

REVIEW OF ENVIRONMENTAL FACTORS

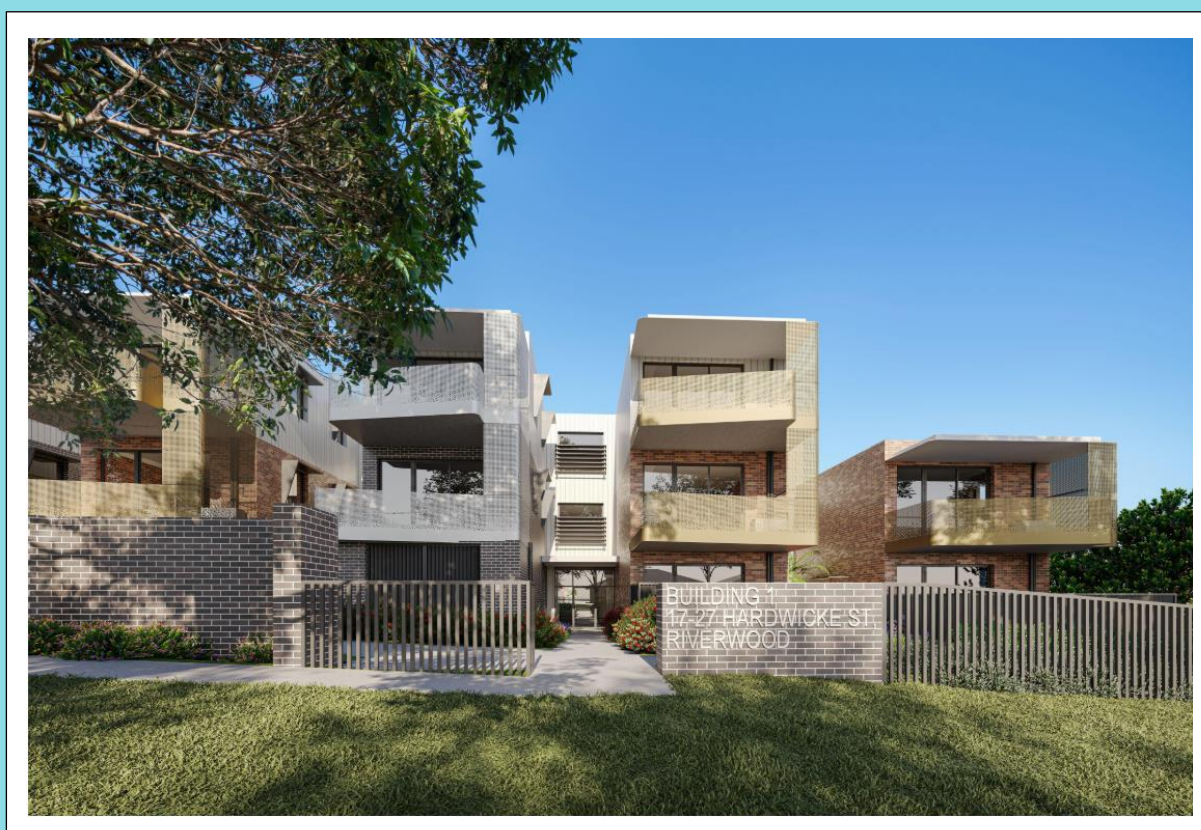
Proposed Seniors Housing Development

at

17-27 Hardwicke Street, Riverwood

NSW 2210

March 2025





Acknowledgement of Country

Homes NSW 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.

Published by Homes NSW

REVIEW OF ENVIRONMENTAL FACTORS

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On February 1, 2024, Homes NSW, a division of the Department of Communities and Justice (DCJ) was formed. It has brought together the housing and homelessness services of DCJ with the NSW Land and Housing Corporation (LAHC), Aboriginal Housing Office (AHO) and key worker functions from across government under one roof.

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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 New South Wales Land & Housing Corporation (LAHC).

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DOCUMENT SIGN-OFF


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Having prepared the Review of Environmental Factors: <ul style="list-style-type: none">I have declared any possible conflict of interests (real, potential or perceived) to the Executive Director, Portfolio Development, Housing Portfolio, Homes NSW.I do not consider I have any personal interests that would affect my professional judgement.I will inform the Executive Director, Portfolio Development, Homes NSW as soon as I become aware of a possible conflict of interest. Name: Rajlaxmi Kshirsagar Designation: Senior Planner, Portfolio Services, Housing Portfolio, Homes NSW Signature:  Date: 14.01.2025	
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I certify that I have reviewed and endorsed the contents of this REF document, and to the best of my knowledge, it is in accordance with the EP&A Act, the EP&A Regulation and the Guidelines approved under clause 170 of the EP&A Regulation, and the information it contains is neither false nor misleading.

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1 Executive Summary

The subject site is located at 17-27 Hardwicke Street, Riverwood, and is legally described as Lots 11, 12, 13, 14, 15 & 16 in DP 36368.

The proposed seniors housing development is described as follows:

Demolition of 6 existing dwellings and associated structures, tree removal, and the construction of a 29 dwelling seniors housing development comprising 17 x 1-bedroom and 12 x 2-bedroom independent living units, associated landscaping and fencing, surface parking for 14 vehicles, and consolidation into a single lot.

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

Demolition has been considered as part of the proposed development activity. Demolition is permitted with consent under the provisions of the *Georges River Local Environmental Plan 2021* (GRLEP 2021) as amended and is therefore permitted without consent under the provisions of the Housing SEPP.

