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REVIEW OF ENVIRONMENTAL FACTORS

Proposed Seniors Housing Development

at

41-43 Owen Avenue, Wyong NSW 2259

November 2023





Acknowledgement of Country

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

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DOCUMENT CONTROL REGISTER

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

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3	07.11.2023	V3	LAHC Final edits	various

DOCUMENT SIGN-OFF

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1 Executive Summary

The subject site is located at 41-43 Owen Avenue, Wyong, and is legally described as Lots 67 & 68 in Deposited Plan 529880.

The proposed seniors housing development is described as follows:

Demolition of 2 existing dwellings and structures, removal of trees, and the construction of 6 independent living seniors housing units comprising 2 x 1 bedroom and 4 x 2 bedroom units, with associated landscaping and fencing, surface parking for 4 cars, and consolidation into a single lot.

The proposed activity is located in a prescribed zone and seniors housing is permitted on the land under the *Central Coast Local Environmental Plan 2022* (CLEP 2022). Therefore, the proposed activity can be carried out by the NSW Land and Housing Corporation (LAHC) without consent under the provisions of Part 5, Division 8 of the *State Environmental Planning Policy (Housing) 2021* (Housing SEPP) as it does not result in more than 40 dwellings on the site and does not exceed 9.5 metres in height.

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

The removal of trees on the site is covered by the definition of consent under Section 6 of the Housing SEPP. It has therefore been incorporated in this Review of Environmental Factors (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 Living Policy: Urban Design Guidelines for Infill Development* and taken into consideration *Good Design for Social Housing* and LAHC's *Design Requirements*;
- the site planning and design of the proposed activity adequately address the applicable local environmental planning and development controls of Central Coast Council;
- a BASIX certificate, NatHERS certificate and stamped plans have been submitted for the proposed activity demonstrating compliance with the State Government's environmental sustainability targets; and
- there are no separate approvals, authorisations or notifications required in relation to the proposed activity prior to determination under Part 5 of the EP&A Act or under any other Acts.

Central Coast Council were notified of the proposed activity on 30 June 2023 under the provisions of the Housing SEPP. Occupiers of adjoining land were notified of the proposed activity on 29 June 2023 under the provisions of Housing SEPP. A response was received from Council dated 31 July 2023. 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 of determination.

2 Introduction

2.1 Background

This Review of Environmental Factors (REF) under Part 5 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) is for an activity involving the demolition of existing dwellings and structures, removal of trees, and the construction of a seniors housing development comprising 6 independent living units, with associated landscaping and fencing, surface parking for 4 cars, and consolidation of the two lots into a single lot at 41-43 Owen Avenue, Wyong.

The activity* will be carried out by, or on behalf of, NSW Land and Housing Corporation (LAHC), which is the determining authority and proponent of the activity under Part 5 of the EP&A Act. The registered owner of the subject land is LAHC.

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

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

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

2.2 Purpose of this Review of Environmental Factors

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

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

2.3 Assessment Methodology

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

- Section 10.7 Planning Certificates were obtained for each lot comprising the site. The zoning was confirmed against the current applicable environmental planning instrument, which is the *Central Coast Local Environmental Plan 2022* (CCLEP 2022);

- it was determined that seniors housing is 'permitted with consent' in the R2 zoning pursuant to the CCLEP 2022, and can be carried out 'without consent' under the provisions of Housing SEPP;
- a desktop analysis and investigation of the site and surrounds was undertaken based on site clearance information provided by the LAHC to determine the suitability of the site for the proposed development activity, particularly taking into account the existing site conditions, constraints and local context;
- relevant local planning controls and State and Commonwealth Government legislation were considered in the environmental assessment of the proposed development activity;
- an environmental impact analysis was undertaken to determine if an Environmental Impact Statement was required;
- potential environmental impacts identified in the analysis and measures to mitigate these impacts were subsequently discussed in the 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 located in the Central Coast local government area (LGA) and comprises 2 residential allotments. A location plan is provided at **Figure 1**.



Figure 1 Location Plan (Source: SIX Maps)

The site is currently occupied by 2 dwellings. The lot at 41 Owen Avenue contains a single storey weatherboard and sheet metal roof dwelling. The lot at 43 Owen Avenue contains a single storey brick dwelling with tiled roof (refer to photographs at **Figure 2** & **Figure 3**).



Figure 2 Development site – 41 Owen Avenue, Wyong (Source: BRS)



Figure 3 Development site – 43 Owen Avenue, Wyong (Source: BRS)

The property immediately to the south of the site (39 Owen Avenue) contains a single-storey weatherboard dwelling with tile roof (refer photograph at **Figure 4**). The property to the east (3 Cutler Drive) contains a recently constructed single storey brick dwelling with feature cladding and sheet metal roof (refer to photograph at **Figure 5**).



Figure 4 Adjoining development – 39 Owen Avenue, Wyong (Source: BRS)



Figure 5 Adjoining development – 3 Cutler Drive, Wyong (Source: BRS)

3.2 Site Description

Copies of the Section 10.7(2) & (5) Planning Certificates (Nos 68166 and 68167) dated 3 November 2023 are provided in **Appendix F**.

The site has a total area of 1,161.4m², a frontage to Owen Avenue of 38.83m, secondary frontage to Cutler Drive of 17.045, splay corner of 5.86m, side (southern) boundary of 36.555m and a rear (eastern) boundary of 39.025m (refer to the submitted Detail and Contour Survey Plan in **Appendix D**).

The site falls from the front boundary at Owen Avenue down toward the rear south eastern corner of the site by approximately 2.7m. An easement for stormwater drainage is not required.

The site is located within an identified flood planning area and is subject to flood related development controls.

There are 6 trees located within the site. Two trees are located within an adjoining property (3 Cutler Drive) in proximity to the rear boundary of the site.

Water, sewer, electricity, gas and telephone facilities are available to the site (refer to the submitted Detail and Contour Survey Plan for the location of available services at **Appendix D**). Water, electricity and telephone services are located along the road alignment of Owen Avenue, with gas located along the road alignment of Cutler Drive. Sewer is located along the rear south eastern boundary of the site.

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

3.3 Neighbouring Development and Locality

The site is located within an established residential area which is characterised by older style single storey detached dwelling houses of weatherboard cladding, fibro and brick construction with sheet metal and tiled roofs, interspersed with more recent 2-storey dwelling houses, dual occupancy and medium density developments (refer to photographs at **Figure 6 - Figure 9**). A motel and mobile home village are located directly to the south east of the site.



Figure 6 More recent two storey brick development at 3-7 Northcott Avenue north east of the site (Source: BRS)



Figure 7 More recent two storey brick development at 3-7 Northcott Avenue north east of the site (Source: BRS)



Figure 8 More recent two storey brick development at 13 -15 North Road south west of the site (Source: BRS)



Figure 9 More recent two storey brick development at 36-38 Northcott Avenue north of the site (Source: BRS)

There are numerous bus stops located within proximity of the site. Two bus stops are located on Cutler Drive approximately 55m and 80m walking distance north west of the site (refer to the Long Section Surveys provided at **Appendix D**). These bus stops are serviced by Busways Route 79 which connects to Lake Haven and Tuggerah including local centres in these areas. The site is also within close proximity to the Wyong Train Station, approximately 1.2km south of the site which is serviced by the abovementioned bus route.

Surrounding land use is predominantly residential with other surrounding land uses including open space, educational establishments and commercial development. The Cutler Shopping Centre is located approximately 215m north of the site comprising an IGA, bakery, liquor store, take-away food, hairdresser and other retail development. Wyong Public School is located approximately 400m north of the site. The site is also within close proximity to the Wyong Centre to the south. The Wyong Centre is approximately 1.2km south of the site and contains a number of services including health practices, the Wyong Central Health Centre, chemists, retail outlets, recreation areas, the Wyong Community Centre, food premises and supermarkets. Wyong Centre is accessible via the abovementioned bus routes.

4 Project Description

The proposed activity is described in this section.

4.1 Demolition

The proposed activity includes demolition of 2 single storey detached dwelling houses and associated structures, as identified in the Demolition Plan (refer to **Appendix A**).

4.2 Removal of Trees

The Arboricultural Impact Assessment undertaken for the site (refer to **Appendix J**) considered 8 trees. Of the 8 trees assessed, 6 trees are located within the site and 2 within a neighbouring property. Of the 6 trees located within the site, 2 trees are proposed to be removed. The 2 trees external to the site, located within the adjoining property to the east at 3 Cutler Drive, will be retained and protected.

Of the trees proposed to be removed, both are exempt from protection in accordance with *Central Coast Development Control Plan 2022* (CCDCP 2022) Chapter 3.5 Tree and Vegetation Management due to species classification or being located within 3m of an existing approved structure.

The tree removal within the site boundaries is recommended primarily to accommodate the proposed development. Where tree retention has been considered, those trees are expected to survive the redevelopment process and remain stable and viable.

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

4.3 Proposed Dwellings

The proposed seniors housing development will deliver 6 independent living units, comprised of 2 x 1 bedroom and 4 x 2 bedroom dwellings. The building has been designed to be 2 storey. A driveway providing access to the communal car parking area is located along the northern boundary of the site off Cutler Drive. The car park is located within the rear south eastern portion of the site.

The proposed housing represents a contemporary, high-quality design. The use of face brick and metal cladding for external walls and sheet metal roofing is consistent with the existing and developing character of the Wyong suburb. All units will address the street with habitable rooms, living area windows and upper-level balconies facing the street for passive surveillance. A photomontage of the development is provided at **Figure 10**, below.



Figure 10 Photomontage of the proposed development (Source: Barry Rush & Associates Pty Ltd, dated 22.03.2023)

Cut and fill is proposed to provide a level building platform. Retaining walls to a maximum height of 600mm are proposed to assist with the long term stabilisation of the southern and eastern boundaries, along with retaining of cut in the vicinity of Units 1/2 and 5/6 as shown on the Site Plan (refer to **Appendix A**).

A variety of new landscape plantings, including trees capable of reaching a mature height of 10-12m (refer **Appendix B**) are proposed to offset the proposed tree removal and enhance the appearance of the site. New plantings will consist of a mix of new trees, shrubs and groundcovers, which will enhance landscaped setbacks and contribute to the streetscape.

Each unit will be provided with its own enclosed private open space area. Private open space areas are in the form of either a courtyard or balcony and have been designed to be directly accessible from living areas of each unit.

A total of 4 surface car parking spaces will be provided on the site, including 2 accessible spaces.

Stormwater will be collected via a series of stormwater pits, pipes and gutters on the site which are connected to an underground on site detention tank. This tank will be connected to a discharge control pit which will ultimately discharge to a kerb outlet on Cutler Drive. Roof water will be collected from downpipes and connected to an underground rainwater tank for re-use, with overflow connected to the proposed discharge control pit.

A new 1.8m high Colorbond fence is proposed along the side and rear boundaries. Metal picket fencing to a height of 1.2m will be provided at the front of the development adjoining the private open space areas of each ground floor unit orientated to Owen Avenue and Cutler Drive. The south western yard to Unit 1 and the private open space of units adjoining the driveway and car parking area will be provided with slatted metal fencing to a height of 1.5m.

Upon completion of the development, the 2 existing lots will be consolidated into 1 lot.

Figure 11 to Figure 15 include extracts from the architectural plans illustrating the proposed development.

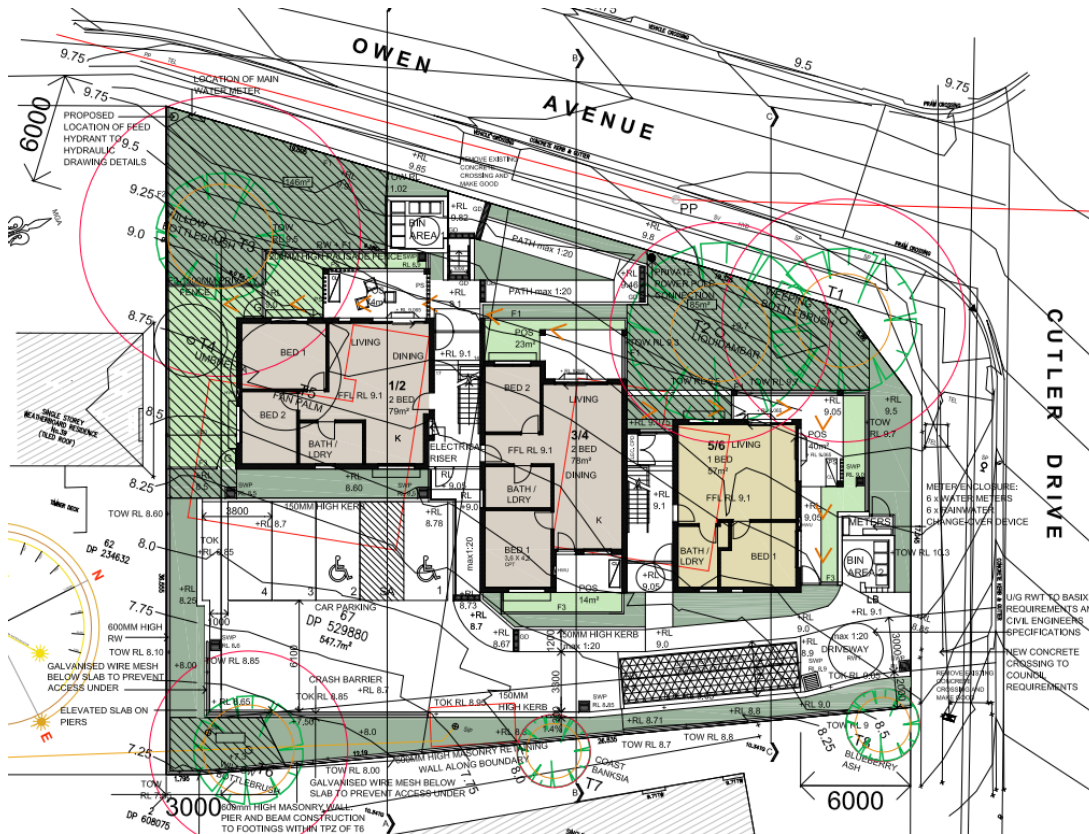


Figure 11 Extract from Architectural Plans – Site Plan (Source: Architectural Plans, Barry Rush and Associates, dated 22.03.2023)

