extracted from the Overland Flood Study show the extent of the 1% AEP and PMF, respectively, over 14 Munmurra Road and 5 Bernadotte Street:



Figure 22 – 1% AEP affectation (Source: Georges River Council)



### 6.9 Recreation and public access

Comment: The proposed activity will not impact recreational land uses or alter public access to recreational land or foreshores.

## SEPP (Resilience and Hazards) 2021

Notwithstanding, the *draft Contaminated Land Planning Guidelines* (draft Guidelines) prepared by the Department of Planning and Environment and the Environment Protection Authority provides a checklist of matters to be considered in an initial evaluation of land in relation to potential for contamination and these are considered in the following table:



Previous evidence of contamination	Yes/ No	Response
a) Was the subject land at any time zoned for industrial, agricultural or defence purposes?	No	LAHC records indicate that the land has been used for residential purposes since the late 1940's.
(b) Do existing records held by the planning authority show that a potentially contaminating activity listed in Table 1 in Appendix 1 has previously been approved or carried out on the subject land? (The use of records held by other authorities or libraries is not required for an initial evaluation.)	No	LAHC records indicate that the land has not been used for a potentially contaminating activity listed in Table 1, Appendix 1 of the draft Guidelines.
(c) Is the subject land currently used for a potentially contaminating activity listed in Table 1 in Appendix 1?	No	Each lot currently contains a single storey detached dwelling and associated structures.
(d) Has the subject land ever been regulated through licensing or other mechanisms in relation to any potentially contaminating activity listed in Table 1 in Appendix 1?	No	LAHC records indicate that the land has not been regulated through licensing or other mechanisms.
(e) Are there any land use restrictions on the subject land relating to possible contamination, such as orders or notices issued under the CLM Act?	No	As noted in the section 10.7 certificates, there are no land use restrictions relating to contamination under the CLM Act.
(f) Has a site inspection indicated that the site may have been associated with any potentially contaminating activities listed in Table 1?	No	A site inspection has been undertaken which indicated that the site is unlikely to have been associated with potentially contaminating activities.
(g) Are there any contamination impacts on immediately adjacent land which could affect the subject land?	No	Adjoining development is residential, forming part of a larger residential subdivision carried out in the late 1940's.
(h) Are there any human or environmental receptors that could be affected by contamination?	No	A standard identified requirement (No. 17) has been recommended to cover the possibility of discovering site contamination during construction works.
(i) Is the site adjacent to a site on the EPA's list of notified sites under s60 of the CLM Act, or adjacent to a site regulated by the EPA under the CLM Act?	No	A review of the EPA's register of notified sites indicates that the land is not adjacent to a notified site under s60 of the CLM Act or a site regulated by the EPA under the CLM Act.

## 6.7 Georges River Local Environmental Plan 2021 (GRLEP 2021)

Compliance with the relevant provisions / development standards set out in the GRLEP 2021 is demonstrated in **Table 12** below.

Table 12 Georges River Local Environmental Plan 2021

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 8.7 metres.
4.4	Floor Space Ratio	(2) The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the Floor Space Ratio Map (0.55:1).	Proposed FSR is 0.497:1
5.21	Flood Planning	<p>(2) Development consent must not be granted to development on land the consent authority considers to be within the flood planning area unless the consent authority is satisfied the development —</p> <p>(a) is compatible with the flood function and behaviour on the land, and</p> <p>(b) will not adversely affect flood behaviour in a way that results in detrimental increases in the potential flood affectation of other development or properties, and</p> <p>(c) will not adversely affect the safe occupation and efficient evacuation of people or exceed the capacity of existing evacuation routes for the surrounding area in the event of a flood, and</p> <p>(d) incorporates appropriate measures to manage risk to life in the event of a flood, and</p> <p>(e) will not adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses.</p>	<p>It is noted that the section 10.7 certificate identities No 14 Munmurra Road as being partially located between the flood planning area and the probable maximum flood.</p> <p>As such, this clause does not apply.</p>
6.7	Airspace operations	<p>(2) Development consent must not be granted to development to which this clause applies unless —</p> <p>(a) the consent authority has consulted the relevant Commonwealth body, and</p> <p>(b) the relevant Commonwealth body advises the consent authority that —</p>	The development will not penetrate the OLS of 156m AHD given that the proposed development is approximately 9m in height and the site is located at a reduced level of approximately 28m AHD.

### Relevant Provisions / Development Standards for Seniors Housing

- (i) the development will penetrate the Limitations or Operations Surface but it does not object to the development, or
- (ii) the development will not penetrate the Limitations or Operations Surface.

### Draft Planning Proposal (PP2023/0002) – Housing keeping amendments

The Council led draft Planning Proposal to make housekeeping amendments to the Georges River LEP 2021 was on exhibition from 27 April to 26 May 2023 and proposes, amongst other things, to add clause 5.22 Special flood considerations from the Standard Instrument LEP.

As the draft Planning Proposal has been publicly exhibited, the provisions of clause 5.22 are considered below.