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

The REF demonstrates the following:

- from an analysis of the potential environmental impacts associated with the proposed activity, it has been concluded that the preparation of an Environmental Impact Statement is not required;
- based on a review of the potential environmental impacts resulting from the proposed activity it has been determined that, subject to implementation of mitigation measures to be incorporated as identified requirements, the activity will not have any significant adverse impact on the environment;
- the proposed activity will not have any effect on matters of national significance and its approval under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* is not required;
- the design of the proposed activity has adequately taken into account design principles and better practices set out in the *Seniors Housing Design Guide 2023* 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 Georges River Council;
- a BASIX certificate and NatHERS certificate and stamped plans have been submitted for the proposed activity demonstrating compliance with the State Government's environmental sustainability targets;
- there are no separate approvals, authorisations or notifications required in relation to the proposed activity prior to determination under Part 5 of the EP&A Act or under any other Acts; and
- Georges River Council and occupiers of adjoining land were notified of the proposed activity under the provisions of Housing SEPP. A response was received from Council dated 4 December 2024. Comments on the response are provided in Section 6.1 of this REF. Thirty-one (31) submissions were received from adjoining owners/occupiers. Comments on the submissions are provided in Section 6.2 of this REF.

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

2 Introduction

This Review of Environmental Factors (REF) under Part 5 of the EP&A Act is for an activity involving the demolition of 6 existing dwellings and associated structures, tree removal, and the construction of a 29 dwelling seniors housing development comprising 17 x 1-bedroom and 12 x 2-bedroom independent living units, associated landscaping and fencing, surface parking for 14 vehicles, and consolidation into a single lot. at 17-27 Hardwicke Street, Riverwood.

The activity¹ 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 NSW Land and Housing Corporation (LAHC).

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

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

2.1 Purpose of this Review of Environmental Factors (REF)

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

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

¹ The proposed development is permitted without consent and is therefore subject to environmental impact assessment as an 'activity' under Part 5 of the EP&A Act.

2.2 Assessment Methodology

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

- Section 10.7 Planning Certificates were obtained for each lot comprising the site. The zoning was confirmed against the current applicable environmental planning instrument, which is the GRLEP 2021;
- it was determined that seniors housing is 'permitted with consent' in the R3 zoning pursuant to the GRLEP 2021 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 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;
- a site inspection was undertaken;
- relevant local planning controls and State and Commonwealth Government legislation were considered in the environmental assessment of the proposed development activity;
- an environmental impact analysis was undertaken to determine if an Environmental Impact Statement was required;
- potential environmental impacts identified in the analysis and measures to mitigate these impacts were subsequently discussed in the Review of Environmental Factors; and
- Identified Requirements incorporating the mitigation measures for undertaking the proposed development activity were identified for inclusion in the recommendation for approval of the activity.

3 Existing Site & Locality

3.1 Existing Site and Immediately Adjoining Development

The site is in the Georges River local government area (LGA) and comprises 6 residential allotments. A location plan is provided at **Figure 1**.

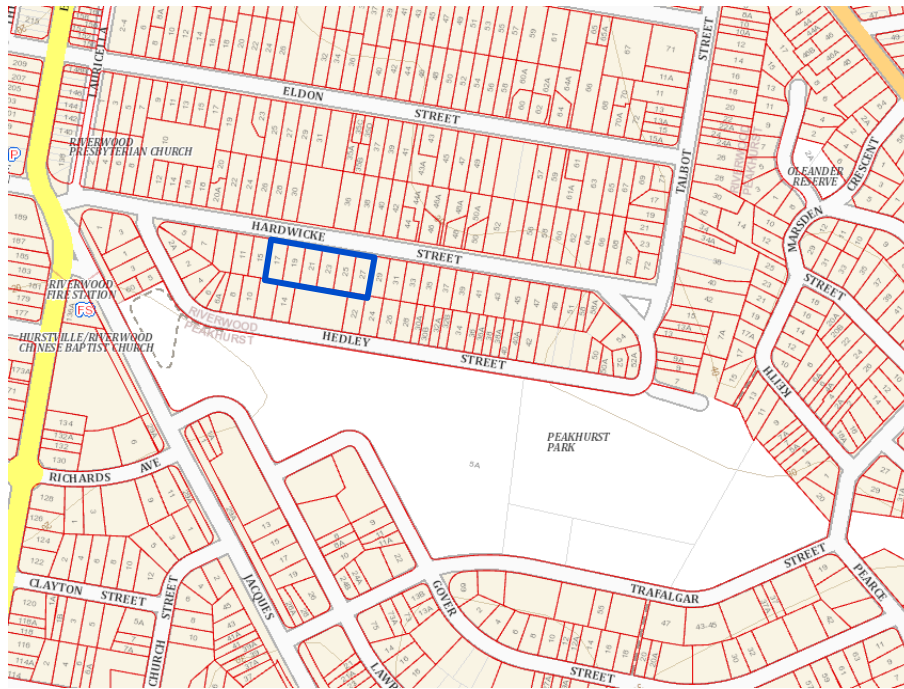


Figure 1 Location Plan (Source: ePlanning Spatial Viewer)

The site is currently occupied by 6 single storey brick dwellings with tiled roofs (refer to photographs at figures 2, 3, and 4:



Figure 2 Development site – Street view of 27 & 25 Hardwicke Street (Google Street view, image capture Jan 2023)



Figure 3 Development site – Street view of 23 & 21 Hardwicke Street (Google Street view, image capture Jan 2023)



Figure 4 Development site – Street view of 19 & 17 Hardwicke Street (Google Street view, image capture Jan 2023)

The property immediately to the west (15 Hardwicke Street) contains a single storey brick cottage with tiled pitched roof (refer photograph at **figure 5**).