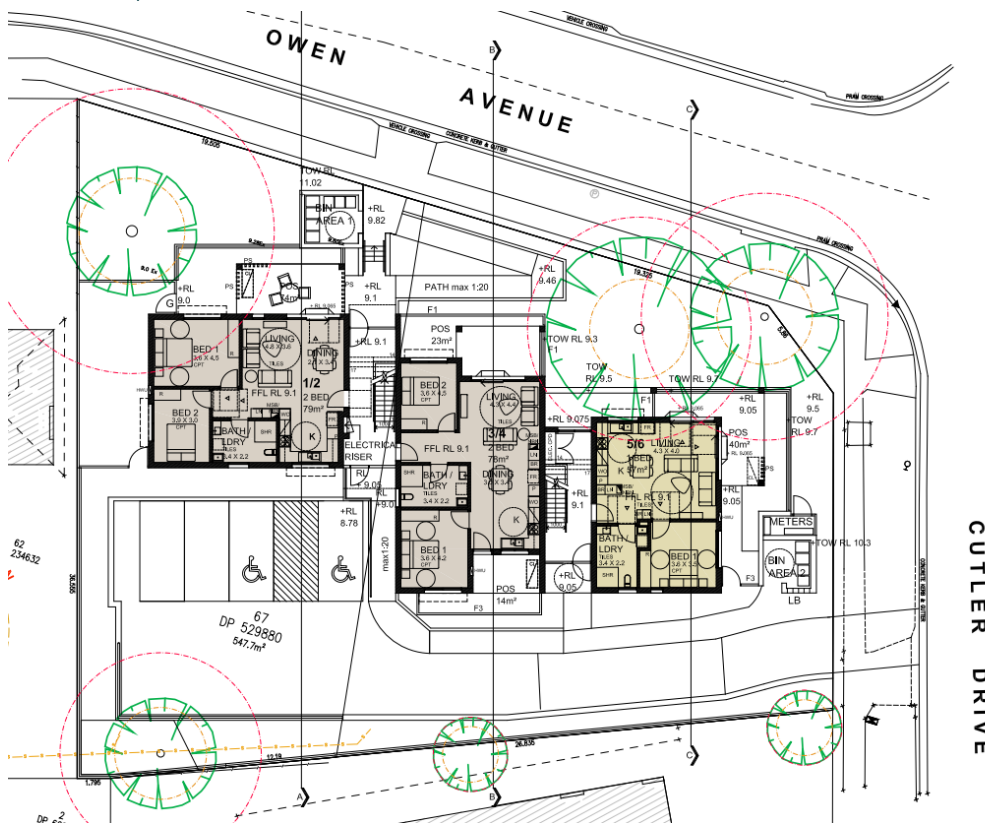


Figure 12 Extract from Architectural Plans – Ground Floor Plan (Source: Architectural Plans, Barry Rush and Associates, dated 22.03.2023)

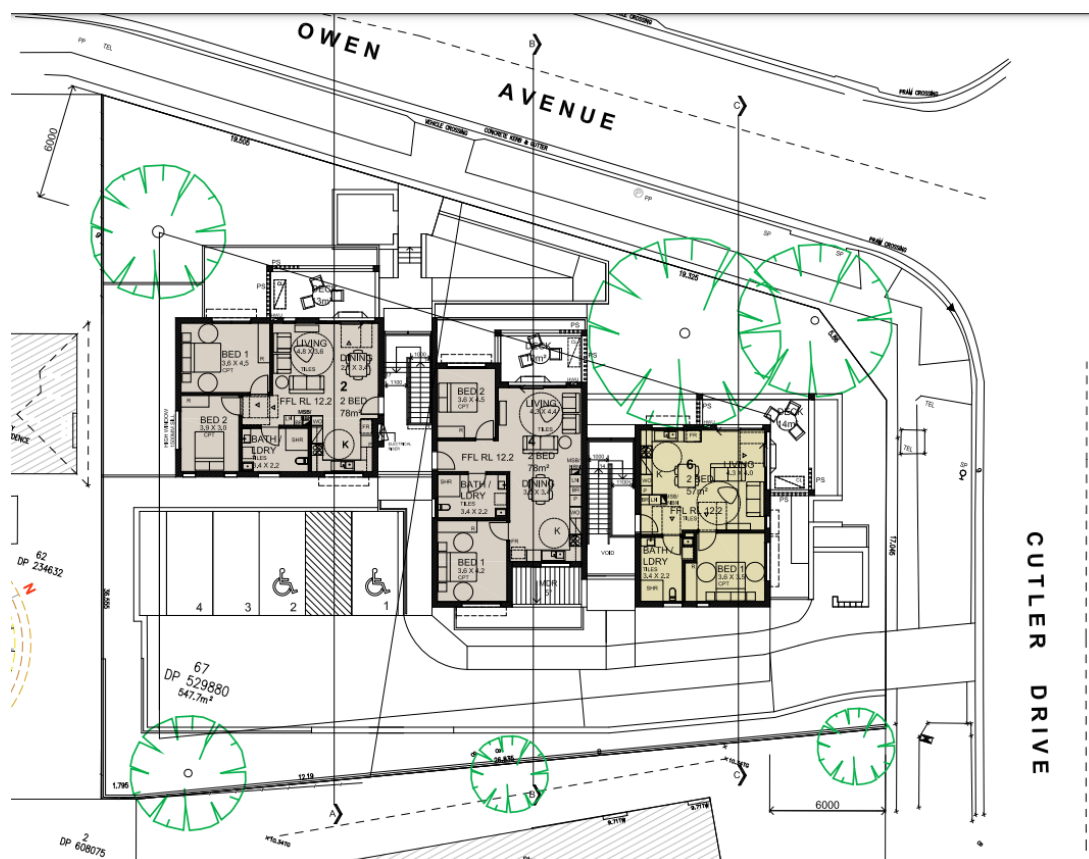


Figure 13 Extract from Architectural Plans – First Floor Plan (Source: Architectural Plans, Barry Rush and Associates, dated 22.03.2023)

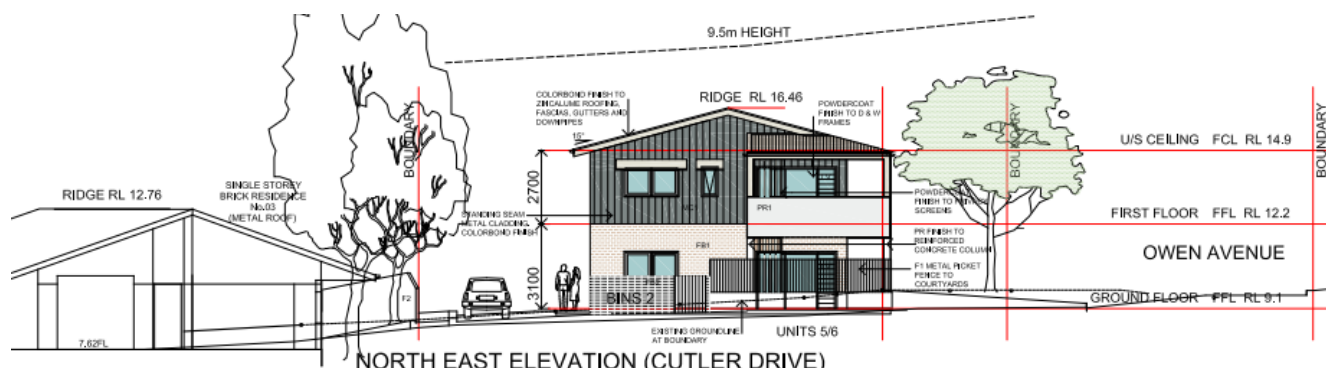


Figure 14 Extract from Architectural Plans – North East Elevation (Cutler Drive) (Source: Barry Rush and Associates, dated 22.03.2023)



Figure 15 Extract from Architectural Plans – North West Elevation (Owen Avenue) (Source: Architectural Plans, Barry Rush and Associated dated 22.03.2023)

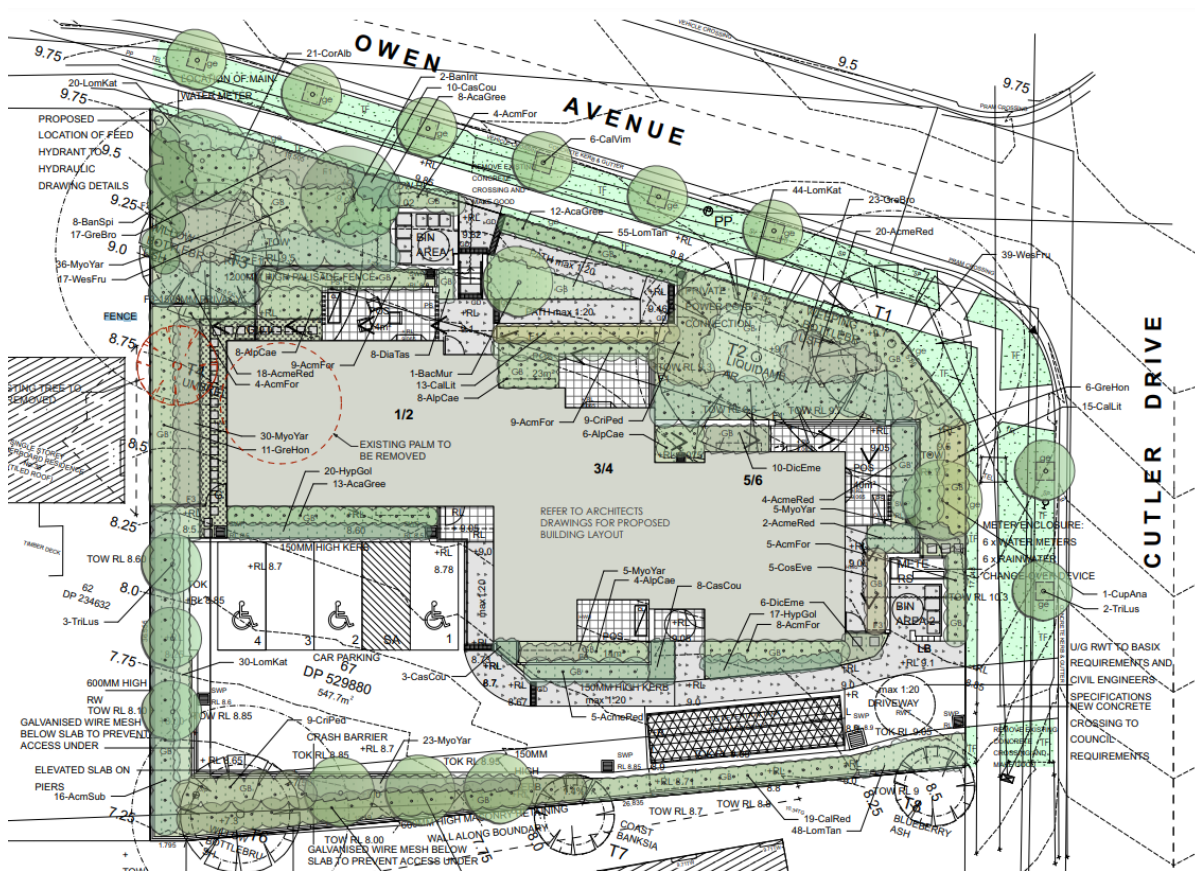


Figure 16 Extract from Landscape Plan (Source: Greenland Design, dated 22.03.2023)

4.4 Supporting information

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

Plans, Drawings & Supporting Document Details

The development is outlined in the following plans and drawings:

Title / Name:	Drawing No. / Document Ref	Revision / Issue:	Date [dd.mm.yyyy]:	Prepared by:
Architectural – Appendix A				
Location Diagram	A01	-	22.03.2023	Barry Rush & Associates Pty Ltd
Site Analysis Plan	A02	-	22.03.2023	Barry Rush & Associates Pty Ltd
Site Plan	A03	-	22.03.2023	Barry Rush & Associates Pty Ltd
Ground Floor Plan	A04	-	22.03.2023	Barry Rush & Associates Pty Ltd
First Floor plan	A05	-	22.03.2023	Barry Rush & Associates Pty Ltd
Roof Plan	A06	-	22.03.2023	Barry Rush & Associates Pty Ltd
Elevations	A07	-	22.03.2023	Barry Rush & Associates Pty Ltd
Sections Street Boundary Elevation	A08	-	22.03.2023	Barry Rush & Associates Pty Ltd
Finishes Schedule	A09	-	22.03.2023	Barry Rush & Associates Pty Ltd
Demolition Plan	A10	-	22.03.2023	Barry Rush & Associates Pty Ltd
Block Analysis Plan	A11	-	22.03.2023	Barry Rush & Associates Pty Ltd
Shadow Diagrams Mid-Winter	A12	-	22.03.2023	Barry Rush & Associates Pty Ltd
Views From Sun Diagrams	A13	-	22.03.2023	Barry Rush & Associates Pty Ltd
Streetscape Perspective	A14	-	22.03.2023	Barry Rush & Associates Pty Ltd
Areas of Excavation & Fill	A15	-	22.03.2023	Barry Rush & Associates Pty Ltd
Landscape Plan – Appendix B				
Landscape Plan	LA 1 of 2	F	22.03.2023	Greenland Design Pty Ltd
Landscape Details and Specification	LA 2 of 2	F	22.03.2023	Greenland Design Pty Ltd
Civil Drawings – Appendix C				
Cover Sheet & Notes	C1	D	02.03.2023	ACOR Consultants
Stormwater Management Plan	C2	D	02.03.2023	ACOR Consultants
Stormwater Management Details Sheet No. 1	C3	D	02.03.2023	ACOR Consultants
Stormwater Management Details Sheet No. 1	C4	D	02.03.2023	ACOR Consultants
On Site Detention Report	C5	D	02.03.2023	ACOR Consultants
Erosion & Sediment Control Plan	C6	D	02.03.2023	ACOR Consultants
Erosion & Sediment Control Notes & Details	C7	D	02.03.2023	ACOR Consultants
Detail and Contour Survey – Appendix D				
Detail and Contour Survey Sheet 1	S 1 of 5	-	06.10.2021	TSS Total Surveying Solutions

Title / Name:	Drawing No. / Document Ref	Revision / Issue:	Date [dd.mm.yyyy]:	Prepared by:
Detail and Contour Survey Sheet 2	S 2 of 5	-	06.10.2021	TSS Total Surveying Solutions
Detail and Contour Survey Sheet 3	S 3 of 5	-	06.10.2021	TSS Total Surveying Solutions
Long Sections Sheet 4	S 4 of 5	-	06.10.2021	TSS Total Surveying Solutions
Long Sections Sheet 5	S 5 of 5	-	06.10.2021	TSS Total Surveying Solutions
Notification Plans – Appendix E				
Cover Page	N01	-	22.03.2023	Barry Rush & Associates Pty Ltd
Site/Landscape Plan	N02	-	22.03.2023	Barry Rush & Associates Pty Ltd
Development Data	N03	-	22.03.2023	Barry Rush & Associates Pty Ltd
Elevations	N04	-	22.03.2023	Barry Rush & Associates Pty Ltd
Schedule of Finishes	N05	-	22.03.2023	Barry Rush & Associates Pty Ltd
Shadow Diagrams	N06	-	22.03.2023	Barry Rush & Associates Pty Ltd
Specialist Reports				
Access Assessment Report - Appendix H	115156-Access-r3	r3	27.03.2023	BCA Access
Arboricultural Impact Assessment – Appendix J	E598	C	18.05.2023	Creative Planning Solutions
BASIX Certificate - Appendix K	BASIX Certificate No 1351329M_04	-	22.05.2023	Building Sustainability Assessments
BCA Design Compliance Assessment - Appendix L	P2200118	4	23.03.2023	BCA Vision
NatHERS Certificate – Appendix N	NatHERS Certificate No 0008281750	-	22.05.2023	Building Sustainability Assessments – Gavin Chambers, Accreditation No DMN/13/1491
Geotechnical Investigation and Acid Sulfate Soil Assessment - Appendix P	21/2864	-	October 2021	STS Geotechnics Pty Ltd
Waste Management Plan – Appendix R	-	-	06.03.2023	Barry Rush and Associates Pty Ltd
Flood Risk Management Plan – Appendix S	CC210464_FRM P	06	05.06.2023	ACOR Consultants
Traffic Impact Assessment - Appendix T	-	-	February 2023	APEX Engineers Pty Ltd
Traffic Noise Assessment – Appendix U	R230537R1	R2	17.08.2023	Rodney Stevens Acoustics

Section 10.7 Planning Certificates – Appendix F

Planning Certificate, Certificate No 68166, 41 Owen Avenue, Wyong – Issued by Central Coast Council dated 03.11.2023

Planning Certificate, Certificate No 68167, 43 Owen Avenue, Wyong – Issued by Central Coast Council dated 03.11.2023

AHIMS – Appendix I

AHIMS Search Result, 41 Owen Avenue, Wyong – 200m search buffer, date 29.05.2023

Design Compliance and Checklists – Appendix M

Architect's Certificate of Building Design Compliance – dated 27.03.2023

Certificate of Landscape Documentation Compliance – dated 22.03.2023

Certificate of Stormwater Design Documentation Compliance – dated 02.03.2023

Seniors Living Urban Design Guidelines, LAHC Dwelling Requirements & Good Design for Social Housing – Appendix O

Housing for Seniors Checklist, (undated)

Titles and Deposited Plans – Appendix Q

Title Search, Folio: 67/529880 Search date 30.03.2021 First Schedule: New South Wales Land and Housing Corporation

Title Search, Folio: 68/529880 Search date 30.03.2021 First Schedule: New South Wales Land and Housing Corporation

Deposited Plan 529880

5 Zoning and Permissibility

The site is zoned R2 Low Density Residential under *Central Coast Local Environmental Plan 2022* (CCLEP 2022). The proposed development is defined as ‘seniors housing’ under the provisions of CCLEP 2022 and is permissible with Council’s consent in the R2 zone. The site’s zoning context is illustrated at **Figure 17**.