5.22	Special flood considerations	<p>(2) This clause applies to –</p> <ul style="list-style-type: none"> <li>(a) for sensitive and hazardous development – land between the flood planning area and the probable maximum flood, and</li> <li>(b) for development that is not sensitive and hazardous development – land the consent authority considers to be land that, in the event of a flood, may – <ul style="list-style-type: none"> <li>(i) cause a particular risk to life, and</li> <li>(ii) require the evacuation of people or other safety considerations.</li> </ul> </li> </ul> <p>(3) Development consent must not be granted to development on land to which this clause applies unless the consent authority has considered whether the development –</p> <ul style="list-style-type: none"> <li>(a) will affect the safe occupation and efficient evacuation of people in the event of a flood, and</li> <li>(b) incorporates appropriate measures to manage risk to life in the event of a flood, and</li> <li>(c) will adversely affect the environment in the event of a flood.</li> </ul>	<p>Under the guideline <i>Considering Flooding in Land Use Planning Guideline</i>, seniors housing is defined as sensitive development.</p> <p>The evacuation strategy for the development is ‘Shelter in Place’ as the ground floor units are set above the PMF level. The nature of flooding in the vicinity of the site indicates that not prevent emergency vehicles from attending the site.</p> <p>Council has provided in principle support for the proposed method of stormwater management and the capturing/ redirecting of overland flow for the site – refer to section 7.1 of this REF.</p>
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### Compliance with setback controls for multi dwelling housing

3. Minimum side boundary setback is 4m to the main building facade (multi dwelling housing).

A minimum northern side setback of 3m and a western side setback of 3.4m are proposed.

The variations to the side boundary setback control are considered minor given that the non-compliance affects a relatively minor portion of each boundary and that the setback areas are, despite the non-compliance, of sufficient width to support suitable shrub plantings and landscaping as a buffer to adjoining development. In addition, the non-compliances do not result in unreasonable overshadowing of adjoining properties or privacy impacts.

5. The minimum rear boundary setback is 6m to the main building facade from the rear of the allotment.

Proposed rear setbacks are greater than 6m.

# 7 Notification, Consultation and Consideration of Responses

## 7.1 Council Notification

In accordance with section 108C of the Housing SEPP, Georges River Council was notified of the development by letter dated 26 March 2024 (refer to *Appendix G*). The notification response period formally closed on 19 April 2024 and Council responded to the notification by email dated 8 May 2024, with matters raised outlined in **Table 14** below. A response is provided in relation to the matters raised in Council’s comments and where appropriate, these matters have been addressed in the identified requirements in the Activity Determination.

Table 14 Issues raised in Council’s submission

Issues raised	Response
<p><b>Engineering</b></p> <p>The submitted Overland Flow Report (<i>Appendix T</i>) and stormwater drainage plans are satisfactory conceptually. The following conditions are to be included in any development consent:</p>	
<p><b>1. Compliance with Flood Study (CC9.39)</b></p> <p>The development shall be designed to conform to the recommendations and conclusions of the submitted flood study prepared by JN responsive Engineering. This shall include, but not be limited to, any recommendations for the following:</p> <ul style="list-style-type: none"><li>a) Minimum floor levels</li><li>b) Fencing</li><li>c) Site regrading</li><li>d) Overland flow path construction</li></ul> <p>Evidence from a professional engineer that specialises in hydraulic engineering that all design requirements have been adhered to shall be submitted with the Construction Certificate application.</p>	<p>Identified Requirement (No. 74) is recommended to ensure compliance with the recommendations and conclusions of the submitted flood study.</p>
<p><b>2. Road Opening Permit (CON11.15)</b></p> <p>A Road Opening Permit must be obtained from Council for every opening of a public road reserve to access services including sewer, water mains, gas mains, connecting of stormwater to the kerb and telecommunication. This is for any work that involves excavation through or within a public road, kerb and gutter, and or the public footway between the road and the property boundary. The permit is to be lodged prior to the commencement of works. Additional approval is required from Roads and Maritime Services for works on a State Road.</p>	<p>Clause 5 of Schedule 2 of the savings, transitional and other provisions of the <i>Roads Act 1993</i> provides that a Public Authority, such as the Land &amp; Housing Corporation, does not require consent from a Road Authority to exercise its functions in respect of an unclassified road that is not a Crown Road. As such, a Road Opening Permit is not required for works in the public road. No works are proposed within a State Road.</p>

### 3. Restriction to User and Positive Covenant for On-Site Detention Facility (OCC12.17)

A Restriction on Use of the Land and Positive Covenant shall be created and registered on the title of the property, which places the responsibility for the maintenance of the on-site stormwater management system on the owners of the land. The terms of the instrument are to be in accordance with Council's standard terms and restrictions which are as follows;

#### Restrictions on Use of Land

The registered proprietor shall not make or permit or suffer the making of any alterations to any on-site stormwater management system which is, or shall be, constructed on the lot(s) burdened without the prior consent in writing of Georges River Council. The expression "on-site stormwater management system" shall include all ancillary gutters, pipes, drains, walls, kerbs, pits, grates, tanks, chambers, basins and surfaces designed to manage stormwater quantity or quality including the temporary detention or permanent retention of stormwater storages. Any on-site stormwater management system constructed on the lot(s) burdened is hereafter referred to as "the system. Name of Authority having the power to release, vary or modify the Restriction referred to is Georges River Council."

#### Positive Covenants

1. The registered proprietor of the lot(s) hereby burdened will in respect of the system:

- a) keep the system clean and free from silt, rubbish and debris
- b) maintain and repair at the sole expense of the registered proprietors the whole of the system so that it functions in a safe and efficient manner
- c) permit the Council or its authorised agents from time to time and upon giving reasonable notice (but at any time and without notice in the case of an emergency) to enter and inspect the land for the compliance with the requirements of this covenant
- d) comply with the terms of any written notice issued by the Council in respect of the requirements of this covenant within the time stated in the notice.