Figure 5 Adjoining property to the west at 15 Hardwicke Street

There is a 2 storey multi-dwelling housing development located opposite the site on the northern side of Hardwicke Street (refer to Figure 6 and Figure 7). A 1 and 2-storey seniors housing development is located to the south of the site at 16-20 Hedley Street (refer to Figure 8).



Figure 6 Adjoining development – 2-storey multi dwelling housing at 36 Hardwicke St, opposite the site



Figure 7 Adjoining development – 2-storey multi dwelling housing with basement parking at 32-34 Hardwicke Street, opposite the site

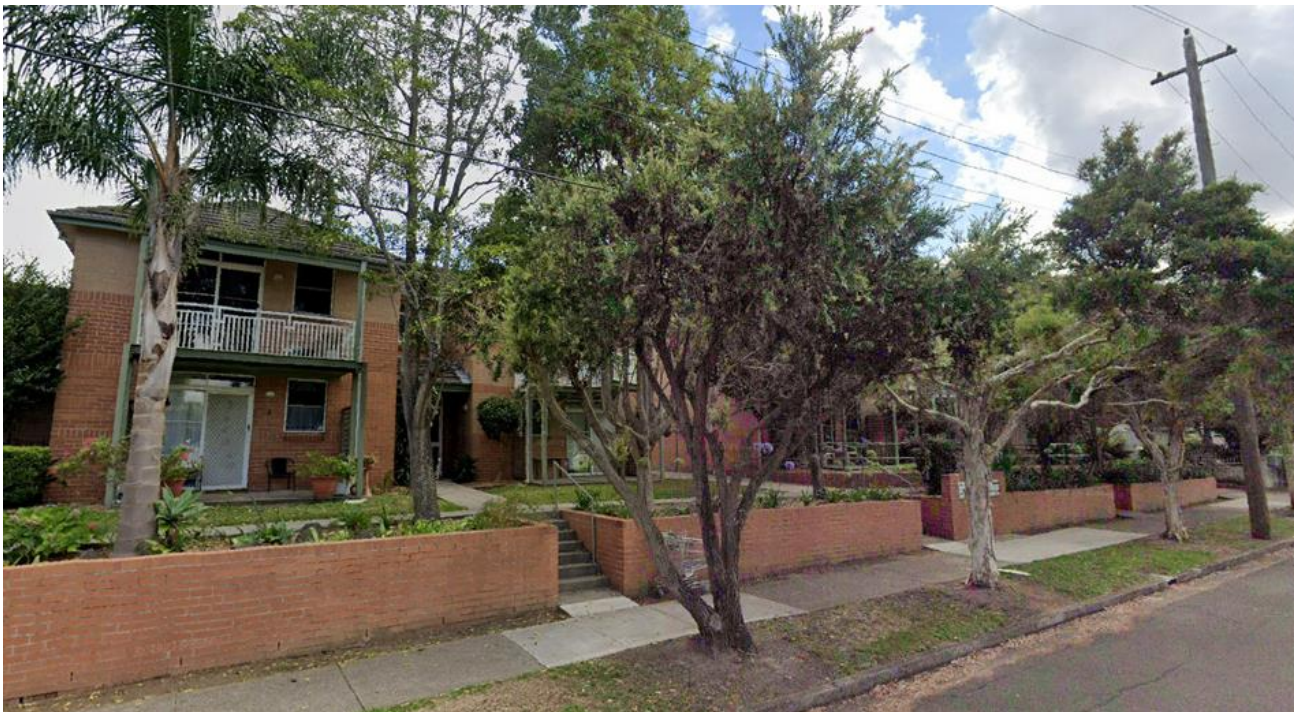


Figure 8 Adjoining development – 1 & 2-storey seniors housing development at 16-20 Hedley Street, adjoining the rear of the site

3.2 Site Description

Copies of the Section 10.7(2) & (5) Planning Certificates (Nos PL2024/2699, PL2024/2698, PL2024/2697, PL2024/2696, PL2024/2695, and PL2024/2694 dated 10 July 2024) are provided in **Appendix F**.

The site is rectangular in shape and fronting Hardwicke Street. The site has a total surveyed area of 3658.2m². The site has frontage to Hardwicke Street of 96.01m (north); a side (western) boundary of 38.1m; a side (eastern) boundary of 38.1m; and rear (south) boundary of 96.01m (refer to the submitted Detail and Contour Survey in **Appendix D**).

The site falls from a high point of approximately RL26.99 at the northeast corner to a low point at the southwest corner of RL22.55, resulting in an elevation difference of approximately 4.4m across the site (a

gradient of 4.4%). It is noted that an existing stormwater drainage easement is located along the southern boundary and extends further towards the south (towards Hedley Street). The Civil Engineering report at **Appendix C** mentions that there are no pipes located within this easement. The proposed stormwater strategy does not rely on this existing drainage easement, and it detailed in Civil Plans at **Appendix C**.

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

Of the 7 trees located within the site, 2 are in the front setback and 5 trees are located at the rear. There are 5 trees located within street frontage along Hardwicke Street.

All services are available to the site, including water, electricity, sewer, NBN and gas (refer to Survey Plan at **Appendix D**). A sewer main, including manholes, traverses the rear of the site, parallel to the rear boundary.

The land is burdened with a 1m wide drainage easement that runs along the southern boundary and extends further to the south towards Hedley Street via a private property at 12 Hedley Street, Riverwood.