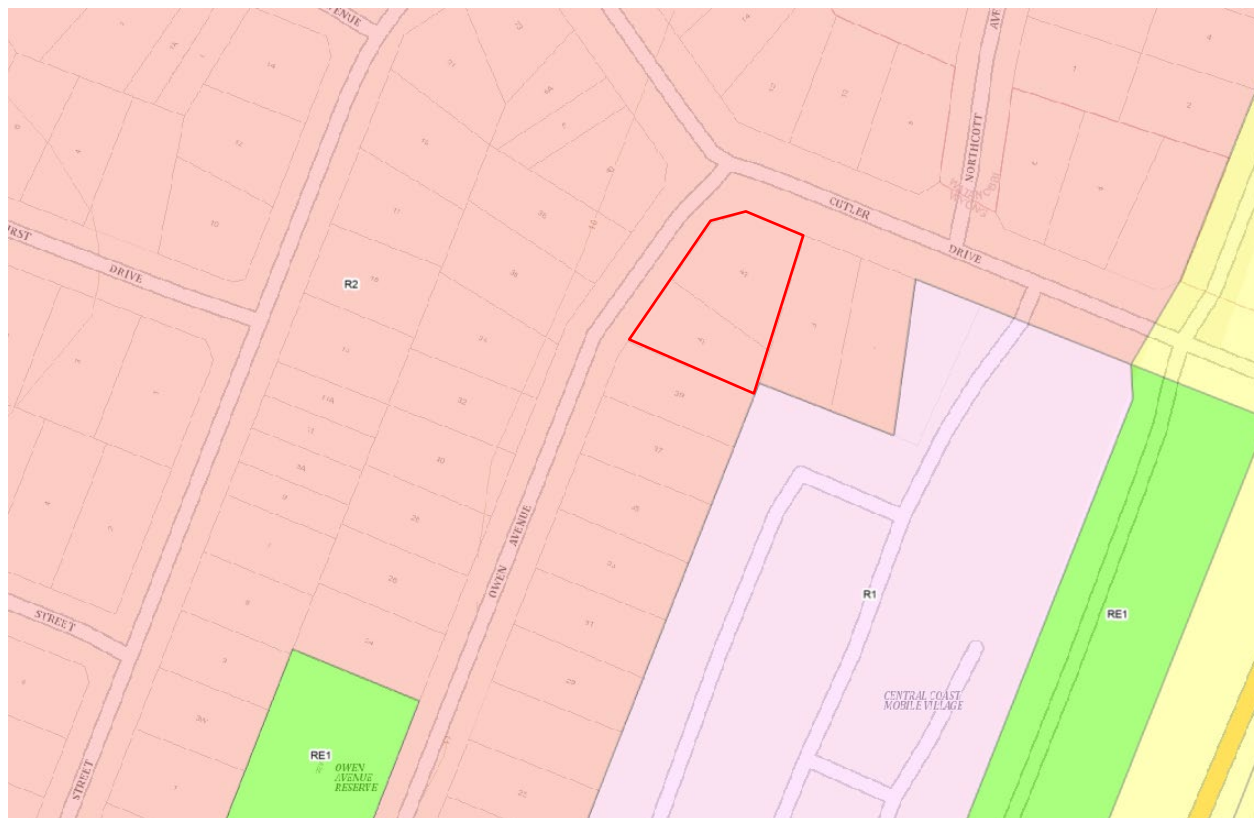


Figure 17 Land zoning map (Source: eSpatial Viewer, July 2023)

Senior’s housing is permitted in the R2 zone under CCLEP 2022. The relevant objectives of the R2 zone, as set out in CCLEP2022 are:

- To provide for the housing needs of the community within a low density residential environment.
- To encourage best practice in the design of low density residential development.
- To maintain and enhance the residential amenity and character of the surrounding area.

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

Section 108B of the Housing SEPP permits seniors housing development that may be carried out ‘with consent’ to be carried out by LAHC as ‘development without consent’ subject to the provisions set out under that clause. **Table 4** in subsection 6.5 of this REF demonstrates compliance with the relevant provisions of Division 8 of the SEPP.

6 Planning and Design Framework

6.1 Environmental Planning and Assessment Act 1979

6.1.1 Duty to consider environmental impact [Section 5.5]

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

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

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

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

6.2 Biodiversity Conservation Act 2016 (BC Act)

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

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

6.3 Other Acts

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

6.4 Environmental Planning and Assessment Regulation 2021

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

For the purposes of Part 5 of the EP&A Act, the factors in **Table 2** and **Table 3** below have been taken into account in considering the likely impact of the proposed activity on the environment. The table and comments made in this section of the REF are not mutually exclusive and are to be read in conjunction with the other sections of the REF dealing with the environmental impacts of the proposed development activity.

Table 2 Environmental Planning and Assessment Regulation 2021 Section 171

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

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

Guidelines for Division 5.1 assessments require the following Environmental factors to be taken into account:	Relevant?	Impact 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;	Yes		x	
(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;	N/A			
(f) impact on the habitat of protected animals (within the meaning of Biodiversity Conservation Act 2016);	N/A			
(g) endangering of any species of animal, plant or other form of life, whether living on land, in water or in the air;	N/A			
(h) long-term effects on the environment;	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;	N/A			
(l) pollution of the environment;	Yes	x	x	
(m) environmental problems associated with the disposal of waste;	Yes		x	
(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]	N/A			
(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	

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

Note 2: The *NSW Coastal Planning Guideline: Adapting to Sea Level Rise* provides guidance on considering projected climate change conditions such as sea level rise.

The proposed seniors housing development is not expected to generate any significant or long- term impacts on the environment. The short term impacts, during construction, will be offset by positive social outcomes in the long term and social benefits of providing affordable housing that meets the needs of the community. The applicable Central Coast Regional Plan, Local Strategic Planning Statement (LSPS) and Community Strategic Plan are considered below at Section 6.4.2 of this report.

6.4.2 Strategic Planning Framework

Central Coast Regional Plan 2041

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

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

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

This proposal, which will expand the supply of affordable housing, with 6 new seniors housing units in close proximity to services, is consistent with the objectives of the Regional Plan. Furthermore, the housing will be managed by the LAHC, ensuring it remains affordable for the foreseeable future.

Central Coast Council Local Strategic Planning Statement

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

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

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

The proposed 6 seniors living units, will assist in diversifying housing options in the Central Coast LGA. The proposed seniors housing will accommodate the ageing population in the locality. Furthermore, the housing will be managed by the LAHC, ensuring it remains affordable for the foreseeable future. The site is well served by public transport options and the proposal includes an energy efficient and accessible design, helping the development meet LSPS priorities for sustainability, transport and access.

ONE Central Coast Community Strategic Plan

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

These goals are informed by five key themes being:

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

The proposed development aligns with a series of Council's strategic planning goals, notably objective I4 which states –

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

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

6.5 State Environmental Planning Policy (Housing) 2021

6.5.1 Development without Consent

The 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.

The proposed activity includes demolition of existing structures on the site. Section 42(2)(a) of the Housing SEPP permits LAHC to undertake demolition as “development without consent” provided the land the structures are located on is “non-heritage land” and is not “identified in an environmental planning instrument as being within a heritage conservation area”. The subject site contains neither of these heritage constraints and therefore demolition can be undertaken by LAHC as “development without consent”. A preliminary waste management plan has been prepared which makes various recommendations and there are Identified Requirements recommended in the Activity Determination which deal with site safety and environmental protection during demolition and construction.

Table 4 Compliance with relevant provisions under sections Part 5, Division 8 of the SEPP for ‘seniors housing development without consent’ carried out by LAHC

Provision	Compliance
108A – Development to which Division applies This Division applies to development for purposes of senior housing involving the erection of a building on land -	
(a) on which development for purposes of seniors housing is permitted with consent under another environmental planning instrument, or	The development is permissible with consent within the R2 Low Density Residential Zone under the CCLEP 2022.
(b) in a prescribed zone or an equivalent land use zone.	The site is zoned R2 which is a prescribed zone in accordance with Part 5, Division 1, Section 79 of the Housing SEPP.
108B – Seniors housing permitted without development consent (1) Development to which this Division applies may be carried out by or on behalf of 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 Table 5 and Table 6 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 proposed building height is 7.8m.
(c) the seniors housing will not contain more than 40 dwellings on the site.	The development is for 6 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> are not applicable to the site or development.
(a) a reference in section 2.15 to “this Chapter” is taken to be a reference to this section, and	Noted.
(b) a reference in the sections to a public authority is taken to be a reference to the relevant authority.	Noted.
108C – Requirements for carrying out seniors housing (1) Before carrying out development to which this Division applies, a relevant authority must –	

Provision	Compliance
(a) request the council to nominate a person or persons who must, in the council's opinion, be notified of the development, and	Advice was sought from Central Coast Council regarding additional persons or properties that should be notified of the development via an email sent to Council on 18 November 2022. Council provided a response on 23 November 2022 advising that the extent of notification is considered satisfactory. Contact details for property owners were verified in March 2023.
(b) give written notice of the intention to carry out the development to – (i) the council, and (ii) the person or persons nominated by the council, and (iii) the occupiers of adjoining land, and	A letter notifying Central Coast Council of the proposed development activity was sent by LAHC on 30 June 2023. Letters notifying occupiers and owners of adjoining land of the proposed development activity were sent by LAHC on the 29 June 2023.
(c) take into account the responses to the notice that are received within 21 days after the notice is given, and	Council responded to LAHC's notification by letter dated 31 July 2023. Comments on the response are provided in Section 7.1 of this REF. One submission was received from adjoining occupiers. Comments on the submission are provided in Section 7.2 of this REF.
(d) take into account the relevant provisions of the <i>Seniors Living Policy: Urban Design Guidelines for Infill Development</i> , published by the Department in March 2004, and	Refer to checklist in Appendix O and subsection 6.5.3 of this REF. These conclude that the development complies with all relevant development guidelines relating to the <i>Seniors Living Policy: Urban Design Guidelines for Infill Development</i> with the exception of the minor variations discussed in subsection 6.5.3 of this report. In these cases, suitable alternatives are proposed which are necessary due to site specific constraints, site and locality characteristics and specific LAHC design requirements and policies.
(d1) if the relevant authority is the Aboriginal Housing Office – consider the relevant provisions of the <i>Aboriginal Housing Design Guidelines</i> , published by the Aboriginal Housing Office in January 2020, and	Not applicable.
(e) if the relevant authority is the Land and Housing Corporation – consider the relevant provisions of – (i) <i>Good Design for Social Housing</i> , published by the Land and Housing Corporation in September 2020, and (ii) the <i>NSW Land and Housing Corporation Design Requirements</i> , published by the Land and Housing Corporation in February 2023, and	Refer to subsections 6.5.4 and 6.5.5 of this REF and the Architect's Statement and Certificate of Building Design Compliance in Appendix M which indicate that the design requirements have been considered.
(f) consider the design principles set out in Division 6	Consideration of these principles is discussed in Table 9 .
(2) In this section, a reference to the council is a reference to the council for the land on which the development is proposed to be located.	Noted.
108D - Exempt development Development for purposes of landscaping and gardening is exempt development if it is carried out by or on behalf of a relevant authority in relation to seniors housing	Noted.

Provision	Compliance
108E - Subdivision of seniors housing not permitted Development consent must not be granted for subdivision of seniors housing.	No subdivision proposed.

The Housing SEPP requires LAHC to consider the applicable development standards specified in clause 84(2) (c) (iii), 85, 88, 89 and 108. Consideration of these sections of the SEPP is demonstrated in the **Table 5** and **Table 6** below:

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

Provision	Compliance
84 Development standards—general (2) Development consent must not be granted for development to which this section applies unless — (a) the (b) (c) for development on land in a residential zone where residential flat buildings are not permitted — (i) (ii) (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.	Proposed development is in the R2 zone where residential flat buildings are not permitted. Not applicable. Proposed development is two storey only.
85 Development standards for hostels and independent living units (1) Development consent must not be granted for development for the purposes of a hostel or an independent living unit unless the hostel or independent living unit complies with the relevant standards specified in Schedule 4. (2) An independent living unit, or part of an independent living unit, located above the ground floor in a multi-storey building need not comply with the requirements in Schedule 4, sections 2, 7–13 and 15–20 if the development application is made by, or by a person jointly with, a social housing provider.	The proposed development complies with relevant standards specified in Schedule 4 as demonstrated in Table 7 below. Noted.
88 Restrictions on occupation of seniors housing (1) Development permitted under this Part may be carried out for the accommodation of only the following — (a) seniors or people who have a disability, (b) people who live in the same household with seniors or people who have a disability, (c) staff employed to assist in the administration and provision of services to housing provided under this Part.	Complies. An Identified Requirement (No. 74) is recommended to achieve compliance.

(2) Development consent must not be granted under this Part unless the consent authority is satisfied that only the kinds of people referred to in subsection (1) will occupy accommodation to which the development relates.	An Identified Requirement (No. 74) is recommended to achieve compliance.
89 Use of ground floor of seniors housing in business zones (Not applicable.

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

Development Standard	Required	Comment
Building Height:	9.5m or less	Compliant Maximum height 7.8m
Density and Scale:	Floor Space Ratio 0.5:1 or less	Compliant 0.45:1
Landscaped Area:	Minimum 35m ² per dwelling (6 x 35m ² = 210m ²)	Compliant 423m ²
Deep Soil Zone:	Minimum 15% of area of site (15% x 1,161.4m ² = 174.21m ²)	Compliant 247m ² or 21% as per Architectural Plans
	Minimum 65% to be preferably located at rear of site (113.23m ²)	Non-compliant 62m ² as per Architectural Plans or 35.6% of the required provision of deep soil zone (Refer discussion below).
	Minimum dimension 3m	Compliant Minimum dimension 3m
Solar Access:	70% of living areas & main private open space to receive minimum 2 hrs direct solar access between 9 am and 3 pm at mid-winter	Compliant 100% of living areas and private open space achieve 2 hours of direct solar access at mid-winter. 100% of living areas achieve 3 hours of direct solar access at mid-winter. 83% of private open space areas achieve 3 hours solar access at mid-winter.
Private Open Space:	Ground level:	
	Minimum 15m ² per dwelling	Compliant Minimum 37m ² for ground floor units.
	One area minimum 3m x 3m, accessible from living area	Compliant Minimum 3m x 3m

	Upper level/s:	Compliant
	1 bedroom: Minimum 6m ² Minimum dimensions 2m	Minimum 14m ² for one bedroom first floor unit Minimum 2m
	2 or more bedrooms: Minimum 10m ² Minimum dimensions 2m	Minimum 10m ² for two bedroom first floor units Minimum 2m
Car parking:	Minimum 1 car parking space for each 5 dwellings (LAHC concession) – 2 car parking spaces required	Compliant 4 car parking spaces for 6 dwellings, including 2 accessible parking spaces.