2. Pursuant to Section 88F(3) of the Conveyancing Act 1919 the Council shall have the following additional powers:

- a) in the event that the registered proprietor fails to comply with the terms of any written notice issued by the Council as set out above the Council or its authorised agents may enter the land with all necessary materials and equipment and carry out any work which the Council in its discretion considers reasonable to comply with the said notice referred to in part 1(d) above
- b) the Council may recover from the registered proprietor in a Court of competent jurisdiction:

Standard Identified Requirement (No. 61) is recommended in this regard.

Issues raised	Response
<p>i. any expense reasonably incurred by it in exercising its powers under subparagraph (i) hereof. Such expense shall include reasonable wages for the Council's employees engaged in effecting the work referred to in (i) above, supervising and administering the said work together with costs, reasonably estimated by the Council, for the use of materials, machinery, tools and equipment in conjunction with the said work.</p> <p>ii. legal costs on an indemnity basis for issue of the said notices and recovery of the said costs and expenses together with the costs and expenses of registration of a covenant charge pursuant to section 88F of the Act or providing any certificate required pursuant to section 88G of the Act or obtaining any injunction pursuant to section 88H of the Act. Name of Authority having the power to release vary or modify the Positive Covenant referred to is Georges River Council.</p>	
<p><b>4. Maintenance Schedule – On-site Stormwater Management (OCC12.18)</b></p> <p>A Maintenance Schedule for the proposed on-site stormwater management measures is to be prepared and submitted to Council. The Maintenance Schedule shall outline the required maintenance works, how and when these will be done and who will be carrying out these maintenance works.</p>	<p>Identified Requirement (No. 75) is recommended to require the preparation of a Maintenance Schedule for the on-site management measures.</p>
<p><b>5. Stormwater drainage works – Works As Executed (OCC12.32)</b></p> <p>Prior to the issue of the Occupation Certificate, storm water drainage works are to be certified by a professional engineer specialising in hydraulic engineering, with Works-As-Executed drawings supplied to Council detailing:</p> <ul style="list-style-type: none"> <li>a) Compliance with conditions of development consent relating to stormwater;</li> <li>b) The structural adequacy of the On-Site Detention system (OSD);</li> <li>c) That the works have been constructed in accordance with the approved design and will provide the detention storage volume and attenuation in accordance with the submitted calculations;</li> <li>d) Pipe invert levels and surface levels to Australian Height Datum;</li> </ul> <p>A copy of the works as executed plan must be submitted to the Council for record keeping purposes.</p>	<p>Identified Requirement (No. 61) is recommended to address Council's requirements, noting that LAHC is the Determining Authority for the activity and, as a Crown Authority, is not required to obtain an Occupation Certificate.</p>
<p><b>Trees and Landscaping</b></p>	
<p>The submitted Arboricultural Impact Assessment (AIA) has been reviewed against the above listed documents. The AIA is outdated and has not assessed the proposed stormwater plans or the latest revised architectural and Landscape Plans.</p>	



Issues raised	Response
<p>The following design modifications and further information are recommended to ensure that high retention valued trees including Council's mature street trees remain viable into the future:</p> <ol style="list-style-type: none"> <li>1. The proposed design has not fully considered the major impacts to the existing high retention valued and high landscape significance trees including Council's street trees.</li> <li>2. The proposed footpath, boundary fence and stormwater within the Structural Root Zone (SRZ) of the large mature street trees will significantly impact the health and structural integrity of the trees and is not supported.</li> <li>3. That removal of the poisoned street tree on Bernadotte Street is not supported. Council intends on maintaining the tree as a habitat asset.</li> </ol>	<p>Of the 2 trees (trees 7 and 13) assessed as having high retention value, tree 7 could not be retained due to the development footprint.</p> <p>In relation to Council's street trees, the Architectural Plans have been updated to move the proposed pathway within the road reserve closer to the front property boundary,</p> <p>In addition, the Arboricultural Impact Assessment report has been updated to consider the impacts of the pathways on Council's street trees.</p> <p>The Arboricultural Impact Assessment report concludes that Council's street trees can be retained, subject to the recommendations contained in the report, noting that the pathway is required to be raised as much as allowable to reduce potential lifting and cracking of the pathway from tree roots. Identified Requirement (no. 77) requires the pathway to be constructed of porous/ flexible materials in the vicinity of trees 1, 2, 3 and 4.</p> <p>The Arboricultural Impact Assessment report has been updated to include an assessment of the impacts of the proposed footpath, boundary fence and stormwater pipes on trees 1, 2 and 3 (mature street trees) and notes that due to the root structure of these trees, development within the SRZ represents a minor encroachment and as such the viability of these trees is not unreasonably impacted by the proposed works. Recommendations for their protection of are provided in the Arboricultural Impact Assessment report. In response to Council's concern, the plans have been updated to move the pathway closer to the front property boundary, thereby reducing the impact of the proposed pathway on the existing street trees.</p>