3.3 Neighbouring Development and Locality

The site is located within an established residential area which is characterised by older style 1-2 storey detached dwelling houses of brick construction with tiled roofs interspersed with more recent multi dwelling housing, seniors housing developments, dual occupancy/ semi-detached dwellings. (refer to photographs at **Figures 9-12**:



Figure 9 Adjoining property to the west at 15 Hardwicke Street (Source: Google Street Viewer)



Figure 10 Adjoining property to the east at 29 Hardwicke Street (Source: Google Street Viewer)



Figure 11 2-storey multi dwelling housing at 36 Hardwicke St, opposite the site (Source: Google Street Viewer)



Figure 12 2-storey multi dwelling housing with basement parking at 32-34 Hardwicke Street, opposite the site (Source: Google Street Viewer)

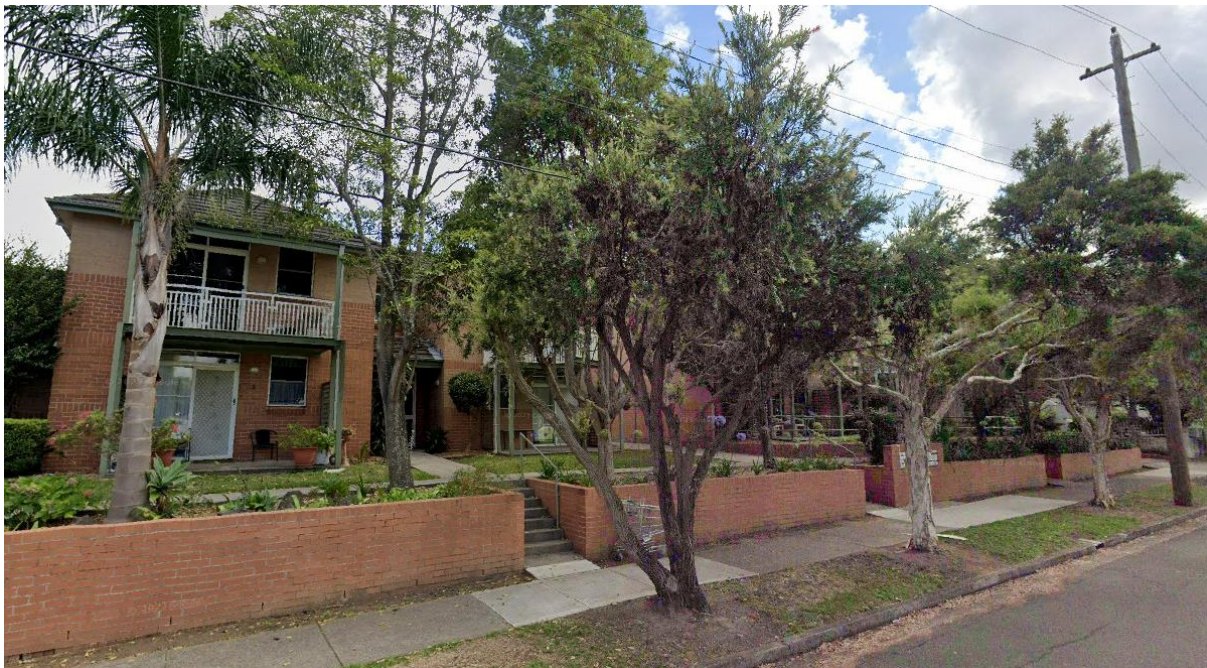


Figure 13 1 & 2-storey seniors housing development at 16-20 Hedley Street, adjoining the rear of the site (Source: Google Street Viewer)

The site is located approximately 700m walking distance to Riverwood Station. It is located approximately 400m walking distance to the southern end of Riverwood town centre, which provides a wide range of services and facilities including supermarkets, chemists, medical centres, dentists, physiotherapist, bank, newsagent, restaurants, hairdressers, Riverwood Sports and Recreation Club and DCJ office.

The site is located within 400m walking distance of bus stops along Belmore Road, including bus stops *Belmore Road at Amy Road* (ID: 2210286) and *Belmore Road opposite Amy Road* (ID: 221059).

Both bus stops are serviced by bus route 942 which provides access between Lugarno and Campsie, via Riverwood, Roselands, Belmore and Lakemba centres. The bus services run at a frequency of at least one bus every hour from 6am to 9pm Monday to Friday and 8am to 6pm on Saturdays and Sundays.



Figure 14 Location of bus stops (Near Maps, image date 1 May 2023)

Subject to the construction of a new accessible pathway on the southern side of Hardwicke Street along frontage of the site and extending to the west to connect with the existing footpath in Hedley Street and some pathway upgrading along Hedley Street and Jacques Avenue as shown in the Civil Plans at **Appendix C**, the bus stops are accessible to seniors and people with a disability. An existing pedestrian island provides a crossing point on Belmore Road to access the bus stop on the western side of Belmore Road (*Belmore Road at Amy Road*, ID: 2210286).



Figure 15 Pedestrian island on Belmore Road

The area, although residential in nature, is also close to Peakhurst Park, and several community-based land uses including a childcare centre, primary school, medical centres and churches in the vicinity.

4 Project Description

4.1 Demolition

The proposed activity includes demolition of 6 single storey detached dwelling houses and associated structures, as identified in the Demolition Plan (refer to **Appendix A**).

4.2 Removal of Trees

There are 7 trees located within the site and 5 within the street verge. The proposal includes the removal of 3 trees within the site. Other trees located within the site and street verge will be retained and protected.

Tree removal within the site is recommended primarily to accommodate the proposed development. (refer to the submitted Arboricultural Impact Assessment Report).

More appropriate tree plantings, including trees capable of reaching mature heights between 10m and 15m, will be provided as part of the proposed landscaping plan to compensate for the loss of these trees (refer to submitted Landscape Plan in **Appendix B**).