Non-Compliance with Deep Soil Zone

In accordance with the Housing SEPP, the proposed development is to incorporate a deep soil zone of at least 15% of the site area, where each deep soil zone has minimum dimensions of 3m and, if practicable, at least 65% of the deep soil zone is located at the rear of the site.

The development proposes an overall deep soil zone of 247m² which is equivalent to 21% of the site area. This exceeds the required 15% by 6% or 72.9m². Of this deep soil zone, the development proposes a total deep soil zone at the rear of the development of 62m². This translates to a total of 35.6% of the required deep soil zone and presents a shortfall of 51.23m² to the preferred deep soil zone at the rear of a site in accordance with Section 108(2)(f) of the SEPP.

Whilst there is a non-compliance of the deep soil planting zone at the rear of the site, the remainder of the site offers generous deep soil planting that equates to an additional 72.9m² deep soil planting. Deep soil planting has been located in the area of existing mature trees on site that will be retained as part of the proposed development (refer to site plan in **Appendix A**). Three large mature trees are located within the front setback and one within the rear setback. Deep soil planting is therefore provided throughout the whole site, rather than predominately at the rear. Location of deep soil zones in the areas of mature trees will assist in their successful retention and maintenance which in turn will allow for increased amenity on site. In addition to the retention of mature trees, landscaping on site proposes a mix of native trees, shrubs and ground covers. Landscaping for the site has been thoughtfully considered to best achieve environmental benefits for the site and surrounds. The additional deep soil planting within the front setback in the areas of existing and proposed landscaping is considered to compensate for the reduced deep soil planting at the rear of the site. The proposed areas of deep soil zone across the site overall are considered environmentally beneficial and will assist in the management of water and air quality as well as providing improved residential amenity for residents and adjoining development.

In addition, the wording of the Housing SEPP states that 65% of the deep soil zone is to be located at the rear of the site, if practicable. The proposed development is considered the most appropriate solution for the site; therefore, the proposed deep soil zone is considered the most practical. The subject site is located on a corner block and has two street frontages. The development has been designed to address the street with each unit having a frontage to either Owen Avenue or Cutler Drive. Based on the location of the subject site on a corner lot and the design of dwellings to address the street, the development proposes a shared carpark at the rear of the site. The design of a shared carpark allows for one centralised access that assists in reducing the visual prominence of the car park and minimises hardstand areas. The development is therefore in keeping with the design principles contained within the *Seniors Living Policy: Urban Guidelines for Infill Development* document. Namely, the following design principles:

- 2.04 Locate the bulk of the development towards the front of the site to maximise the number of dwellings with frontage the public street.
- 2.05 Have developments more modest in scale towards the rear of the site to limit impacts on adjoining neighbours/
- 2.07 Retain trees and planting on the street and in front setbacks to minimise the impact of new development on the streetscape.
- 2.08 Retain trees and planting at the rear of the lot to minimise the impact of new development on neighbours and maintain the pattern of mid-block deep-soil planting.
- 2.22 Consider centralised parking in car courts to reduce the amount of space occupied by driveways, garages and approaches to garages.

Based on the above, the proposed development has been designed in a way that is most responsive to the site and surrounds. The development responds to the geometry of the land whilst reducing the bulk and scale of the development from Owen Avenue and Cutler Drive allowing for high level amenity.

Further, the development meets the deep soil zone requirements of the Central Coast Development Control Plan 2022 (CCDCP 2022). The CCDCP 2022 requires a minimum 50% of the required soft landscaped area of the site at ground level to be a deep soil zone. The development proposes a total area of 247m² deep soil zone which exceeds the required 50% of the proposed landscaped area by approximately 8% or 35.5m². In addition, the CCDCP 2022 encourages deep soil zones within setbacks. The development proposes deep soil planting within the front and rear setbacks in the locality of existing mature trees.

The variation is therefore not considered to have any adverse effects on the development, adjoining development or environment. The deep soil planting proposed will still allow for infiltration of rain water to the water table, reduced stormwater runoff, healthy and supported growth of landscaping, management of air quality and improved residential amenity across the whole of the site.

6.5.2 Development Standards for Accessibility

Consideration of the development standards for accessibility set out in Section 85 and Schedule 4 is demonstrated in **Table 7** below.

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

Table 7 Accessibility and useability standards [Schedule 4]

Development Standard (Sch 4)	Required	Comment
2.Siting Standards:		
Wheelchair access 'Non-sloping' sites i.e. with gradients entirely <1:10	100% of ground floor dwellings to have wheelchair access by a continuous accessible path of travel as per AS 1428.1 to an adjoining public road	Compliance readily achievable. 100% of ground floor units have accessible paths of travel in accordance with AS1428.1 to the front boundary. Compliance indicated as per the submitted Access Assessment Report prepared by BCA Access.

'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 Assessment Report prepared by BCA Access.
3. Security:		
Pathway lighting	Pathway lighting to be designed and located to avoid glare for pedestrians and adjacent dwellings and to provide min 20 lux at ground level	Compliance readily achievable. All lighting will be designed as per requirements at tender stage (subject to Identified Requirement No. 75). Compliance readily achievable as per the submitted Access Assessment Report prepared by BCA Access.
4. Letterboxes:		
	To be lockable, located in central location adjacent to street entry or in one or more central locations on a hard standing area and have wheelchair access and circulation by a continuous path of travel (as per AS1428.1)	Compliance readily achievable. Letterboxes have been provided adjacent to the Cutler Drive entry, situated on a hard standing area with wheelchair accessibility as per AS 1428.1. Further specification to be provided at detailed construction documentation stage. Compliance indicated as per the submitted Access Assessment Report prepared by BCA Access.
5. Private car accommodation:		
Disabled car parking	Car parking spaces must comply with the requirements for parking for persons with a disability set out in AS2890 and at least 5% of the total number of car parking spaces (or at least 1 space if there are fewer than 20 spaces) must be designed to	Two accessible car parking spaces are provided, which meet the requirements of AS2890.6. An additional space is provided that can achieve a clear width of 3.8m. Compliance indicated as per the

	enable the width of the spaces to be increased to 3.8m	submitted Access Assessment Report prepared by BCA Access.
Garages	Must have power-operated door or there must be a power point and an area for motor or control rods to enable a power-operated door to be installed at a later date	Not applicable, as the proposal does not incorporate garages.
6. Accessible entry		
Every entry, whether front entry or not:	Must comply with clauses 4.3.1 and 4.3.2 of AS4299	<p>Compliance readily achievable.</p> <p>Details will be required at construction documentation stage (subject to Identified Requirement No. 73). Compliance readily achievable as per the submitted Access Assessment prepared by BCA Access.</p>
7. Interior: general		
Note: consideration only required for ground floor units in accordance with clause 85(2)		
	<p>Internal doorways must have a minimum clear opening that complies with AS1428.1</p> <p>Internal corridors must have a minimum unobstructed width of 1,000mm</p> <p>Circulation space at approaches to internal doorways must comply with AS1428.1</p>	<p>Compliance readily achievable.</p> <p>Door circulation and corridors are suitably wide, with compliance indicated as per the submitted Access Assessment Report prepared by BCA Access.</p>
8. Bedroom		
Note: consideration only required for ground floor units in accordance with clause 85(2)		
	<p>At least one bedroom within each dwelling must have:</p> <p>(a) an area sufficient to accommodate a wardrobe and a bed sized as follows:</p> <p>(i) in the case of a dwelling in a hostel-a single - size bed,</p> <p>(ii) in the case of a self-contained dwelling - a queen size bed, and</p> <p>(b) a clear area for the bed of at least:</p> <p>(i) 1,200mm wide at the foot of the bed, and</p>	<p>Compliance readily achievable.</p> <p>The internal arrangement of at least 1 bedroom in each unit will make suitable provisions for the circulation spaces and facility requirements in accordance with this Clause. Compliance indicated as per the submitted Access Assessment Report prepared by BCA Access.</p> <p>Further detailed information will be required at construction documentation stage (refer to Identified Requirement No. 73).</p>

- (ii) 1,000mm wide beside the bed between it and the wall, wardrobe or any other obstruction, and
- (c) 2 double general power outlets on the wall where the head of the bed is likely to be, and
- (d) at least 1 general power outlet on the wall opposite the wall where the head of the bed is likely to be, and
- (e) a telephone outlet next to the bed on the side closest to the door and a general power outlet beside the telephone outlet, and
- (f) wiring to allow a potential illumination level of at least 300 lux

9. Bathroom

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

At least 1 bathroom within a dwelling must be on the ground (or main) floor and have the following facilities arranged within an area that provides for circulation space for sanitary facilities in accordance with AS1428.1:

- (a) a slip-resistant floor surface,
- (b) a washbasin with plumbing that would allow, either immediately or in the future, clearances that comply with AS1428.1,
- (c) a shower that complies with AS1428.1, except that the following must be accommodated either immediately or in the future:
 - (i) a grab rail,
 - (ii) portable shower head,
 - (iii) folding seat,
 - (d) a wall cabinet that is sufficiently illuminated to be able to read the labels of items stored in it,
- (e) a double general power outlet beside the mirror

The requirement under item (c) does not prevent the installation of a

Compliance readily achievable.

Suitable provisioning has been made to accommodate the clearances required for an accessible bathroom. Necessary internal design adjustments can be made at later stages. Compliance indicated as per the submitted Access Assessment Report prepared by BCA Access.

Further detailed information will be required at construction documentation stage (refer to Identified Requirement No. 73).

shower screen that can easily be removed to facilitate future accessibility

10. Toilet

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

A dwelling must have at least 1 toilet on the ground (or main) floor and be a visitable toilet that complies with the requirements for sanitary facilities of AS4299

Compliance readily achievable.

Suitable provision is made to accommodate the clearances required for a visitable toilet in the bathrooms of each unit. Necessary internal design adjustments can be made at later stages. Compliance indicated as per the submitted Access Assessment Report prepared by BCA Access.

11. Surface finishes

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

Balconies and external paved areas must have slip-resistant surfaces

Compliance readily achievable.

Further detailed information will be required at construction documentation stage to ensure compliance (refer to Identified Requirement No. 73).

12. Door Hardware

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

Door handles and hardware for all doors (including entry doors and other external doors) must be provided in accordance with AS4299

Compliance readily achievable.

Further detailed information will be required at construction documentation stage to ensure compliance (refer to Identified Requirement No. 73).

13. Ancillary Items

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

Switches and power points must be provided in accordance with AS4299

Compliance readily achievable.

Further detailed information will be required at construction documentation stage to ensure compliance (refer to Identified Requirement No. 73).

15. Living and dining room

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

<p>A living room in a self-contained dwelling must have:</p> <p>(a) a circulation space in accordance with clause 4.7.1 of AS4299, and</p> <p>(b) a telephone adjacent to a general power outlet.</p> <p>A living room and dining room must have wiring to allow a potential illumination level of at least 300 lux</p>	<p>Compliance readily achievable.</p> <p>Suitable provision is made within the living room design to ensure that a wheelchair circulation space of 2250mm diameter is available clear of furniture. Provisioning of telephone wiring adjacent to GPO's can be made during design development, as per the submitted Access Assessment Report prepared by BCA Access.</p> <p>Further detailed information will be required at construction documentation stage to ensure compliance (refer to Identified Requirement No. 73).</p>
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16. Kitchen

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

<p>A kitchen in a self-contained dwelling must have:</p> <p>(a) a circulation space in accordance with clause 4.5.2 of AS4299, and</p> <p>(b) a width at door approaches complying with clause 7 of this Schedule, and</p> <p>(c) the following fittings in accordance with the relevant subclauses of clause 4.5 of AS4299:</p> <p>(i) benches that include at least one work surface at least 800mm in length that comply with clause 4.5.5 (a),</p> <p>(ii) a tap set (see clause 4.5.6),</p> <p>(iii) cooktops (see clause 4.5.7), except that an isolating switch must be included,</p> <p>(iv) an oven (see clause 4.5.8), and</p> <p>(d) "D" pull cupboard handles that are located towards the top of below-bench cupboards and towards the bottom of overhead cupboards, and</p> <p>(e) general power outlets:</p>	<p>Compliance readily achievable.</p> <p>Suitable provision is made within the style of kitchen design to ensure that appropriate arrangements can be achieved. Necessary internal design adjustments can be made during design development, as per the submitted Access Assessment Report prepared by BCA Access.</p> <p>Further detailed information will be required at construction documentation stage to ensure compliance (refer to Identified Requirement No. 73).</p>
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	<p>(i) at least one of which is a double general power outlet within 300mm of the front of a work surface, and</p> <p>(ii) one of which is provided for a refrigerator in such a position as to be easily accessible after the refrigerator is installed</p>	
17. Access to kitchen, main bedroom, bathroom and toilet Note: consideration only required for ground floor units in accordance with clause 85(2)		
	In a multi-storey self-contained dwelling, the kitchen, main bedroom, bathroom and toilet must be located on the entry level	Not applicable, as dwellings are not multi-storey.
18. Lifts in Multi storey buildings Note: consideration only required for ground floor units in accordance with clause 85(2)		
	In a multi-storey building containing separate independent living units on different storeys, lift access must be provided to dwellings above the ground level of the building by way of a lift complying with clause E3.6 of the Building Code of Australia.	NA
19. Laundry Note: consideration only required for ground floor units in accordance with clause 85(2)		
	<p>A self-contained dwelling must have a laundry that has:</p> <p>(a) width at door approaches that complies with cl.7 of this Schedule, and</p> <p>(b) provision for the installation of an automatic washing machine and a clothes dryer, and</p> <p>(c) a clear space in front of appliances of at least 1,300mm, and</p> <p>(d) a slip-resistant floor surface, and</p> <p>(e) an accessible path of travel to any clothes line provided in relation to the dwelling</p>	<p>Compliance readily achievable.</p> <p>It considered that suitable provisioning has been made available to resolve accessibility.</p> <p>Final laundry design will need to accommodate the circulatory requirements of this Clause, as per the submitted Access Assessment Report prepared by BCA Access.</p> <p>Further detailed information will be required at construction documentation stage to ensure compliance (refer to Identified Requirement No. 73).</p>
20. Storage for Linen Note: consideration only required for ground floor units in accordance with clause 85(2)		
	A self-contained dwelling must be provided with a linen storage in accordance with Clause 4.11.5 of AS 4299	<p>Compliance readily achievable.</p> <p>It is considered that suitable provisioning has been made within</p>

		the design, as per the submitted Access Assessment prepared by BCA Access.
21. Garbage		
	A garbage storage area must be provided in an accessible location.	<p>Compliance readily achievable.</p> <p>2 bin storage areas have been provided, one at each street frontage. These areas are accessed via walkways with suitable gradients. It is considered that suitable provisioning has been made within the design, as per the submitted Access Assessment prepared by BCA Access.</p>

6.5.3 Seniors Living Policy: Urban Design Guidelines for Infill Development

The *Seniors Living Policy: Urban Design Guidelines for Infill Development* (SLUDG) (March 2004) has been prepared to assist in the design and assessment of applications for development under the Housing SEPP and is used for all Part 5 applications, excluding group homes and boarding houses.

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

- Improving neighbourhood fit;
- Improving site planning and design;
- Reducing impacts on streetscape;
- Reducing impacts on neighbouring properties; and
- Improving internal site amenity.