Issues raised	Response
<p>4. That an Arboricultural Impact Assessment (AIA) prepared by an AQF Level 5 Arborist assesses all development plans that will impact trees e.g., subsurface utilities, public infrastructure and landscape plans. The AIA must be based on the most current plans and revisions to fully assess impacts to trees. The AIA must be written in accordance with Australian Standards 'Trees on development sites' AS4970-2009 and the Georges River Tree Management Policy.</p> <p>5. The impacts to tree canopies i.e. pruning specification should be included within a AIA report. No more than 10% canopy removal will be supported in accordance with Australian Standards "Pruning of amenity trees".</p> <p>6. It is recommended that a suitably qualified and experienced AQF Level 5 Arborist liaises with the engineers and designers to create a design that minimises impacts to high landscape and high retention valued trees including Council's street trees.</p> <p>7. It is recommended that the Landscape Plan be amended to include new street trees along Bernadette Street with the species to be determined by Council must be appointed to plant the new trees on public land. All costs associated with the tree planting shall be met by the applicant. Fees and charges for street tree planting are subject to change and are set out in the current version of Council's 'Schedule of Fees and Charges', applicable at the time of payment. The fee payable is to ensure that the development makes adequate provision for the demand</p>	<p>The Arboricultural Impact Assessment report was updated to provide an assessment of the impacts of the development on T4 and concluded that the works are considered to have a minor encroachment such that T4 can be retained.</p> <p>The submitted plans have been updated to show the retention of tree 4. The Arboricultural Impact Assessment report has provided an updated assessment and concludes that the pathway results in minor impacts to tree 4 such that the tree can be retained.</p> <p>In addition, the Arboricultural Impact Assessment report has been updated to provide an assessment of the impacts of public infrastructure and recommendations in relation to subsurface utilities and refers to the most current version of the Architectural, Survey and Civils Plans; and is prepared by an AQF Level 5 Arborist in accordance with the relevant Australian Standard AS4970-2009 and the Georges River Tree Management Policy.</p> <p>According to the Arboricultural Impact Assessment report, pruning is to be conducted in accordance with AS 4373. The Arborist has confirmed that less than 10% of the tree canopy will be required to be removed. Identified requirement (No. 78) is recommended requiring the preparation of a pruning schedule.</p> <p>With the exception of tree 7 which is located within the building footprint of units 2 and 3, all high retention value trees are proposed to be retained.</p> <p>Identified Requirement (No. 76) is recommended requiring an appropriate number of street trees to be provided in collaboration with Georges River Council staff.</p>

Issues raised	Response
it generates for public amenities and public services within the area.	

## 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 Georges River Council regarding additional persons or property that should be notified of the development via an email dated 2 April 2023. Council provided an email response on 13 April 2023 advising that the extent of notification is considered satisfactory. **Figure 24** illustrates the properties in which the occupiers and landowners were notified of the development.



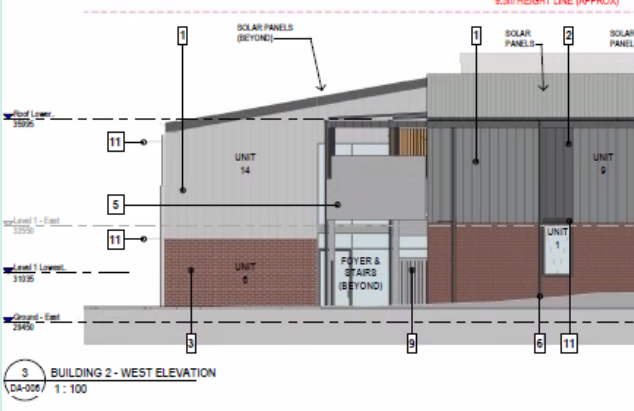
Figure 24 Map of Properties Notified of the Proposed Development (Source: LAHC)

Under section 108C(1)(b) of the Housing SEPP, occupiers and owners of adjoining land, as identified in the above map, were notified of the proposed development activity by letter dated 26 March 2024. A sample of the notification letter is provided at **Appendix G**.

The notification response period formally closed on 19 April 2024. One submission was received and is discussed in **Table 15**.

Table 15 Issues raised by adjoining owners / neighbours

Issues raised	LAHC Response
<p>Concern with proposed <i>Eucalyptus piperita</i> (Sydney Peppermint) and <i>Elaeocarpus reticulatus</i> (Blueberry Ash) located along western and northern boundaries and potential impacts on adjoining properties including overshadowing, future leave dropping, future limbs falling and uprooting of existing fence.</p> <p>Request for proposed trees to be deleted or replaced by smaller trees to minimize overshadowing and maintain privacy.</p>	<p>In relation to the proposed Sydney Peppermint (mature spread of 12m) at the site's western boundary, the Landscape Plan has been amended to replace this tree with a Blueberry Ash (mature spread of 5m). The reduction in spread by 7m will mean that the tree is contained wholly within the development site.</p> <p>In relation to the proposed Blueberry Ash located in the north western corner of the site, it is noted that the spread of this tree is generally contained within the development site. Accordingly, amendments to the plans are not considered warranted.</p> <p>The height and spread of the proposed tree plantings, as amended, will be sufficient to maintain privacy.</p> <p>In relation to overshadowing, the development maintains a reasonable amount of solar access to adjoining properties throughout the day.</p>
<p>Concern with proposed Unit 9 and request for it to be deleted so Unit 1 is single storey to be in comparison with the single storey dwelling located on the adjoining property to the west.</p> <p>This would increase:</p> <ul style="list-style-type: none"> <li>the inter-relation between the existing amenities and</li> <li>improve the visual aspect of size and bulk of the development and</li> <li>reduce the overall FSR (0.5:1) to be in accordance with the requirements of the Housing SEPP.</li> </ul>	<p>It is noted that the Development Data Table as notified contained a numerical error by specifying that the FSR for the development is 0.51:1 rather than the correct FSR of 0.497:1, which complies with the maximum FSR of 0.5:1 specified by the Housing SEPP.</p> <p>The 2-storey built form of the proposed development is generally consistent with existing 2-storey residential developments adjoining or near the development site (refer to Figures 8, 9 and 13 to 16). It is also consistent with the emerging character of the area as supported by the GRDCP 2021 Residential Locality Statement for Riverwood.</p> <p>In addition, Unit 9 does not result in any unreasonable privacy or overshadowing impacts; and largely complies with the DCP side setback control (refer to comment below). Deletion of this unit is not considered warranted.</p>
<p>Concern with side boundary setback to Unit 1 and 9 as approximately 3.14 to 3.5m and not 4.0m as required (Housing SEPP).</p> <p>Request for side boundary setback to be increased to 4m minimum to comply with the SEPP.</p>	<p>The Housing SEPP does not contain any numerical requirement for side setbacks. It is noted that the DCP side setback control of 4.0m applies to multi dwelling housing and has only been used as a guide in this instance to inform the setbacks for the proposed seniors housing development. The proposed side setback to Units 1 &amp; 9 ranges between 3.4 – 4.0m. The encroachment into the side setback control is relatively minor and does not result in unacceptable overshadowing or privacy impacts. Adequate landscaping and boundary fencing of 1.8m in height are proposed to screen the proposed development along the common boundaries.</p>