4.3 Proposed Dwellings

The proposed housing development features a contemporary, high-quality design that aligns with the emerging character of the Riverwood suburb. The use of different face bricks for the external walls enhances the aesthetic appeal and integrates well with the local architectural style. Additionally, the render on the second floor adds a modern touch to the streetscape. All 29 units are strategically oriented to face the street. This design includes living areas, private open spaces, and balconies facing the street, along with windows of habitable rooms. This orientation promotes passive surveillance, contributing to a safer and more engaging community environment.

The building incorporates a split floor plate design to accommodate the site's varying levels. This design is supported by separate lifts and entrance foyers, ensuring accessibility and convenience for all residents. Two main pedestrian access points from Hardwicke Street provide easy entry, complemented by separate common facilities such as letter boxes and bin enclosures. The internal corridors on all floors are equipped with 1:20 ramps, which help reduce the need for external retaining walls. The proposed maximum fill is approximately 0.4m in depth, while the cut varies between 0.1m to 0.9m in depth. Detailed areas of cut and fill are provided in the Cut and Fill Plan (refer to **Appendix A**).

A variety of new landscape plantings are proposed, including trees capable of reaching a mature height of 10-15m (Refer to **Appendix B**). These plantings will consist of a mixture of new trees, shrubs, and groundcovers, which will enhance the landscaped setbacks and contribute positively to the streetscape. Each unit will be provided with its own enclosed private open space area. These spaces are designed to be directly accessible from the living areas, ensuring convenience and enhancing the quality of life for residents.

A total of 14 at-grade car parking spaces will be provided on the site, including 6 accessible car spaces.

Stormwater will be collected via a series of stormwater pits and gutters on the site and connected to an underground detention tank under the communal open space near the south-western corner of the site. The majority of the existing site currently discharges at ground towards southern properties. However, the

proposed development is designed to discharge to an inground stormwater system within Hardwicke Street. It is noted that there are no inground stormwater systems within Hedley Street and hence providing new pipes in the existing drainage easement is of no benefit. Roof water will be collected from downpipes and connected to an underground rainwater tank for recycling with overflow connected to the underground detention tank.

Metal fencing 1.8m high is proposed along the side and rear boundaries. Metal fencing 1.2m is proposed along the street frontage, including both side elevations where the fencing is forward of the building line.

Figures 15 – 18 includes extracts from the architectural plans illustrating the proposed development.

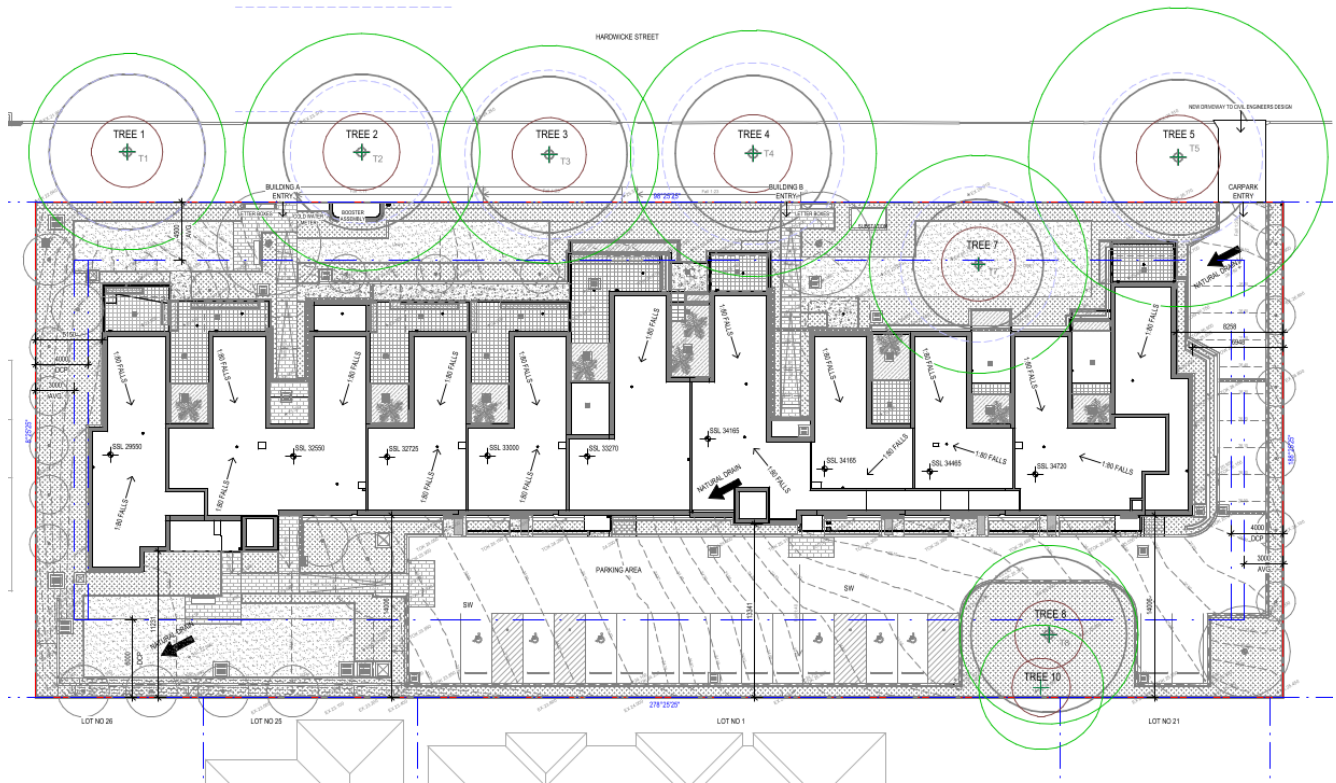


Figure 16 Extract from Architectural Plans – Site Plan (Source: Architectural Plans, Custance Architects, dated 06/09/2024)