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

An assessment of the design of the activity against the SLUDG is provided at **Appendix O**. The design has followed the Guidelines, except in relation to the following justifiable departures outlined in **Table 8**.

Table 8 Seniors Living Urban Design Guidelines departures

Guideline Requirement	Response
2.20 Use semi-pervious materials for driveways, paths and other paved areas?	<p>The proposed driveways and paths are concrete to meet LAHC maintenance and durability requirements. Adequate pervious landscaped area is provided onsite to allow for water percolation and reduce stormwater runoff.</p>

Guideline Requirement	Response
3.06 Setback upper levels behind the front building façade?	Upper levels are not setback further than the front building façade to simplify construction. A mix of materials and finishes allow for a varied façade that works well within the streetscape. Balconies and varied roof forms further assist with providing variation and articulation to the building façade.
3.27 Vary the driveway surface material to break it up into a series of smaller spaces? (e.g. to delineate individual dwellings)	The proposed driveway is concrete to meet LAHC maintenance and durability requirements. It is not of a sufficient length to warrant breaking up into smaller spaces.
3.29 Provide gates at the head of driveways to minimise visual 'pull' of the driveway	Driveway gates to common parking areas are not provided for maintenance reasons. Landscaping for the length of the driveway and at the rear and side of the communal parking area is considered sufficient to minimise visual 'pull' of the proposed driveway.
4.03 Set upper storeys back behind the side or rear building line	Upper floors have not been setback to simplify construction. The proposed development is well set back from rear and side boundaries. High window sills or obscure glazing have been provided where necessary to ensure neighbours' privacy is not compromised.
4.05 Incorporate second stories within the roof space and provide dormer windows?	Second storeys within roof spaces are not a characteristic in the locality. The proposed second storey complies with height and setback requirements and does not give rise to any adverse streetscape or amenity impacts.
5.29 Provide private open space areas that use pervious pavers where private open space is predominantly hard surfaced to allow for water percolation and reduced run-off?	Concrete is used instead of pervious pavers for maintenance reasons. Sufficient deep soil/landscape areas have been proposed to allow for water percolation and reduce runoff.
5.30 Provide communal open space that is clearly and easily accessible to all residents and easy to maintain and includes shared facilities, such as seating and barbeques to permit resident interaction.	No communal open space area is provided as the proposed development is relatively small in scale (6 units). Easily accessible paved areas are provided throughout the site that allow for incidental socialising and interaction.

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 108C(1)(e)(i) of the Housing SEPP requires the relevant authority to consider the relevant provisions of the *Good Design for Social Housing* (September 2020) when assessing a proposed seniors housing development under 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 provides high level accessibility and allows for future adaptation to accommodate the changing needs of tenants over time, allowing them to age in place.

All units have substantial areas of private open space, with attractive gardens at ground floor levels, predominately planted with low maintenance native species to attract bird life without requiring regular watering. High quality landscaping across the site will enhance the amenity for residents.

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

The design achieves a high BASIX/NatHERS score and as such provides appropriate thermal comfort year-round (**Appendix K & N**).

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

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

Belonging

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

The development makes use of high quality, low maintenance materials including exposed brickwork and metal cladding, and utilises a neutral colour palette which together will maintain the visual appeal of the dwellings over time.

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

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

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

Value

The development meets sustainability targets, with the development achieving an average NatHERS rating of 7.1 stars. The scheme will incorporate sustainable features including insulation, glazing, clothes lines, native plantings, ceiling fans, water efficient fittings, abundant natural light, natural cross ventilation and is a design that can be modified to accommodate the changing needs of tenants.

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

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

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

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

The proposed development was designed in accordance with the *Land and Housing Corporation Dwelling Requirements 2020* (refer **Appendix O**). These requirements were replaced by the *Land and Housing Corporation Design Requirements* in February 2023, at the time that the design of the proposed development was already completed. The proposed development is generally in accordance with the provisions of the updated requirements, refer to Architect's Certificate of Building Design Compliance in **Appendix M**. However, it is noted that the common circulation areas have not been specifically designed to accommodate the future provision of a lift as the proposed 2 lobbies would necessitate the provision of 2 lifts, which is not considered warranted given the small scale of development (i.e.. 3 first floor dwellings). Further detail will be incorporated in the construction documentation.

6.5.6 Housing SEPP Design Principles

The proposed activity is located in an established urban area. Known natural environmental considerations affecting the subject land, including flooding and acid sulfate soils, can be appropriately managed and are not considered to pose a hazard to the development. 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 to be 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 LAHC must consider in determining whether or not to proceed with a proposed seniors housing activity. **Table 9** below demonstrates how the principles have been considered in the design of the proposal.

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

Neighbourhood amenity and streetscape [section 99]
Seniors housing should be designed to – (a) recognise the operational, functional and economic requirements of residential care facilities, which typically require a different building shape from other residential accommodation, and
N/A. The proposal is not a residential care facility.

(b) recognise the desirable elements of –

- (i) the location's current character, or*
- (ii) for precincts undergoing a transition – the future character of the location so new buildings contribute to the quality and identity of the area, and*

The existing character is predominantly single storey residential development of varying age and architectural style. Face brick or weatherboard cladding with pitched roofs are prominent features of housing in the immediate area. Dispersed throughout the neighbourhood are more recent developments including larger, contemporary dwellings and medium density housing. Contemporary residential development in the locality of the proposed development is suggestive of a transition of character in the Wyong suburb and likely future development. The proposal is generally compatible in form, scale and character with more contemporary residential development in the Wyong locality. The building has been designed as three distinct, but compatible forms as viewed from the street, and responds to the character and scale of development in the area. High quality finishes and the well-considered design of the development will add to the identity of the locality.

The development has also been designed to reflect the desirable characteristics of the area including ample landscaping within the front setback and private open space areas.

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

The site is not within a heritage conservation area and contains no heritage items. Further, there are no heritage items within proximity of the site.

(d) maintain reasonable neighbourhood amenity and appropriate residential character by –

- (i) providing building setbacks to reduce bulk and overshadowing, and*
- (ii) using building form and siting that relates to the site's land form, and*
- (iii) adopting building heights at the street frontage that are compatible in scale with adjacent buildings, and*
- (iv) considering, where buildings are located on the boundary, the impact of the boundary walls on neighbours, and*

The building setbacks are consistent with the streetscape character of the locality and are generally consistent with Central Coast DCP 2022 requirements. Further, building setbacks allow for substantial landscape plantings and retention of existing trees, providing amenity for both residents and the streetscape.

The proposed development is of a scale commensurate with other nearby newer residential developments. The development is below the height limit permitted under the Housing SEPP and retains at least 2 hours solar access to the living areas and private open spaces of neighbouring dwellings in mid-winter. The building height does not result in an excessive bulk and does not lead to unreasonable overshadowing of adjacent sites.

The proposed development is two storey with the bulk of the built form broken up through the use of a variety of materials and finishes, extensive landscaping, open space areas and appropriate setbacks.

The built form respects and follows the topography of the site, without the need for excessive cut and fill. A suitable balance of cut and fill is proposed to address the access requirements for seniors housing under the Housing SEPP and provide appropriate finished floor levels to address potential flood levels.

The proposal does not locate buildings directly on the boundaries.

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

The existing building lines along Owen Ave and Cutler Drive vary.

The proposed front setback to Owen Ave has been staggered to follow the front boundary alignment. A setback of approximately 10.5m is proposed to the southern portion of the front façade of Units 1/2 to provide an appropriate transition to the adjoining dwelling, which is setback approximately 12m.

The neighbouring dwelling at 3 Cutler Drive has a front setback which ranges between 6-8m. The eastern portion of the proposed development is setback 6m to the Cutler Drive frontage, to be generally consistent with the building line.

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

The proposed landscape design incorporates substantial plantings at the front of the development which will enhance the appearance of the site and represents a positive outcome for the streetscape. Native species have been chosen to complement existing vegetation to be retained. The scheme incorporates a mix of ground covers, native shrubs and feature trees which will create a pleasant environment for residents and attract animal and birdlife.

Retention of mature trees within the front setback will further reduce the visual impact of the proposed development.

New native street tree planting of eight mature trees will be provided to Owen Avenue and Cutler Drive providing immediate improvements to the visual quality of the streetscape as well as future canopy cover to mitigate urban heating. Refer to the submitted Landscape Plan in **Appendix B**.

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

Six trees within and adjacent to the site are identified for retention in accordance with the recommendations of the Arboricultural Impact Assessment report, including 3 trees in the front setback area along Owen Avenue identified as having medium and high retention value, and 1 tree to the rear of the site assessed as having high retention value. Two low significance trees are to be removed to accommodate the proposed development and will be replaced by more suitable landscaping. As outlined above, substantial replacement planting is proposed to compensate for the loss of existing vegetation, including trees capable of reaching mature heights of up to 12 metres.

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

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

Visual and acoustic privacy [section 100]

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

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

(b) ensuring acceptable noise levels in bedrooms of new dwellings by locating them away from driveways, parking areas and paths.

The proposed development has been designed to maintain visual and acoustic privacy to adjoining properties and within the development. Design solutions include appropriate building setbacks and heights, dwelling layouts, orientation of balconies facing the streets, provision of privacy screens, obscure glazing, considered window sizes and placement, and landscaping treatments.

The building has 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. Bedrooms are predominantly located away from the driveway, paths and parking to maintain acceptable noise levels. Where windows and balconies are proposed, adequate setbacks have been maintained and privacy screening provided where appropriate to restrict direct overlooking. The first floor bedroom window of Unit 2 facing the southern side boundary is high sill to restrict direct line of sight into the neighbouring property.

Boundary fencing to a height of 1800mm will assist with mitigation of visual and acoustic impacts associated with the internal hard stand car parking. Perimeter landscaping will also act as a visual and acoustic buffer between the car park and adjacent development. The generous rear setback to the east of the site provides a deep soil area which will accommodate a mature shade tree and dense landscape plantings which will create a pleasant outlook when viewed from neighbouring properties.

Solar access and design for climate [section 101]

The design of seniors housing should –

(a) for development involving the erection of a new building – provide residents of the building with adequate daylight in a way that does not adversely impact the amount of daylight in neighbouring buildings, and

(b) involve site planning, dwelling design and landscaping that reduces energy use and makes the best practicable use of natural ventilation, solar heating and lighting by locating the windows of living and dining areas in a northerly direction.

The design and siting of the proposed development will provide adequate daylight access to living areas and private open spaces of the proposed units, along with the living areas and private open spaces of adjoining properties.

100% of the proposed dwellings will receive a minimum of 3 hours sunlight between 9am and 3pm on June 21 to their living area. 83% achieve at least 3 hours of sun to their private open space in mid-winter.

As demonstrated on the shadow diagrams (**Appendix A**), overshadowing of the neighbouring property to the east is limited to the afternoon period, and more than 3 hours solar access is maintained to the dwelling and private open space area in mid-winter. Given the orientation of the site, some overshadowing of the adjoining property to the south will occur throughout the day, however it is noted that the north facing window of the neighbouring dwelling has an existing shading device that would restrict solar access to this window. Overshadowing as a result of the proposed development would not restrict the adjoining private open space area from receiving 3 hours of solar access.

The development achieves an average NatHERS rating of 7.1 stars. All dwellings are naturally cross ventilated. Landscaping will also assist in microclimate management.

Stormwater [section 102]

The design of seniors housing should aim to –

- (a) control and minimise the disturbance and impacts of stormwater runoff on adjoining properties and receiving waters by, for example, finishing driveway surfaces with semi-pervious material, minimising the width of paths and minimising paved areas, and*
- (b) include, where practical, on-site stormwater detention or re-use for second quality water uses.*

Stormwater catchment design, including an on-site detention tank and rainwater tank, have been provided to achieve council requirements.

Hard surfaces have been minimised where possible and extensive landscaped open space areas have been provided throughout the site.

Site stormwater will be captured and drained as shown on the submitted stormwater management plans (**Appendix C**), with a 12,000L rainwater tank provided to facilitate water re-use.

Crime prevention [section 103]

Seniors housing should –

- (a) be designed in accordance with environmental design principles relating to crime prevention, and*
- (b) provide personal property security for residents and visitors, and*
- (c) encourage crime prevention by –*
 - (i) site planning that allows observation of the approaches to a dwelling entry from inside each dwelling and general observation of public areas, driveways and streets from a dwelling that adjoins the area, driveway or street, and*
 - (ii) providing shared entries, if required, that serve a small number of dwellings and that are able to be locked, and*
 - (iii) providing dwellings designed to allow residents to see who approaches their dwellings without the need to open the front door.*

Resident safety has been considered and will be maintained through the provision of good opportunities for the surveillance of the site and the surrounding streetscape.

Site planning enforces territorial reinforcement by establishing clear entry points and boundaries through fencing and landscaping. Access points are minimised and observable from residential units. The central entry points provide a secure progression from public to private spaces and will create a safe environment for residents.

All units have habitable rooms, living areas and/or balconies facing Owen Avenue or Cutler Drive providing passive surveillance of public areas, as well as the pedestrian and vehicle entry points. Peep-holes will also be provided to the front doors of each dwelling to enable residents to view approaches to their dwelling without having to open the door.

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. The design of the proposed development will allow for general surveillance of the rear parking area, particularly from Units 1 & 2 which have kitchen windows facing the car parking area.

Accessibility [section 104]

Seniors housing should –

- (a) have obvious and safe pedestrian links from the site that provide access to transport services or local facilities, and*
- (b) provide attractive, yet safe, environments for pedestrians and motorists with convenient access and parking for residents and visitors.*

The Access Assessment Report (**Appendix H**) demonstrates that obvious and safe pedestrian links are available from the site to transport services and local facilities. The site is within 400m of bus stops which provide access to public transport services directly to Wyong town centre, which has a range of facilities and services. The bus stops are serviced by Bus Route 79, which operates at a frequency that meets the requirements of the Housing SEPP.

The Access Report notes that a suitable concrete footpath is located on the northern side of Cutler Drive which provides access to the bus stop on this side of Cutler Drive (ID 225963 - *Cutler Dr opposite Harvey St*). No footpath is currently provided on the southern side of Cutler Drive and will be required to be constructed to provide suitable

access to the bus stop on this side of the street (ID 225951 – *Cutler Dr at Harvey St*). Regrading of the kerb ramp on the western side of Owen Ave will also be required to comply with the gradient requirements of the Housing SEPP and provision of a suitable crossing point (kerb ramps) on Cutler Drive will be required to facilitate wheelchair access across the roadway. An identified requirement is recommended to ensure these footpath works are undertaken prior to occupation of the proposed development (refer to Identified Requirement No. 77).

Access to facilities and services will therefore be generally compliant with section 93 of the Housing SEPP despite this not being a consideration for seniors development undertaken by LAHC.

Car parking is provided for residents within the site, including 2 accessible parking spaces. Accessible pathways are provided between the car parking area and each unit. There is on-street parking available on Cutler Drive for visitors.

Landscaping is provided alongside and between pathways and dwellings to maintain the privacy of tenants and improve the amenity of the site.

Waste management [section 105]

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

Waste and recycling bays are provided to comply with the requirements of Central Coast Council. These are designed to be hard wearing and easy to maintain, while being unobtrusive within the scheme. Planting has been provided to help garbage/recycling areas have minimal 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, with bins taken to the kerb by residents or a LAHC contractor.