Issues raised	LAHC Response
<p>The proposed POS to Unit 1 (ground floor) and Unit 9 (upper floor) as depicted on the plans provided show an area of approx. 15m<sup>2</sup> for each unit.</p> <p>Request for POS to Units 1 and 9 (one-bedroom units) to be reduced to 6m<sup>2</sup> to comply with the Housing SEPP. The reduction will minimise the increase of noise from occupants sitting outside for recreational purpose and be compliant with the Housing SEPP requirement.</p> <p>Request for the POS (balcony) to Unit 9 to incorporate a 1800mm high privacy screen along the western elevation (adjacent to western boundary). The screen will minimise / eliminate any encroachment of privacy that may occur to adjoining properties from occupants sitting outside for recreational purposes.</p>	<p>In relation to POS for Unit 1, the Housing SEPP requires a minimum 15m<sup>2</sup> of POS for ground floor units.</p> <p>In relation to POS for Unit 9 which comprises a 11.57m<sup>2</sup> balcony, LAHC Design Requirements require a minimum 8m<sup>2</sup> of private open space for first floor units. The size of the balcony is acceptable as it is located approximately 8m from the side boundary and has a concrete balustrade to a height of 1.8m along its western side to mitigate noise impacts and prevent overlooking:</p> 
<p>The 2 storey (Class- 2) “Senior Housing Development” would have been far more acceptable and suitable if the development was a single storey dwelling/s (Class 1(a) with a similar site plan layout.</p>	<p>The 2-storey built form complies with the height and FSR controls contained in the Housing SEPP and Georges River LEP 2021; and is generally consistent with the emerging character of the area.</p>
<p>The amalgamation of the four (4) individual parcels of land into one (1) with approx. area of (2493m<sup>2</sup>) has the perception and the visual character of a large and dominant / bulky two storey complex or a development of a Residential Flat Building ( RFB – Class 2), and has the appearance to be overdeveloped, in comparison with the surrounding amenities consisting of a single or two storey dwellings on a single parcel of land that have a physical separation.</p>	<p>The 2-storey built form complies with the height and FSR controls contained in the Housing SEPP and Georges River LEP 2021.</p> <p>The building has been designed as 2 distinct, but compatible forms when viewed from the street. The proposed building footprints and massing are articulated to express individual units as separate dwellings, with sun shading and balconies, including balcony roofs, articulated to further break down the scale of the new buildings.</p>
<p>The Department of Communities and Justice (owners of the subject properties) is to ensure that the “Senior Housing Development” is not to be sold or be strata - subdivided or owned by a “Private Consortium”</p>	<p>No subdivision is proposed.</p>
<p>The Department of Communities and Justice must ensure and be satisfied that the tenant and or future occupants that are chosen to reside into the “Senior Housing Development” are “only” Seniors (over 55’s) and or people with disability or eligible to occupy in accordance with the intended use of the development</p>	<p>Standard Identified Requirement (No. 66) requires that prior to occupation, a restriction will be placed on the property title limiting the occupation of the development to seniors, people with a disability and eligible people specified by section 88 of the Housing SEPP.</p>
<p>The “Senior Housing Development” is: a. Managed by a registered community housing provider in accordance with the SEPP - cl. 108(CA)(a)(ii)</p>	<p>N/A. Section 108CA(a)(ii) of the Housing SEPP applies to Landcom only.</p>



Issues raised	LAHC Response
<p>The registered community housing provider is to always ensure/check that all tenants prior to commencement of residency, occupying or living with in the “Seniors Housing Development” are</p> <ul style="list-style-type: none"><li>• seniors (aged 55 or more years), or</li><li>• people who have a disability and are fit for purpose and</li><li>• All Units (1 to 16) are occupied in accordance with the intended use of the development. (low level housing)</li></ul>	<p>Standard Identified Requirement (No. 66) requires that prior to occupation, a restriction will be placed on the property title limiting the occupation of the development to seniors, people with a disability and eligible people specified by section 88 of the Housing SEPP.</p>

### 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.

## 8 Review of Environmental Factors

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

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### 8.1 Neighbourhood Character

The site is located within an established residential area generally supporting single and 2-storey detached dwelling houses with associated structures, such as garages, carports and sheds. The older residences are predominantly constructed of brick with tiled roofs. The character of the area is evolving with a number of newer 2-storey dwellings, semi-detached dwellings and multi-unit developments interspersed throughout the locality. Currently there is a moderate level of transition from low density housing to medium density development within the vicinity.