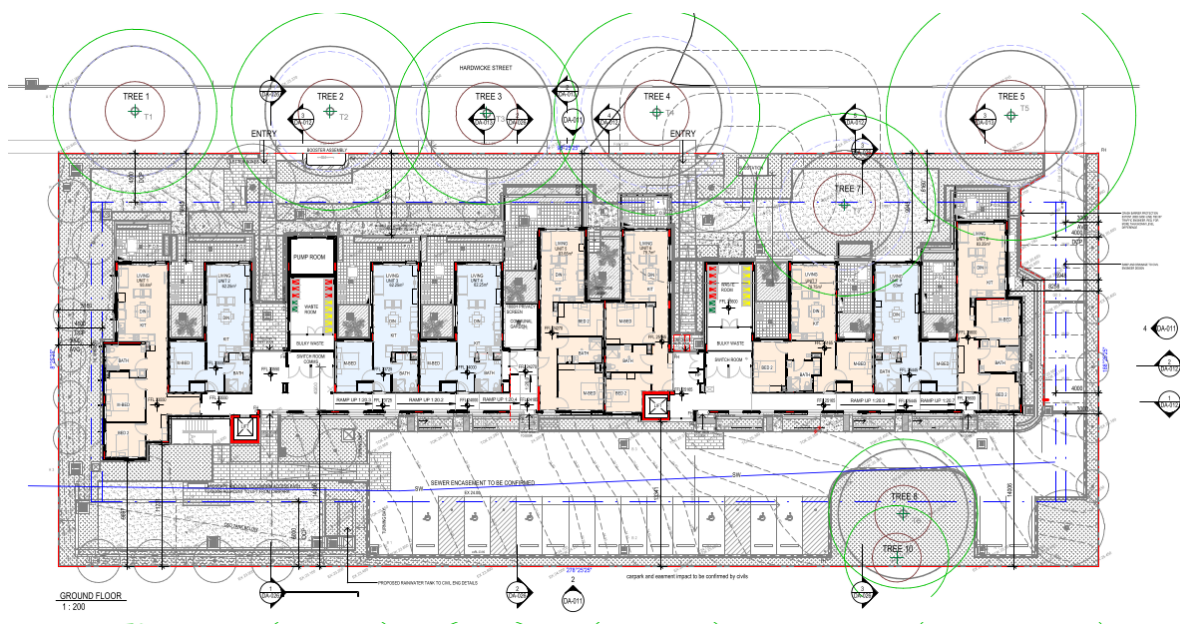


Figure 17 Extract from Architectural Plans – Ground Level (Source: Architectural Plans, Custance Architects, dated 19/09/2024)

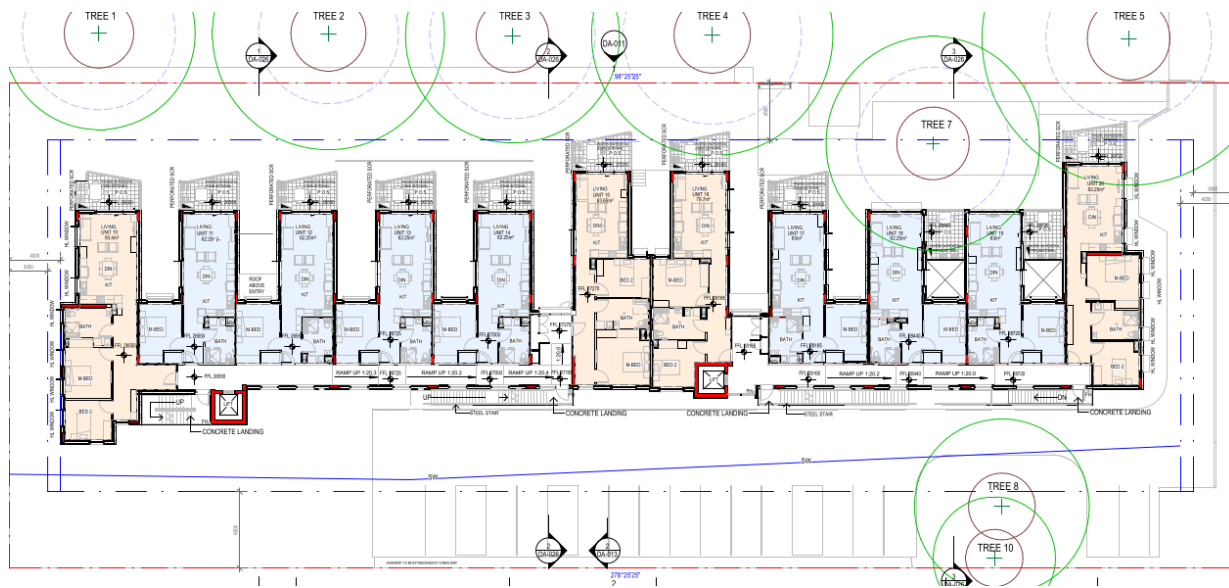


Figure 18 Extract from Architectural Plans – First Level (Source: Architectural Plans, Custance Architects, dated 16/09/2024)



Figure 19 Extract from Architectural Plans – Hardwicke Street View (Source: Architectural Plans, Custance Architects, dated 06/09/2024)