6.6 Other State Environmental Planning Policies

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

Table 10 Compliance with other applicable State and Environmental Planning Policies

State Environmental Planning Policy	Applicability
SEPP (Sustainable Buildings) 2022 (formerly SEPP (Building Sustainability Index: BASIX) 2004)	A BASIX Certificate has been obtained for the development proposal, as required under the SEPP (refer to Appendix K).
SEPP (Transport and Infrastructure) 2021	<p>The Transport and Infrastructure SEPP provides planning controls relating to development for the purposes of essential services infrastructure (hospitals, roads, water supply, telecommunications and electrical networks), educational establishments and child care facilities and major infrastructure corridors.</p> <p>The site is located in close proximity to a State Classified Road. Cutler Drive adjoins the Pacific Highway, a State Road, to east of the proposed development. The proposed development is located approximately 140m from the Pacific Highway. The proposed development is therefore not immediately adjacent to the Pacific Highway or within its road corridor. Further, the proposed development is not defined as traffic generating development. However, a Traffic</p>

	<p>Noise Assessment was undertaken (Appendix U) to address any potential noise impacts on the amenity of the proposed development. The Report recommends glazing and construction measures to ensure that the proposed development will comply with the noise criteria of the SEPP. An Identified Requirement is included to ensure the proposed development is carried out in accordance with the recommendations of the Traffic Noise Assessment report (refer to Identified Requirement No. 80).</p> <p>The site is located approximately 170m west of the Main Northern Railway corridor. Given the distance of the development to the rail corridor, it is not considered in or adjacent to the infrastructure and would not have an adverse effect on rail safety.</p>
SEPP (Biodiversity and Conservation) 2021	<p>This Biodiversity and Conservation SEPP provides planning controls related to conservation and management, to ensure protection of the natural environment. The development proposes tree removal and thus the provisions of the SEPP related to vegetation clearing do apply. 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 2 trees (refer to Arboricultural Report at Appendix J).</p> <p>Notwithstanding, Clause 6 of Housing SEPP specifies that development permitted without consent may be carried out without another consent or a licence, permission, approval or authorisation otherwise required under another environmental planning instrument. This means the proposed removal of trees within the site can be included within the REF scope and does not require a permit from Council.</p> <p>An assessment of the proposed tree removal has been undertaken within Section 4.2 of this REF.</p>
SEPP (Resilience and Hazards) 2021	<p>The Resilience and Hazards SEPP provides provisions for development in the coastal zone, management of hazardous and offensive development and remediation of contaminated land.</p> <p>Section 4.6 of this SEPP requires the consent authority to consider whether land is contaminated prior to granting development consent. The site is located within a developed residential area of Wyong. Given the long-term residential use of the site, it is unlikely there will be issues of contamination that would require remediation. The Section 10.7 planning certificates have not identified the land as potentially contaminated (refer to Appendix F).</p> <p>A recommended Identified Requirement (No. 17) requires implementation of management measures in the unlikely event of contamination prior or during construction works.</p>

6.7 Central Coast Local Environmental Plan 2022

Compliance with the relevant provisions / development standards set out in the CCLEP 2022 is demonstrated in **Table 11** below.

Table 11 Central Coast Local Environmental Plan 2022

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.	The site is not identified as having a maximum building height on the Height of Buildings map.
4.4	Floor Space Ratio	(2) The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the Floor Space Ratio Map.	The subject site is not identified as having a maximum floor space ratio on the Floor Space Ratio map.
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> <ul style="list-style-type: none"> (a) is compatible with the flood function and behaviour on the land, and (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 (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 (d) incorporates appropriate measures to manage risk to life in the event of a flood, and (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>The Section 10.7 planning certificate for 41 Owen Ave identifies the land or part of the land as being within the flood planning area and subject to flood related development controls (refer to Appendix F). The Section 10.7 planning certificate for 43 Owen Ave identifies the land is not within the flood planning area, however is between the flood planning area and the probable maximum flood (PMF).</p> <p>A Flood Risk Management Plan has been prepared for the site by Acor Consultants (refer Appendix S).</p> <p>The Plan identified that the site is partially below the Flood Planning Level (FPL) and partially impacted by PMF floodwaters. The site is not impacted by floodwaters during the 1% Annual Exceedance Probability (AEP) flood event.</p> <p>The proposed building footprint is located on ground above the FPL and outside the expected PMF extents. The proposed car parking and driveway surface is located above the PMF level.</p> <p>The Plan concluded that the proposed development complies with the requirements of Central Coast DCP 2022 Chapter 3.1.2, Central Coast Local Environmental Plan 2022 and Wyong Local Environmental Plan 2013 provisions for sites affected by flooding.</p>
7.1	Acid Sulfate Soils	Development consent is required for the carrying out of works described in the	The site is identified as Class 5 Acid Sulfate Soils. An Acid Sulfate Soil

		<p>table to this subclause on land shown on the Acid Sulfate Soils Map as being of the class specified for those works.</p> <p>Class of land: 5</p> <p>Works: Works within 500m of adjacent Class 1, 2, 3 or 4 land that is below 5m Australian Height Datum and by which the watertable is likely to be lowered below 1m Australian Height Datum on adjacent Class 1, 2, 3 or 4 land.</p>	<p>Assessment was prepared for the site by STS Geotechnics Pty Ltd (Appendix P) that concluded the proposed construction will not intercept any ASS in the area nor cause lowering of any groundwater.</p>
7.23	Transitional provision for floodplain risk management	<p>(2) Despite the repeal of <i>Wyong Local Environmental Plan 2013</i>, clause 7.3 of that Plan continues to apply, during the transition period, to the land to which the clause applied immediately before its repeal.</p> <p>Clause 7.3 Floodplain risk management of <i>Wyong Local Environmental Plan 2013</i></p> <p>(2) This clause applies to land between the flood planning level and the level of a probable maximum flood.</p> <p>(3) Development consent must not be granted to development for the following purposes on land to which this clause applies unless the consent authority is satisfied that the development will not, in flood events exceeding the flood planning level, affect the safe occupation of, and evacuation from, the land — ...</p> <p>(p) seniors housing, ...</p>	<p>The Section 10.7 planning certificates have identified the land or part of the land as being between the flood planning area and the PMF (refer to Appendix F).</p> <p>The Flood Risk Management Plan (Appendix S) identifies that the PMF flows within the site are likely to consist of shallow surface flows, with the exception of flows impacting the south eastern corner of the site which are expected to impact the site to approximately 7.75m AHD.</p> <p>The proposed minimum floor levels of 9.1m AHD are above the applicable PMF level, which will allow future residents of the development to shelter within the proposed units during flood events. Significant PMF flows are not expected to impact the footprint of the proposed development.</p> <p>Council's engineer has also confirmed that 'shelter in place' would be considered appropriate for the development as the potential flooding is a result of overland flow and would be of a short duration.</p> <p>The Flood Risk Management Report advises that reliable pedestrian and vehicular access is expected to be available to the site during flood events up to and including the PMF, allowing residents to evacuate if required.</p>

6.8 Central Coast Development Control Plan 2022

Central Coast Development Control Plan 2022 (CCDCP 2022) does not contain specific development controls for seniors housing. As such, the building setbacks for *multi dwelling housing* have been used for comparative purposes to demonstrate the suitability of the site for the proposed scale of the development as shown in **Table 12** below.

The general controls for all development set out in CCDCP 2022 have generally been addressed in the various sections of this REF that address compliance with the provisions of the Housing SEPP.

Table 12 Central Coast Development Control Plan 2022

Chapter 2.2 Dual Occupancy and Multi Dwelling Housing		
Clause	Requirement	Proposed
2.2.5 Building Setbacks	<u>Front setbacks</u> Local roads: The average distance of the front setbacks of the nearest 2 dwelling houses having the same primary road boundary and located within 40m of the lot on which the dwelling house is erected, or if 2 dwelling houses are not located within 40m of the lot - 4.5m	<p>The main frontage of the proposed building has been designed to face Owen Ave, which is taken to be the <i>primary road</i> in accordance with the definition contained in CCDCP 2022. The setbacks of adjacent development along Owen Ave vary. The detached dwelling houses at 37 & 39 Owen Ave are setback approximately 9.4m and 12m, respectively.</p> <p>The front setback of the proposed development to Owen Ave ranges between a minimum of approximately 4.8m (balcony to Unit 6) to 10.5m, and has been staggered to follow the front boundary alignment. A setback of approximately 10.5m is proposed to the southern portion of the front façade of Units 1/2 to provide an appropriate transition to the adjoining dwelling at 39 Owen Ave, which is setback approximately 12m.</p> <p>The proposed setback is therefore considered to be compliant with the intent of the DCP controls.</p>
	<u>Side setbacks</u> i) for any part of the building with a height of up to 4.5m – 0.9m, and ii) for any part of the building with a height of more than 4.5m – 0.9m plus one-quarter of the height of the building above 4.5m	<p>Given the proposed maximum building height of 7.8m, a minimum side setback of 1.725m would be required (i.e.. $0.9m + 1/4 \times (7.8 - 4.5)$).</p> <p>The proposed side setback to the southern boundary is 3.85m and is compliant with the DCP control.</p>

	<p><u>Rear setbacks</u></p> <p>4.5m</p> <p><u>Corner Allotments</u></p> <p>3.0m, plus compliance with sight preservation lines</p>	<p>The rear setback of the development to the eastern boundary is approximately 6.8m and compliant with the DCP control.</p> <p>The first floor balcony of Unit 6 is setback approximately 3.6m to the Cutler Drive boundary, with the main face of the proposed building being setback 6m. The corner of the balcony projects into the setback towards the splay corner to a minimum of approximately 2.8m, however it will not adversely impact sight preservation lines given its separation from the intersection.</p>
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Chapter 3.1 Floodplain Management/Water Cycle Management

Clause	Requirement	Proposed
3.1 Part B Northern Area Floodplain Management (Former Wyong LGA)	<p>(a) Minimum floor levels = PMF level plus mine subsidence allowance, if applicable.</p> <p>(b) Low flood hazard access and egress for pedestrians during a PMF flood to an appropriate area of refuge located above the PMF.</p> <p>(c) Low flood hazard emergency vehicle road access (Ambulance, SES, RFS) during a PMF flood event.</p> <p>(d) Consideration of the impacts of climate change.</p>	<p>The Section 10.7(2) & (5) Planning Certificates for the subject site indicate that the land or part of the land is within the flood planning area, or between the flood planning area and the PMF, and is subject to flood related development controls.</p> <p>Seniors housing is categorised as 'sensitive uses and facilities' in Chapter 3.1 of the DCP. The site is identified as being partly within Precinct 1, partly within Precinct 2 and partly flood free ground on Council's online mapping.</p> <p>A Flood Risk Management Plan has been prepared for the site by ACOR Consultants (refer to Appendix S).</p> <p>The Plan notes that there are some anomalies with Council's flood mapping which have been discussed with Council's floodplain management team.</p> <p>The proposed development provides minimum habitable floor levels of 9.1m AHD, which are above the flood planning level (FPL) of 7.92m and the predicted PMF level. There are no features of the proposed development located within the 1%AEP and all finished surface levels meet the minimum requirements for flooding.</p>

		<p>PMF inundation extent mapping provided by Central Coast Council's online mapping indicates a route between the site and Wyong Ambulance Station, as well as the NSW Fire and Rescue Station is available, which experiences limited inundation during the PMF. These routes are expected to be trafficable by emergency services during the PMF event.</p> <p>The proposed development provides minimum habitable floor levels above the PMF, allowing occupants of the site to shelter within the proposed units during flood events. Reliable pedestrian and vehicular access and egress is available during the PMF. The proposed car parking and driveway surface is located above the PMF level.</p> <p>The Flood Risk Management Plan concludes that the proposed development complies with the requirements of Central Coast DCP 2022 Chapter 3.1 provisions for sites affected by flooding.</p>
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7 Notification, Consultation and Consideration of Responses

7.1 Council Notification

In accordance with section 108C of the Housing SEPP, Central Coast Council was notified of the development by letter dated 30 June 2023 (refer to **Appendix G**). The notification response period formally closed on 24 July 2023, however, Council requested an extension to the submission timeframe. Council responded to the notification by letter dated 31 July 2023, which has been extracted in **Table 13** below. A response is provided in relation to the matters raised in Council's letter and where appropriate, these matters have been addressed in the identified requirements in the **Activity Determination**.

Table 13 Issues raised in Council submission

Issues raised	Response
Planning	
<ul style="list-style-type: none"> Part 5, Division 4, Section 93 of <i>State Environmental Planning Policy (Housing) 2021</i> requires seniors housing to exhibit adequate access to facilities and services. The Statement of Environmental Effects (SEE) must address this. 	<p>It is noted that compliance with Section 93 of the Housing SEPP is not a statutory requirement for seniors housing carried out without consent by LAHC. Notwithstanding this, adequate access to facilities and services is addressed in Section 6.5.6 of the REF in relation to the accessibility requirements of Section 104 of the SEPP, and generally complies with Section 93 of the SEPP.</p>
<ul style="list-style-type: none"> Visual privacy will need to be addressed pursuant to the conditions stated in section 2.2.7.2.1 of the <i>Central Coast Development Control Plan 2022</i>. 	<p>Section 2.2.7.2.1 of the CCDCP 2022 relates to Visual Privacy requirements for dual occupancies and multi dwelling housing, not specifically seniors housing. Privacy requirements for seniors housing are covered in Section 100 of the Housing SEPP, which has been addressed in Section 6.5.6 of this REF.</p> <p>The proposed development has been designed to address privacy within the development and to adjoining properties. First floor kitchen windows facing the eastern rear boundary are setback approximately 10m and 15m from the boundary, and do not align with windows of adjoining dwellings. A high sill window is provided to Bedroom 2 of Unit 2 to prevent potential overlooking of the adjoining property to the south. Balconies and main living spaces are orientated toward the street frontages and will not result in privacy impacts. Landscaping will also provide screening to ensure privacy.</p>
<ul style="list-style-type: none"> It appears that excavation of more than 1000mm is proposed within 1000mm of a boundary which is not contrary to section 2.2.9.1 (a) of the <i>Central Coast Development Control Plan 2022</i> (CCDCP 2022). 	<p>The submitted Excavation and Fill plan shows excavation of more than 1000mm in proximity to the eastern boundary to provide an underground on site detention (OSD) system.</p> <p>Further clarification has been provided that the OSD system will be located approximately 1.4m from the common boundary and excavation will be to a depth of less than 1000mm. An Identified Requirement (No. 81) is recommended to ensure that any excavation greater than</p>

	1m required to install the OSD and drainage system is located at least 1.1m from the site boundary to ensure Council's concern is addressed.
<ul style="list-style-type: none"> The site's rear setback is 3,800mm which is a 700mm, or 15.5% variation of the requirements of Section 2.2.5(c)(i) of the DCP. 	<p>The Dictionary in CCDCP 2022 contains the following definition:</p> <p>Primary road means the road to which the front of a dwelling house, or a main building, on a lot faces or is proposed to face.</p> <p>In this instance, the proposed building has been designed to primarily face Owen Ave.</p> <p>The rear setback is therefore taken to be to the eastern boundary. The proposed setback to this boundary is a minimum 6.8m which complies with Section 2.2.5(c)(i) of the DCP which requires a minimum rear setback of 4.5m.</p> <p>The setback to the southern boundary presents as a side setback to Units 1/2, in which case a setback of 1.725m would be required under the DCP (ie. 0.9m plus 1/4 of the height of the building above 4.5m = 0.9m + 1/4 x (7.8-4.5)). The proposed setback of 3.85m therefore exceeds this requirement.</p> <p>The proposed building does not result in any anticipated privacy impacts, given the layout of the building, balcony placement and window design. The proposed development will not result in unacceptable overshadowing impacts on the adjoining property to the south as the POS receives solar access throughout the day. The window of the adjoining dwelling facing the common boundary is covered by a low awning which would restrict solar access. The proposed setback to the southern boundary is supported on this basis.</p>
<ul style="list-style-type: none"> The site is also burdened by a 150mm sewer gravity main. In accordance with section 2.2.9.1 (c) of the DCP, Council is likely to preclude fill within this easement. 	Noted. The architect has confirmed that no fill is proposed over the sewer main.
<ul style="list-style-type: none"> Section 2.2.5, (g), (i) of the DCP requires that, as the development is situated on a corner lot, plans must exhibit compliance with sight preservation lines. 	<p>The Traffic consultant, Apex Engineers, has confirmed that sight preservation lines to the intersection will be maintained.</p> <p>The proposed building is setback 6m from the front boundary to Cutler Drive, which exceeds the minimum 3m required for a secondary road setback. The balcony of Unit 6 projects forward of the main face of the building and is setback approximately 3.6m from the Cutler Drive frontage and a minimum of approximately 2.8m to the splay corner. Fencing in the front setback area is recessed from the site boundary and is predominantly open form. The development preserves the existing splay corner to the intersection of Cutler Drive and Owen Avenue. In this</p>

	regard, the proposed development will not impact the site preservation lines to the intersection.
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Engineering

- The proposed seniors living project will be required to consider the *Central Coast Council Local Environmental Plan* Clause 7.23.