The bulk and scale of the proposed development will be generally compatible with the character of the neighbourhood and will deliver a built form outcome consistent with the planning controls for the locality and the future desired character set out in the Riverwood Residential Locality statement. The 2-storey design, siting, layout and landscape setting of the proposed development generally 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 neighbourhood character, providing setbacks to neighbouring development that are generally consistent with surrounding dwelling houses. Suitable design treatments, including fencing, landscaping and a considered planting mix ensure the proposal will generate benefits to neighbourhood character.

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### 8.2 Bulk and Density

The proposed development is consistent with the bulk and scale of surrounding development in the locality of Riverwood. The double storey buildings incorporate appropriate setbacks distinguished by a variety of articulation features, external finishes and materials to reduce the visual bulk of the development. The development is split into 2 separate buildings designed with suitable façade articulation and roof form to minimise bulk and scale and improve amenity in terms of solar access and overshadowing.

The proposal incorporates a floor space ratio of 0.497:1 and a maximum height of 8.7m which is generally consistent with a low-density residential area. The FSR and 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.

The floor space ratio in conjunction with generous front and rear setbacks and landscaped deep soil areas confirms the proposal 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 form of contemporary residential development emerging in the surrounding locality, including 2 storey dwelling houses, dual occupancies and multi dwelling housing developments. The street façade is divided into a number of distinct elements, separated with substantial landscaping resulting in a finer grained streetscape appearance, consistent with existing development in the area. In addition, the hard stand car parking area will be generally obscured from street view, resulting in a built form that has been designed with consideration of the streetscape.

In conjunction with strong articulation and modulation along the front façades and improved landscaping proposed within the street setback areas together with the retention of mature street trees, the proposed development will make a positive contribution to the streetscapes of Munmurra Road and Bernadotte Street. The proposed development will replace ageing housing stock that has reached the end of its economic life with a new contemporary residential development.

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

### Mitigation Measures

No mitigation measures are required.

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## 8.4 Visual Impact

The architectural style of the proposed development activity is generally compatible with the form of medium density development emerging in the surrounding locality. The proposed design, which integrates substantial landscaping into the site's frontages (including street trees to be planted in consultation with Council as discussed at section 7.1 of this REF), enhancing the aesthetic of the building and improving the experience for pedestrians and occupants through a landscaped streetscape appearance. In addition, the hard stand car parking area will be obscured from street view, resulting in a built form that has been designed with consideration of the development's surroundings.

### Mitigation Measures

Identified Requirement (No. 76) is recommended requiring street trees to be planted in the road reserve at the site's frontages in consultation with Georges River Council staff.

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## 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 1.5-1.8m high fencing, adequate site setbacks, privacy screening, and strategic placement of windows and balconies so as to avoid direct overlooking of neighbouring properties. In particular:

- High-quality landscape design, which incorporates trees, shrubs and fencing, is proposed within the site, around the development perimeter and integrated with the architectural design to ensure adequate privacy between the units and proposed communal spaces, such as pathways, building entrances and car parking.

- Private open spaces associated with Units 4, 5, 6, 7, 8, 12, 13, 14, 15 and 16 are orientated toward Bernadotte Street, with landscaping, including trees and shrubs, proposed within the front setback to improve streetscape amenity and privacy for future residents.
- Private open spaces associated with Unit 1, 2, 3, 9, 10 and 11 are orientated toward the communal parking area and as such will not directly overlook the windows or private open space of adjacent sites.
- Balconies are treated with privacy screens to minimise overlooking across side boundaries.
- Extensive landscaping has been provided internally within the site to provide a visual and acoustic buffer between the car parking area and adjoining dwellings.
- Fencing provided within the front setback will create a delineation between private and public space and improved privacy for residents.
- Proposed 1.8m fencing will mitigate overlooking from ground level units into adjoining properties.

#### Mitigation Measures

Identified Requirement (No. 73) is recommended requiring fencing to the private open space areas addressing Bernadotte Street to be amended to ensure an appropriate level of privacy is provided to units whilst allowing for casual surveillance.

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## 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 dwellings and private open space areas of neighbouring properties in accordance with the Housing SEPP and Seniors Housing Design Guide.

The submitted Architectural Plans indicate that 81.25% (13/16 units) of units achieve at least 2 hours direct solar access to the living areas and private open spaces between 9am and 3pm 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.

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## 8.7 Overshadowing

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

During the morning, shadows cast by the proposed development are generally contained within the site, out to Munmurra Road reserve and over the adjoining properties to the west, 14 and 16a Mona Road. However, from 11am onward, shadows fall over the road reserve such that solar access to adjoining properties is not affected during the afternoon.

#### Mitigation Measures

No mitigation measures are required.

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## 8.8 Traffic & Parking

Twelve surface car parking spaces for residents, including 4 accessible spaces, will be available on site to serve the proposed development. The provision of on-site car parking exceeds the parking requirements set out in the Housing SEPP for seniors housing developments carried out by LAHC by 8 spaces. Unrestricted on-street parking is permitted along both sides of Munmurra Road and Bernadotte Street to accommodate any overflow parking demand generated by the proposed development.