4.4 Supporting information

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

Table 1 Details of Plans, Drawings and Supporting Documents

Title / Name:	Drawing No. / Document Ref	Revision / Issue:	Date [dd.mm.yyyy]:	Prepared by:
Architectural Plans – Appendix A				
Cover Page	DA-001	6	19.09.2024	Custance
Site Analysis Plan	DA-002	3	19.09.2024	Custance
Demolition Plan	DA-003	3	06.09.2024	Custance
Development data	DA-004	3	06.09.2024	Custance
Site Plan	DA-005	3	06.09.2024	Custance
GA Plan – Ground floor & Level 1	DA-006	7	19.09.2024	Custance
GA Plan – Level 2 & Roof Plan	DA-007	6	06.09.2024	Custance
Detail – Ground Floor Plan	DA-008	3	06.09.2024	Custance
Detail – Level 1 Plan	DA-009	3	06.09.2024	Custance
Detail – Level 2 Plan	DA-010	3	06.09.2024	Custance
External Elevations	DA-011	6	19.09.2024	Custance
Building Sections	DA-012	5	06.09.2024	Custance
Building Sections	DA-013	2	06.09.2024	Custance
Solar access study	DA-014	2	06.09.2024	Custance
Shadow Diagrams	DA-015	3	06.09.2024	Custance
Solar Study	DA-016	2	06.09.2024	Custance
Solar Study	DA-017	2	06.09.2024	Custance
Overall height plane	DA-020	2	06.09.2024	Custance
Materials	DA-025	2	06.09.2024	Custance
Details Sections	DA-026	3	06.09.2024	Custance
Wall Types	DA-030	1	03.07.2024	Custance
Balcony Screen & Balustrade details with rear wall PFC detail	DA-031	1	06.09.2024	Custance
Landscape Plan – Appendix B				
Cover sheet	000	C	22.08.2024	Site Image Landscape Architects
Existing Tree Management Plan	001	A	27.06.2024	Site Image Landscape Architects
Landscape Colour Plan	100	D	22.08.2024	Site Image Landscape Architects
General arrangement Plan 01	101	D	22.08.2024	Site Image Landscape Architects
General Arrangement Plan 02	102	D	22.08.2024	Site Image Landscape Architects
Planting Plan 01	201	D	22.08.2024	Site Image Landscape Architects
Planting Plan 02	202	D	22.08.2024	Site Image Landscape Architects

Specification notes & plant schedule	500	D	22.08.2024	Site Image Landscape Architects
Landscape details	501	B	27.06.2024	Site Image Landscape Architects
Civils Plans – Appendix C				
Cover Sheet, Drawings Schedule & Locality Sketch	22T46_DA_C000	3	06.06.2024	Henry & Hymas Engineers
Notes	22T46_DA_C010	3	06.06.2024	Henry & Hymas Engineers
General Arrangement Plan	22T46_DA_C100	3	30.05.2024	Henry & Hymas Engineers
Detail Plan – Sheet 1 of 2	22T46_DA_C101	4	06.06.2024	Henry & Hymas Engineers
Detail Plan – Sheet 2 of 2	22T46_DA_C102	4	06.06.2024	Henry & Hymas Engineers
Typical Kerb and Concrete Details	22T46_DA_C110	1	23.02.2024	Henry & Hymas Engineers
Standard drawings – Crossover, Footpath	22T46_DA_C160	3	06.06.2024	Henry & Hymas Engineers
Stormwater miscellaneous details & pit lid schedule	22T46_DA_C200	2	23.02.2024	Henry & Hymas Engineers
Stormwater miscellaneous details	22T46_DA_C201	2	23.02.2024	Henry & Hymas Engineers
OSD tank plan details and sections	22T46_DA_C202	2	06.06.2024	Henry & Hymas Engineers
Pre-development stormwater catchment plan	22T46_DA_C250	2	06.06.2024	Henry & Hymas Engineers
Post-development stormwater catchment plan	22T46_DA_C251	2	06.06.2024	Henry & Hymas Engineers
Retaining wall details	22T46_DA_C310	1	23.02.2024	Henry & Hymas Engineers
Sediment and Erosion controls plan	22T46_DA_SE01	4	06.06.2024	Henry & Hymas Engineers
Sediment and Erosion control details	22T46_DA_SE02	4	06.06.2024	Henry & Hymas Engineers
External Works plan – Sheet 1 of 4	22T46_DA_EX01	1	06.06.2024	Henry & Hymas Engineers
External Works plan – Sheet 2 of 4	22T46_DA_EX02	1	06.06.2024	Henry & Hymas Engineers
External Works plan – Sheet 3 of 4	22T46_DA_EX03	1	06.06.2024	Henry & Hymas Engineers
External Works plan – Sheet 4 of 4	22T46_DA_EX04	1	06.06.2024	Henry & Hymas Engineers
Bulk earthworks cut & fill plan	22T46_DA_BE01	1	06.06.2024	Henry & Hymas Engineers
Bulk and Earthworks Cut & Fill depth plan	22T46_DA_BE02	1	06.06.2024	Henry & Hymas Engineers
External footpath long section	22T46_DA_EX10	1	06.06.2024	Henry & Hymas Engineers
External footpath cross sections	22T46_DA_EX11	2	06.06.2024	Henry & Hymas Engineers
External footpath ramp sections	22T46_DA_EX12	2	06.06.2024	Henry & Hymas Engineers
Detail and Contour Survey – Appendix D				
Detail and level survey Sheet 1	Sheet 1 of 17	-	08.03.2024	Northern Survey Partners
Detail and level survey Sheet 2	Sheet 2 of 17	-	08.03.2024	Northern Survey Partners
Detail and level survey Sheet 3	Sheet 3 of 17	-	08.03.2024	Northern Survey Partners
Detail and level survey Sheet 4	Sheet 4 of 17	-	08.03.2024	Northern Survey Partners
Detail and level survey Sheet 5	Sheet 5 of 17	-	08.03.2024	Northern Survey Partners
Detail and level survey Sheet 6	Sheet 6 of 17	-	08.03.2024	Northern Survey Partners
Detail and level survey Sheet 7	Sheet 7 of 17	-	08.03.2024	Northern Survey Partners
Detail and level survey Sheet 8	Sheet 8 of 17	-	08.03.2024	Northern Survey Partners
Detail and level survey Sheet 9	Sheet 9 of 17	-	08.03.2024	Northern Survey Partners
Detail and level survey Sheet 10	Sheet 10 of 17	-	08.03.2024	Northern Survey Partners