Excerpt of Clause 7.3 Floodplain risk management from Wyong LEP 2013, included for ease of reference, as follows:

- (1) The objectives of this clause are as follows —
 - (a) in relation to development with particular evacuation or emergency response issues, to enable evacuation of land subject to flooding in events exceeding the flood planning level,
 - (b) to protect the operational capacity of emergency response facilities and critical infrastructure during extreme flood events.
- (2) This clause applies to land between the flood planning level and the level of a probable maximum flood.
- (3) Development consent must not be granted to development for the following purposes on land to which this clause applies unless the consent authority is satisfied that the development will not, in flood events exceeding the flood planning level, affect the safe occupation of, and evacuation from, the land — ...
 - (p) seniors housing...

- The map below indicates depth of flooding by overland flow in the PMF:



Clause 7.23 of CCLEP 2023 refers to Clause 7.3 *Floodplain risk management* of *Wyong Local Environmental Plan 2013* (Wyong LEP 2013)(refer to excerpt in column to the left). Consideration of this clause has been addressed in **Table 11** of **Section 6.7** of the REF.

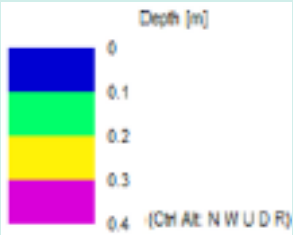
Council's engineer confirmed that Council's interpretation of Clause 7.3 is for the habitable floor level of seniors housing to be at or above the PMF level to ensure the safe occupation of the development.

The submitted Flood Risk Management Plan, prepared by Accor Consultants identifies that PMF flows within the site are anticipated to be shallow surface flows, with the exception of the south eastern corner of the site in which the PMF is predicted to reach a level of approximately 7.75m AHD. The proposed finished floor level is 9.1m, which is above the anticipated PMF level.

The PMF levels referred to in Council's comments vary to those provided in the Flood Risk Management Plan, as well as those contained in Council's Flood Information Certificates (**Appendix S**), which identify maximum PMF levels of 9.45m and 9.83m AHD. The Flood Risk Management Plan clarifies that Council's reported PMF levels are due to flood modelling anomalies and will not be reflected on site.

Council's engineer subsequently confirmed that they concur with the flood assessment for the PMF prepared by Accor Consultants and the proposed floor level for the project (refer to **Appendix G**).

Council also confirmed that 'shelter in place' would be considered appropriate as the potential PMF flooding is a result of overland flow and is anticipated to be of a short duration.

 <ul style="list-style-type: none"> The PMF levels vary across the site - the boundary to Owen Avenue varies between RL 10.0m AHD and RL 9.84m AHD and drops to RL 8.7m AHD along the eastern boundary. The development's habitable floor levels will therefore need to be raised to or above the PMF level to satisfy the LEP clause 7.23. 	
<ul style="list-style-type: none"> The drainage line is to be connected to the existing storm water pipe (900mm) located along Cutler Drive via the construction of a new stormwater pit. A new stormwater pit will also enable a direct connection to the existing drainage system, allowing for the On-Site Detention to be removed. 	<p>Council's engineer suggested that construction of a new stormwater pit, connection to the existing stormwater pipe and removal of the OSD may be a more cost effective way of providing stormwater drainage to the site. However, it is proposed to proceed with the stormwater drainage system, including OSD, as shown on the submitted Civil Stormwater Management Plans (Appendix C). Council have no objection to this approach.</p>
Waste Management:	
<p><i>Site Prep/ Demolition:</i></p> <ul style="list-style-type: none"> Clarification around the Waste Management Plan. Clarify if units are in Volume = m³ or Weight = tonnes. Clarification around the timber section indicated 15 - only given options for 10? Considerations for recycle / re use options for excess fittings generated during demolition stage. Indicate on site plans travel path for HRV to access site and stockpile locations, Truck should enter in a forward direction, turn around on site and leave in a forward direction. 	<p>The preliminary Waste Management Plan (WMP) provides estimated volumes of demolition and construction waste in cubic metres (m³). Estimated amounts of ongoing waste and recycling have been provided in litres to correspond to bin sizes which are also measured in litres.</p> <p>The WMP estimates that during the demolition phase, an estimated 15m³ of timber will be available for reuse for formwork and studwork, 5m³ will be recycled by being chipped for use in landscaping and the remaining 5m³ will be for disposal.</p> <p>It is not anticipated that any fittings from demolition of the existing dwellings will be recycled or reused.</p> <p>Given the size and slope of the site it is unlikely that an HRV would be able to enter and exit the site in a forward direction. A final WMP will be prepared to ensure that suitable arrangements will be made for the collection of waste and recycling materials during the demolition and construction stages.</p>
<p><i>Construction:</i></p> <ul style="list-style-type: none"> Stockpile / Bin locations for excess materials to be shown on plans. Travel path for HRV to access site and the bins 	<p>The location of stockpile and waste storage areas are shown on the submitted Erosion and Sediment Control Plan (Appendix C).</p>

	<p>The existing crossover and layback are to be retained for site access until reasonable completion of construction works. Further details will be provided in the final Waste Management Plan.</p>
<p><i>Occupancy:</i></p> <ul style="list-style-type: none"> Interim storage location in each unit for the daily accumulation of waste and recycle materials e.g., a bin cupboard in the kitchen. Clarification on if each of these units will be individually rated, and if so, each unit will be entitled to a waste service and the associated MGB's. Travel path from each unit to designated storage point to be shown on plans. Fully dimensioned storage area – large enough to accommodate all proposed bins for the development and indicate on plans the proposed number of bins, consideration for future FOGO collection should be included in the waste storage area. Current plans indicate only 11 bins, this is an insufficient number of bins for the number of proposed units in this development. Identify on the plans a collection point or areas for the bins to be serviced, noting that there are two bin storage areas then potentially there will need to be two collection points. Travel path for all bins from storage area to collection point must be detailed. WMP indicates a “Designated Person” will take the bins to the kerb. Council requires more clarification on the designated person – for example: is it a strata manager, grounds keeper or the residents? 	<p>Details of interim waste storage locations such as a bin cupboard in each kitchen, will be provided at detailed construction documentation stage.</p> <p>The consolidated development will be rated to LAHC and not individually rated to each unit. Shared waste and recycling facilities are therefore proposed.</p> <p>Travel paths from each unit to the designated bin storage areas are direct via common lobbies and suitably graded pathways to enable unimpeded access for seniors and people with a disability. Wheelchair circulation is provided in bin storage areas as required by the Housing SEPP.</p> <p>Council's waste management officer has confirmed that given the shared waste storage arrangement, the proposed number of bins (5 garbage and 6 recycling bins) would be appropriate and the proposed garbage storage area dimensions are adequate.</p> <p>Bins stored in Bin Area 1 and Bin Area 2 will be taken to the kerbsides on Owen Ave and Cutler Drive, respectively, for collection. Sufficient road frontage is available along each kerbside for the temporary placement of the required number of bins for collection.</p> <p>Bins will be taken directly from the bin storage areas to the kerbside for collection.</p> <p>A resident or LAHC maintenance contractor will take bins to/from the kerbside for collection.</p>
<p>Water & Sewer:</p>	
<ul style="list-style-type: none"> Additional water service and sewer junction for the units and an existing single point of connection to be provided to the land. The average depth of sewer main is 950 mm and the driveway is in the Proximity of Sewer Pipeline. The retaining wall will be over the sewer main, the sewer pipe relining is required between manholes NA1DE and NA02. 	<p>A new water service connection and the existing sewer junction is proposed to be utilised.</p> <p>Noted. Details will be addressed at the construction documentation stage. An identified requirement is recommended to this effect (No. 82).</p>

<ul style="list-style-type: none"> One of the sewer junctions can be disconnected, but it cannot be cut off as it services the 3 Cutler Drive property as well. The sewer junction will need 1.5m radial clearance. 	<p>Noted. It is proposed to utilise one existing sewer junction.</p> <p>Noted. An identified requirement is recommended to this effect (No. 82).</p>
Conclusion:	
<p>Subject to satisfying the matters outlined above, Council raises no concerns in relation to the proposed development. However, it is noted, that in its current form, the proposed development is not supported by Council.</p>	<p>It is considered that the concerns raised by Council have been satisfactorily addressed, as detailed above.</p>

7.2 Notification of Occupiers of Adjoining Land and Other Persons

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

Advice was sought from Council regarding additional persons or property that should be notified of the development via an email dated 18 November 2022. Council provided an email response on 23 November 2022 advising that the notification map is acceptable to Council. Contact details for property owners were also verified in March 2023. **Figure 18** illustrates the properties in which the occupiers and landowners were notified of the development.

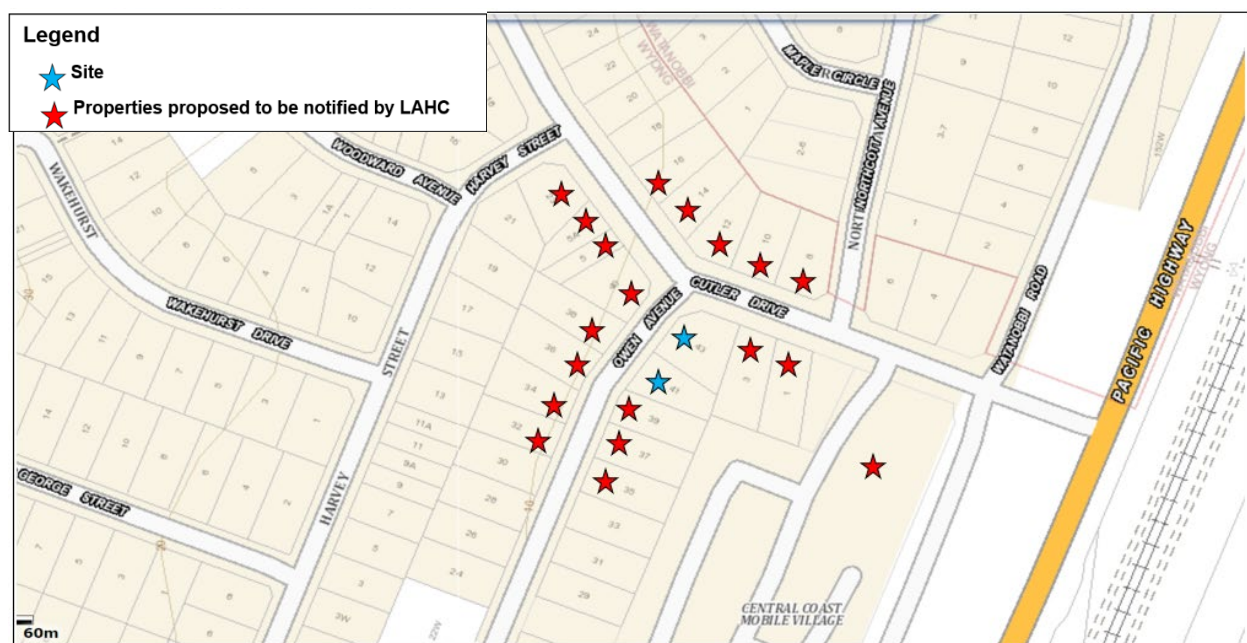


Figure 18 Map of Properties Notified of the Proposed Development (Source: LAHC)

Under section 108C(1)(b) of Housing SEPP, those persons identified by council, as identified in the above map, were notified of the proposed development activity by letter dated 29 June 2023.

The notification response period formally closed on 24 July 2023. One submission was received. Matters raised in the submission are discussed in **Table 14**.

Table 14 Issues raised by adjoining owners / neighbours

Issues raised	LAHC Response
Excessive run off from the existing properties at 41 and 43 Owen Avenue impacts the adjoining property to the east during periods of heavy rain	<p>Stormwater management plans have been prepared by Acor Consultants to manage stormwater run-off within the development site and mitigate any adverse impacts as a result of the proposed development. The proposed stormwater management system includes a 10m³ onsite detention tank that will collect stormwater runoff from the proposed development and discharge it to the local stormwater drainage system in Cutler Drive, thereby reducing the impacts of run-off to the adjoining properties as a result of the proposed development.</p> <p>It is noted that the adjoining property to the east of the development site at 3 Cutler Drive and other downstream properties are partly located on land identified on Council's flood mapping as being affected by the 1% AEP and/or PMF events. In this regard, there is potential for flooding of these properties to occur during periods of heavy rain.</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 in terms of location, character, bulk and density, privacy, solar access and overshadowing have been considered in accordance with the provisions of the Housing SEPP and discussed in **Section 6.5.6** of this REF. A review of other environmental factors associated with the proposed activity, and the measures required to mitigate any adverse impacts to the environment, are provided below.

8.1 Neighbourhood Character

The site is located within an established residential area generally supporting single and 2-storey detached dwelling houses. The dominant form of development in the locality is older style detached, single-storey, brick or weatherboard dwellings. These dwellings tend to sit within lightly landscaped and turfed allotments and have predominately tiled or sheet metal, pitched roofs. The character of the area is evolving, with a number of newer, two-storey dwellings, dual occupancy developments and multi-unit developments interspersed throughout the locality. These dwellings take a contemporary form and introduce new design features to the area, including rendered finishes and muted grey, brown and white tones.

The proposed development represents a contemporary, high quality design. The use of face brick and metal cladding for external walls and sheet metal roofing is consistent with the developing character of the Wyong suburb. The 2-storey design, siting, layout and landscape setting of the proposed development aligns with that of emerging development in the locality.

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

Mitigation Measures

No mitigation measures are required.

8.2 Bulk and Density

The proposed development is consistent with the bulk and scale of surrounding development in the locality of Wyong. The 2-storey building incorporates 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 3 main elements each containing 2 units, with stepped setbacks from Owen Avenue and designed with suitable façade articulation and roof form to minimise bulk and scale.

The proposal incorporates a floor space ratio of 0.45:1 and a maximum height of 7.8m 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.

Further to the above, the proposed development is generously setback from all boundaries and will provide appropriate deep soil areas, which will minimise its perceived bulk. The proposal includes new plantings of native species, new street tree plantings along Owen Avenue and Cutler Drive and retention of existing mature trees within the site which further softens the bulk of the development.

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

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

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

Mitigation Measures

No mitigation measures are required.