The Traffic and Parking Assessment Report (*Appendix S*) indicates that the traffic generation potential of the proposal is considered to be minor and not expected to have any noteworthy impact on the existing traffic operations on the nearby intersections. The low number of additional trips during peak hours can be accommodated within the capacity of the existing local street network.

The Traffic and Parking Assessment Report also examined the adequacy of the proposed internal driveway and parking arrangement. The assessment confirmed that the car park layout, including the proposed parking spaces and associated aisle width, is compliant with the applicable standards.

### Mitigation Measures

No mitigation measures are required.

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## 8.9 Flora and Fauna

An Arboricultural Impact Assessment has been prepared for the site by Allied Tree Consultancy (*Appendix J*). The report considers 15 trees, 10 of which (Trees 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14) are located wholly within the subject site, 4 are street trees (Trees 1, 2, 3 and 4) in the Munmurra Road and Bernadotte Street reserve and 1 tree (Tree 15) is located on an adjoining property, 14 Mona Road.

The report recommends the removal of 7 trees (Trees 6, 7, 8, 9, 11 and 14). All trees proposed to be removed are categorized as being of low significance, with the exception of Tree 7 which is categorized as being of high significance. These trees are located within the proposed development footprint and would be impacted by an unavoidable major encroachment within their tree protection zones.

As noted at section 7.1 of this REF, the Arboricultural Impact Assessment report concludes that the development, including pathways, stormwater and boundary fencing will result in acceptable minor encroachments on Council's street trees such that their viability is not unreasonably impacted; and that the area of tree canopy required to be pruned is less than 10% in accordance with the relevant Australian Standard.

Appropriate replacement planting is proposed, with the inclusion of 19 trees, some of which are capable of reaching a maximum height of 12m-15m, as indicated on the Landscape Plan (*Appendix B*). The new shrub, tree and ground cover plantings, together with the retention of the existing 4 street trees, will provide additional habitat for fauna in the long-term.

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

### Mitigation Measures

Retained trees are to be protected in accordance with the recommendations contained within the Arboricultural Impact Assessment (refer *Appendix J* and Identified Requirement No. 35).

Identified Requirement (No. 76) requires the provision of street trees along both street frontages in consultation with Georges River Council staff.

Identified Requirement (No. 78) requires the preparation of a pruning schedule.



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## 8.10 Heritage (European / Indigenous)

There are no heritage items identified in Georges River 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 16 April 2024 (*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 Georges River Council's Section 10.7(2) & (5) Planning Certificates and the likelihood of any heritage relics being discovered during excavation/ construction is considered to be minimal.

### **Mitigation Measures**

Identified Requirements (Nos 44 & 45) have been applied should any cultural heritage relics be discovered on the site during excavation / construction.

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## 8.11 Soils / Contamination / Acid Sulfate Soils / Salinity

### Geotechnical

A Geotechnical Investigation has been prepared by STS Geotechnics (*Appendix P*). The report indicates that because there were buildings and trees present, abnormal moisture conditions (AMC) prevail at the site. As a result of the AMC, the site is classified a *Problem Site (P)*. However, based on the subsurface conditions observed, the site may be re-classified *Highly Reactive (H1)* provided the recommendations given in the geotechnical report are adopted. The report makes the following recommendations.

- Foundation Design - Pad and/or strip footings founded in stiff natural clays below the topsoil may be proportioned using an allowable bearing pressure of 100 kPa. The minimum depth of founding must comply with the requirements of AS2870.
- Foundation Design - Piers founded in very stiff natural silty clay materials may be proportioned using an allowable end bearing pressure of 300 kPa, provided their depth to diameter ratio exceeds a value of 4. An allowable adhesion value of 20 kPa may be adopted below a depth of 0.5m.
- Foundation Design – Base of excavations must be free of all loose materials prior to concreting. All shallow footing excavations must be concreted as soon as possible, preferably immediately after excavating, cleaning, inspecting and approval. Pier excavations should not be left open overnight.
- Soil Aggressiveness - The exposure classification for the onsite soils is mildly aggressive to concrete and non-aggressive to steel. In accordance with AS2870-2011, the soils are classified as A2.

### Contamination

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

Notwithstanding, the draft *Contaminated Land Planning Guidelines* (draft Guidelines) prepared by the Department of Planning and Environment and the Environment Protection Authority provides a checklist of matters to be considered in an initial evaluation of land in relation to potential for contamination. These matters are considered in Table 11, above in this REF.

#### Acid Sulfate Soils

According to Council's Section 10.7(2) & (5) Planning Certificates, the land is not impacted by any policy pertaining to Acid Sulfate Soils. Additionally, a review of the NSW Government ePlanning Spatial viewer does not identify the land as having the potential to contain Acid Sulfate Soils.

#### Salinity

According to Council's Section 10.7(2) & (5) Planning Certificates, the land is not impacted by any policy pertaining to salinity. The Geotechnical Investigation report prepared by STS Geotechnics Pty Ltd (*Appendix P*) highlights the electrical conductivity values for the site as consistent with the presence of non-saline to slightly saline soils.

#### **Mitigation Measures**

Standard Identified Requirement (No.1) is recommended to require compliance with the recommendations of the Geotechnical Investigation prepared by STS Geotechnics Pty Ltd.

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

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## 8.12 Drainage / Flood Prone Land / Hydrology/ Water Quality

Stormwater drainage for the proposed development has been designed in accordance with Council's requirements. Stormwater will be collected via a series of stormwater pits and gutters on the site connected to underground on site detention tanks draining to a proposed junction pit on Bernadotte Street. Roof water from the proposed development will be collected from downpipes and connected to an underground rainwater tank for recycling with overflow connected to the underground detention tank.