8.4 Visual Impact

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

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

In addition to the retention of 3 mature trees within the Owen Avenue and Cutler Drive setbacks, substantial new landscaping is also proposed including new, native canopy trees that will further soften the visual impact of dwellings when viewed from the public domain. Furthermore, new street trees are proposed along both street frontages, which will both provide additional canopy and shade to pedestrians and improve the aesthetic quality of the streetscape. The rear and side setbacks will also be heavily landscaped adding to the long-term visual amenity of the surrounding properties and further improving the appearance of the site from the street. The development responds to the existing topography, reducing the visual impact of the development.

Mitigation Measures

No mitigation measures are required.

8.5 Privacy

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

- Principal private open space and first floor balconies have been oriented to the street frontages of the site, and as such will not directly overlook the windows or private open space at adjacent sites.
- First floor balconies facing the street enable passive surveillance of the street without compromising the privacy of adjoining properties or other dwellings in the development;
- Visual and acoustic privacy within the development and to adjacent neighbours is provided and maintained through the strategic use of privacy screens, considered window locations including high sill windows, and screen planting;
- The front setback is consistent with CCDCP 2022 with adequate secondary street setbacks and includes substantial landscaping to further mitigate privacy impacts;
- Side and rear setbacks are compliant with CCDCP 2022. The building is setback 3.85m from the southern (side) boundary in accordance with the setback requirements for multi dwelling developments in the CCDCP 2022. Eastern (rear) setbacks are generous, being a minimum of approximately 6.8m;
- Extensive landscaping has been provided in side and rear setbacks to provide a visual buffer between the windows and balconies on the subject site and properties to the east and south;
- Proposed metal privacy fencing within the front setback surrounding the areas of private open space delineates between private and public space, providing increased privacy to residents;
- Proposed 1.8m high Colorbond fencing will mitigate overlooking from ground level units into properties to the south and east;
- Landscaping is provided along the length of the driveway and around the parking area to ensure privacy to units adjoining these features;
- The development has been designed in response to the topography of the land further reducing any potential overlooking or adverse privacy impacts.
- The proposed dwellings have been designed in accordance with the requirements of the *Building Code of Australia* for sound and impact transmission so that acceptable noise levels between dwellings and adjoining properties are achieved.

Mitigation Measures

No mitigation measures are required.

8.6 Solar Access

Proposed living and open space areas have been carefully sited to maximise solar access. The design and siting of the proposed development will provide adequate daylight access to the proposed dwellings' living areas, private open spaces and the private open space areas of neighbouring properties in accordance with the *Seniors Living Policy: Urban Design Guidelines for Infill Development*.

100% of the proposed dwellings will receive a minimum of 3 hours sunlight between 9am and 3pm on June 21 to their living area. 83% achieve at least 3 hours of sun to their private open space in mid-winter. The proposed

development therefore meets the requirement for 70% of dwellings to achieve 3 hours of direct solar access to the living and POS areas on June 21. Further, 100% of living areas and private open space achieve at least 2 hours of direct solar access at mid-winter which complies with section 108 of the Housing SEPP requirements.

Mitigation Measures

No mitigation measures are required.

8.7 Overshadowing

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

The shadow diagrams show that throughout the day shadows will largely be contained within the subject site, with some incursions to adjoining properties, particularly to the south. The favourable orientation of the site and surrounding properties means that adjacent properties will continue to receive substantial areas of sunlight to their private open spaces in mid-winter.

The shadow diagrams and views from sun diagrams demonstrate that shadows cast by the proposed development will affect the northern elevation of the existing dwelling to the south at 39 Owen Avenue during the morning. It should be noted that the north facing window of the neighbouring dwelling has an existing shading device that would restrict solar access to this window. Shadows will move to the east during the afternoon, meaning this dwelling will achieve sunlight to the northern elevation in the afternoon. Any part of the living area orientated to the east or west of the dwelling will remain generally unaffected by the shadows cast by the proposed development. The proposed development will not unreasonably affect solar access to the dwelling located to the east at 3 Cutler Drive.

Accordingly, there are not considered to be any unacceptable overshadowing impacts as a result of the proposed development.

Mitigation Measures

No mitigation measures are required.

8.8 Traffic & Parking

Four surface car parking spaces for residents, including 2 accessible spaces, will be available on site to serve the proposed development. The provision of on-site car parking exceeds the parking requirements set out in the Housing SEPP for seniors housing developments carried out by LAHC by 2 spaces. Unrestricted street parking is available on Cutler Drive to accommodate any overflow parking demand generated by the proposed development.

The Traffic and Parking Assessment Report prepared by Apex Engineers (**Appendix T**) indicates that the development will generate 2 trips in the evening peak and 12 daily trips. The traffic activity as a consequence of the development proposal is minimal and unlikely to eventuate in any noticeable impacts on the local road network.

The Traffic and Parking Assessment Report examined the adequacy of the proposed internal driveway and parking arrangement. The assessment confirmed that the design is generally compliant with relevant design requirements and sufficient manoeuvrability conditions for vehicles are proposed.

Mitigation Measures

No mitigation measures are required.

8.9 Flora and Fauna

An Arboricultural Impact Assessment has been prepared for the site by Creative Planning Solutions (**Appendix J**). The report considers 8 trees, 6 of which are located within the subject site and the remaining 2 are within the neighbouring property at 3 Cutler Drive.

The report recommends the removal of 2 existing trees within the site that are either located within the proposed development footprint or would be impacted by an unavoidable major encroachment within their tree protection zones. It also recommends retention of 4 existing trees within the site and 2 trees within the neighbouring property (Tree Nos. 1, 2, 3, 6, 7 & 8).

Tree No. 4 is recommended for removal as it is subject to unsustainable 'major' encroachment into the tree protection zone and structural root zone. Tree No. 5 is located within the building footprint. Both trees are noted to be exempt from protection under the provisions of Chapter 3.5 – Tree and Vegetation Management of the CCDCP 2022.

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

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

Mitigation Measures

Tree removal in accordance with the recommendations contained within the Arboricultural Impact Assessment (refer **Appendix J** and Identified Requirement No. 20).

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

8.10 Heritage (European / Indigenous)

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

Aboriginal Heritage

An Aboriginal Heritage Information Management System (AHIMS) search, dated 29 May 2023 (**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 Central Coast Council's Section 10.7(2) & (5) Planning Certificates and the likelihood of any heritage relics being discovered during excavation / construction is considered to be minimal.

Mitigation Measures

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

8.11 Soils / Contamination / Acid Sulfate Soils / Salinity

Geotechnical

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

- The subsurface conditions generally consist of topsoils overlying silty sandy clays. The topsoils were encountered to depths of 0.3 metres. Stiff and very stiff silty sandy clays underlie the topsoils to the depth of drilling, 3.0 metres. In BH4, hand auger refusal occurred within the stiff silty sand clays at a depth of 0.7 metres.
- Groundwater was not observed during drilling works.

Mitigation Measures

During construction, should the subsurface conditions vary from those inferred in the Geotechnical Site Investigation and Acid Sulfate Soil Assessment Report, STS Geotechnics are to be contacted to determine if any changes should be made to recommendations contained within the report. The exposed bearing surfaces for footings should be inspected by a geotechnical engineer to ensure the allowable pressure given has been achieved. An Identified Requirement (No. 79) is recommended to this effect.

To ensure that soils and pollution are not tracked off site during works, Identified Requirement (No. 13) recommends that sediment control measures be implemented during demolition/construction in accordance with the guidelines contained in the Blue Book *Managing Urban Stormwater: Soils and Construction* (4th edition, Landcom, 2004).

Contamination

According to Council's Section 10.7(2) & (5) Planning Certificates, the land is not affected by a policy restriction relating to contaminated land. Based on historical aerial images the site has been used for residential purposes since 1975 and does not appear to have had any known history of potentially contaminating land uses.

Mitigation Measures

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

Acid Sulfate Soils

According to Council's Section 10.7(2) & (5) Planning Certificates, the land is identified as being within Class 5 Land on the Acid Sulfate Soil Map under the CCLEP 2022.

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

A Geotechnical Site Investigation and Acid Sulfate Soil Assessment Report, prepared by STS Geotechnics (**Appendix P**) assessed the likelihood of encountering potential acid sulfate soils. The report concluded that the proposed works will not result in exposure of acid sulfate soils allowing oxidation to take place and resulting in the development of acidic conditions. Based on observations, the proposed construction will not intercept acid sulfate soils in the area nor cause lowering of groundwater.

Mitigation Measures

No mitigation measures are required.

Salinity

Council's Section 10.7(2) & (5) Planning Certificates do not identify the site as being affected by salinity. The Geotechnical Site Investigation and Acid Sulfate Soil Assessment Report advises the results of onsite soil testing are consistent with the presence of non-saline soils.

Mitigation Measures

No mitigation measures are required.

8.12 Drainage / Flood Prone Land / Hydrology/ Water Quality

Drainage

Stormwater drainage for the proposed development has been designed in accordance with Council's requirements.

Stormwater will be collected via a series of stormwater pits, pipes and gutters on the site which are connected to an underground on site detention tank. This tank will be connected to a discharge control pit which will ultimately discharge to a kerb outlet on Cutler Drive. Roof water will be collected via downpipes and connected to an underground rainwater tank for re-use, with overflow connected to the proposed discharge control pit.

Flood Prone Land

The Section 10.7(2) & (5) Planning Certificates issued by Council for the subject site indicate that the land is located within a flood planning area and subject to flood related development controls. A Flood Risk Management Plan has been prepared for the site by Acor Consultants (refer **Appendix S**). The Plan concluded the following:

The site is partially below the Flood Planning Level (FPL) and partially impacted by PMF floodwaters. The proposed building footprint is located on ground above the FPL and outside the expected PMF extents. The proposed fill for the driveway is located marginally within the PMF extents, however, hazard is expected to be low.

There are no features of the proposed development located within the 1% AEP and all finished surface levels meet the minimum requirements for flooding. Subsequently, the requirements for development on land falling partially within Precinct 2 are met.

Effective access for fire and ambulance services is expected to be available to the site during the PMF.

Reliable pedestrian and vehicular access and egress is available during the PMF.

The proposed development provides minimum habitable floor levels of 9.1 m AHD. The proposed habitable floor levels meet the minimum habitable floor level requirement.

Vehicles parked within the designated parking spaces or on the proposed driveway will be located on ground above the genuine PMF level of RL 7.75 m AHD.

The proposed residential building is not required to be constructed of flood compatible building materials, and structural design of the building is not required to consider the loads imposed by floodwaters.

Based on the foregoing, the proposed development complies with the requirements of Central Coast DCP 2022 Chapter 3.1.2 and Central Coast Local Environmental Plan 2022 and Wyong Local Environmental Plan 2013 provisions for sites affected by flooding.

Hydrology and Water Quality

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

Mitigation Measures

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

8.13 Bushfire Prone Land

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

Mitigation Measures

No mitigation measures are required.

8.14 Noise and Vibration

During Demolition / Construction

During demolition/construction typical noise levels associated with demolition/ building works will be generated within the hours prescribed for Complying Development.

During Occupation

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

Buildings will be constructed to comply with the deemed-to-comply provisions of *the Building Code of Australia* with respect to noise transmission. Buildings will also be designed and constructed to achieve internal noise level design targets.

The site is located in the vicinity of a state classified road and railway corridor. A Traffic Noise Assessment was undertaken (**Appendix U**) to address any potential noise impacts on the proposed development in accordance with the requirements of the Transport and Infrastructure SEPP to ensure that the amenity of future residents is to an appropriate standard.

Mitigation Measures

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

The recommendations of the Traffic Noise Assessment are to be incorporated into the construction of the development, or other building and ventilation strategies be designed such that the following internal noise LAeq levels are not exceeded:

- in any bedroom in the residential accommodation — 35 dB(A) at any time between 10 pm and 7 am, and
- anywhere else in the residential accommodation (other than a garage, kitchen, bathroom or hallway) — 40 dB(A) at any time.

An Identified Requirement (No. 80) has been recommended to this effect.

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

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

8.15 Air Quality

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

Mitigation Measures

Appropriate standard Identified Requirements (Nos. 61, 64 & 65) have been applied that will satisfactorily mitigate any potential or adverse impacts on air quality.

8.16 Waste Minimisation

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

During Demolition

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

- Excavation material will be kept and topsoil reused for landscaping.
- Timber is to be reused for formwork and studwork. Remaining timber is to be chipped for use in landscaping.
- Concrete is to be crushed for the temporary driveway.
- Lime mortar bricks are to be cleaned and reused for fill.
- Tiles to be used for fill behind retaining walls and on driveways.
- Metal is to be transported to metal recyclers for sale and reuse.
- Glass is to be transported to recycling waste contractors.

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

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

During Construction

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

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

During Occupation

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

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

Mitigation Measures

Standard Identified Requirements (Nos. 50-56) are recommended to ensure construction/demolition waste is appropriately managed and disposed.

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

8.17 Resource Use & Availability

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

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

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

Mitigation Measures

No additional mitigation measures are required.

8.18 Community / Social Effects

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

- assist LAHC in meeting its significant, long-standing and continually-growing demand for social housing in the Central Coast local government area and surrounding area wherein the expected waiting time for a 1 bedroom dwelling in Wyong is 5-10 years and for a 2 bedroom dwelling is 10+ years, as at 30 June 2022 (NN20 Wyong Allocation Zone);
- as per the data available on the NSW Department of Communities and Justice website, there are over 1,700 applicants on the general housing waitlist and more than 100 applicants on the priority waitlist, as at 30 June 2022;
- assist LAHC in improving the amenity of accommodation for its tenants, by providing new, more appropriate housing aligning with demand for social housing;
- improve the environmental sustainability of housing on the site, particularly through improved energy and water efficiency; and
- provide more accessible housing on the site.

Mitigation Measures

No mitigation measures are required.

8.19 Economic Impact

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

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

Mitigation Measures

No mitigation measures are required.

8.20 Cumulative Impact Assessment

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

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

Mitigation Measures

No mitigation measures are required.

9 Conclusion

9.1 Summary of Key Issues Raised in Assessment

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

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

As demonstrated in this REF, the proposed activity is consistent with the relevant objectives and standards set out in the Housing SEPP, CCLEP 2022, and the design principles and better practices set out in the relevant guidelines.

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

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

9.2 Recommendation

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

10 Appendices

APPENDIX A – ARCHITECTURAL PLANS

APPENDIX B – LANDSCAPE PLAN

APPENDIX C – CIVIL & STRUCTURAL PLANS

APPENDIX D – SURVEY PLAN

APPENDIX E – NOTIFICATION PLANS AND SCOPE OF NOTIFICATION

APPENDIX F – SECTION 10.7 CERTIFICATES

APPENDIX G – NOTIFICATION LETTERS AND SUBMISSIONS

APPENDIX H – ACCESS REPORT

APPENDIX I – AHIMS SEARCH

APPENDIX J – ARBORIST REPORT

APPENDIX K – BASIX CERTIFICATE

APPENDIX L – BCA REPORT

APPENDIX M – DESIGN COMPLIANCE CERTIFICATES

APPENDIX N – NatHERS CERTIFICATE

APPENDIX O – HOUSING FOR SENIORS CHECKLIST

APPENDIX P – GEOTECHNICAL INVESTIGATIONS

APPENDIX Q – TITLE SEARCH AND DP

APPENDIX R – WASTE MANAGEMENT PLAN

APPENDIX S – FLOOD REPORT

APPENDIX T – TRAFFIC REPORT

APPENDIX U – TRAFFIC NOISE ASSESSMENT