The Section 10.7(2) & (5) Planning Certificates issued by Council for the subject site indicate that Lot 59 DP 35818 (14 Munmurra Road), is identified by the *Overland Flow Floodplain Risk Management Study and Plan for Hurstville, Mortdale, and Peakhurst Wards* (Overland Flow Study) as being between the flood planning area and the probable maximum flood extents and therefore subject to flood related development controls. It is noted that the Overland Flow Study indicates that only a minor portion of the site's frontage with Bernadette Street is flood affected.

Council's Flood Advice (*Appendix U*), indicates the flood risk precinct for the site is assessed as low flood risk - outside 1% AEP extent but within PMF extent. During the PMF flood event the hazard rating is assessed as 'H1 - Generally safe for vehicles, people and buildings'. An Overland Flow Report has been prepared by JN Engineering (*Appendix T*), which provides an assessment of the proposed development against the relevant requirements of GRDCP 2021 and Georges River Stormwater Management Policy. Proposed floor levels are set above the PMF level, allowing residents to shelter in place during this flood event. As noted in the Overland Flow Report, the surrounding street network in Munmurra Road is above the PMF event, enabling emergency vehicles to attend the site or evacuation of residents to occur if required.

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

### Mitigation Measures

Identified Requirements (Nos. 6-9, 14 and 41) have been recommended to ensure that stormwater drainage is managed in accordance with legislative requirements.

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## 8.13 Bushfire Prone Land

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

### Mitigation Measures

No mitigation measures are required.

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## 8.14 Noise and Vibration

### During construction

During construction typical noise levels associated with building works will be generated within the hours consistent with the requirements for Complying Development throughout NSW, being 7am to 5pm Monday to Saturday with no work on Sundays or public holidays.

### During Occupation

Noise generated when the proposed buildings are completed and occupied will be entirely in keeping with their residential surroundings. As noted elsewhere in this REF, air conditioning units (ACUs) are to be provided for each dwelling. Accordingly, identified requirement (No 62) is recommended in relation to criteria to be met in regard to their location and operation in accordance with the *Protection of the Environment Operations (Noise Control) Regulations 2017*.

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

### Mitigation Measures

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, 47 & 49) have been applied to ensure compliance with the above mitigation measures.

Identified Requirement (No 62) is recommended in relation to criteria to be met in regard to the location and installation of the ACUs; and their operation in accordance with the *Protection of the Environment Operations (Noise Control) Regulations 2017*.

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## 8.15 Air Quality

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

### Mitigation Measures

Appropriate standard Identified Requirements (Nos. 51 & 53) have been applied that will satisfactorily mitigate any potential or adverse impacts on air quality.

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## 8.16 Waste Minimisation

A Waste Management Plan (*Appendix R*) has been prepared by Custance. The following waste minimisation and management measures have been identified and are to be considered in conjunction with the specific details, including the estimated quantities of waste, provided in the final waste management plan to be prepared by the building contractor.

### During Construction

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

- Excess topsoil to be reused as fill.
- Minimal green waste expected during landscaping phase.
- Metals will be stockpiled on site to be collected by a waste disposal contractor
- Any broken bricks will be stockpiled for collection by a recycler.
- Concrete waste will be stockpiled for collection by a recycler.
- Timber will be recycled as timbers chips for landscaping.
- Plasterboard will be stockpiled on site to be collected by recycler.

### During Occupation

General and non-recyclable waste will be disposed of in Council's standard waste storage bins located in the garbage storage enclosure for collection by Council's waste services.

Paper / metal / glass will be disposed of in Council's standard waste recycling bins to be located in the garbage storage enclosures for collection by Council's waste services.

### Mitigation Measures

A standard Identified Requirement (No. 36) is recommended to require the preparation of a final waste management plan for the construction and occupation phases of the development.

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## 8.17 Resource Use & Availability

The proposed activity will not result in any discernible 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. An updated BASIX certificate will be required due to the introduction of air conditioning units to each of the dwellings and the provision of additional solar (photovoltaic energy generating) energy system to reduce associated running costs. The recycling and reuse of materials during 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**

Identified Requirements (Nos 3 and 64) includes the requirement to generate a new BASIX certificate.

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## **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 Georges River local government and surrounding area;
- assist LAHC in improving the amenity of accommodation for its tenants, by providing new, more appropriate housing aligning with demand for social housing;
- improve the environmental sustainability of housing on the site, particularly through improved energy and water efficiency; and
- provide more accessible housing on the site.

#### **Mitigation Measures**

No mitigation measures are required.

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## **8.19 Economic Impact**

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

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

#### **Mitigation Measures**

No mitigation measures are required.

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## **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

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### 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, GRLEP 2021, 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.

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### 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.

## 10 Appendices

APPENDIX A – ARCHITECTURAL PLANS

APPENDIX B – LANDSCAPE PLANS

APPENDIX C – CIVIL PLANS

APPENDIX D – SURVEY PLAN

APPENDIX E – NOTIFICATION PLANS

APPENDIX F – SECTION 10.7 CERTIFICATES

APPENDIX G – NOTIFICATION & CONSULTATION

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 – TITLES AND DP

APPENDIX R – WASTE MANAGEMENT PLAN

APPENDIX S – TRAFFIC REPORT

APPENDIX T – OVERLAND FLOW REPORT

APPENDIX U – FORMAL FLOOD ADVICE