Detail and level survey Sheet 11	Sheet 11 of 17	-	08.03.2024	Northern Survey Partners
Detail and level survey Sheet 12	Sheet 12 of 17	-	08.03.2024	Northern Survey Partners
Detail and level survey Sheet 13	Sheet 13 of 17	-	08.03.2024	Northern Survey Partners
Detail and level survey Sheet 14	Sheet 14 of 17	-	08.03.2024	Northern Survey Partners
Detail and level survey Sheet 15	Sheet 15 of 17	-	08.03.2024	Northern Survey Partners
Detail and level survey Sheet 16	Sheet 16 of 17	-	08.03.2024	Northern Survey Partners
Detail and level survey Sheet 17	Sheet 17 of 17	-	08.03.2024	Northern Survey Partners
Notification Plans – Appendix E				
Cover Page	N-01	4	19.09.2024	Custance
Site / Landscape Plan	N-02	3	06.09.2024	Custance
External Elevations	N-03	3	06.09.2024	Custance
Materials	N-04	2	06.09.2024	Custance
Shadow Diagrams	N-05	3	06.09.2024	Custance
Access Report – Appendix H				
Access Compliance Report	S231104	C	15.08.2024	Formiga 1
AHIMS – Appendix I				
AHIMS Search Result, 21 Charles Street, Riverwood - 50m search buffer	1	-	01.10.2024	AHIMS Web Services
Arborist Report – Appendix J				
Arboricultural Impact Assessment Report	D5011	-	July 2024	Allied Tree Consultancy
BASIX Report – Appendix K				
BASIX Certificate	Cert Number: 1758935M	-	07.08.2024	Efficient living Pty Ltd
BCA Report – Appendix L				
BCA Final Report	23-219689	R04	22.08.2024	Philip Chun Building Compliance
NatHERS Certificate – Appendix N				
Nationwide House Energy Rating Scheme – Class 2 summary	Cert Number: #HR-9TJLCY-01	-	07.08.2024	Efficient living Pty Ltd
Geotechnical Investigation - Appendix P				
Geotechnical Investigation	32062/7123D-G	-	February 2023	STS Geotechnics Pty Ltd
Traffic Impact and Parking Assessment - Appendix S				
Traffic Impact and Parking Assessment	230826	G	09.01.2025	Greenview Consulting
Waste Management Plan – Appendix T				
Construction Waste Management Plan	-	3	25.09.2024	Universal Foodservice designs

Section 10.7 Planning Certificates – Appendix F

Lot 11 DP 36368, Certificate No PL2024/2699 dated 10.07.2024 – Georges River Council

Lot 12 DP 36368, Certificate No PL2024/2698 dated 10.07.2024 – Georges River Council

Lot 13 DP 36368, Certificate No PL2024/2697 dated 10.07.2024 – Georges River Council

Lot 14 DP 36368, Certificate No PL2024/2696 dated 10.07.2024 – Georges River Council

Lot 15 DP 36368, Certificate No PL2024/2695 dated 10.07.2024 – Georges River Council

Lot 16 DP 36368, Certificate No PL2024/2694 dated 10.07.2024 – Georges River Council

Notification letters and submissions – Appendix G

Design compliance certificates – Appendix M

Architect's Certificate of Building Design Compliance, dated 12.09.2024

Certificate of Landscape Documentation Compliance, dated 13.09.2024

Certificate of Stormwater Design Compliance, dated 11.09.2024

Certificate of Electrical Documentation Compliance, dated 13.09.2024

Certificate of Hydraulic Documentation Compliance, dated 12.09.2024

Certificate of Mechanical Documentation Compliance, dated 13.09.2024

Certificate of Structural Documentation Compliance, dated 12.09.2024

Housing for Seniors Checklist – Appendix O

Seniors Housing Design Guide, LAHC Design requirements & Good design for social housing, prepared by Custance, undated.

Titles and Deposited Plans – Appendix Q

Title Search, Folio: 11/1080361, Search date 27/08/2021, First Schedule: New South Wales Land and Housing Corporation

Title Search, Folio: 12/1080361, Search date 27/08/2021, First Schedule: New South Wales Land and Housing Corporation

Title Search, Folio: 13/1080361, Search date 27/08/2021, First Schedule: New South Wales Land and Housing Corporation

Title Search, Folio: 14/1080361, Search date 27/08/2021, First Schedule: New South Wales Land and Housing Corporation

Title Search, Folio: 15/1080361, Search date 27/08/2021, First Schedule: New South Wales Land and Housing Corporation

Title Search, Folio: 16/1080361, Search date 27/08/2021, First Schedule: New South Wales Land and Housing Corporation

Deposited Plan 36368, Search Date 27.08.2021

5 Zoning and Permissibility

The site is zoned R3 Medium Density Residential under the GRLEP 2021 (**Figure 20**). The proposed development is defined as 'seniors housing' under the provisions of GRLEP 2021 and is permissible with consent in the R3 zone.

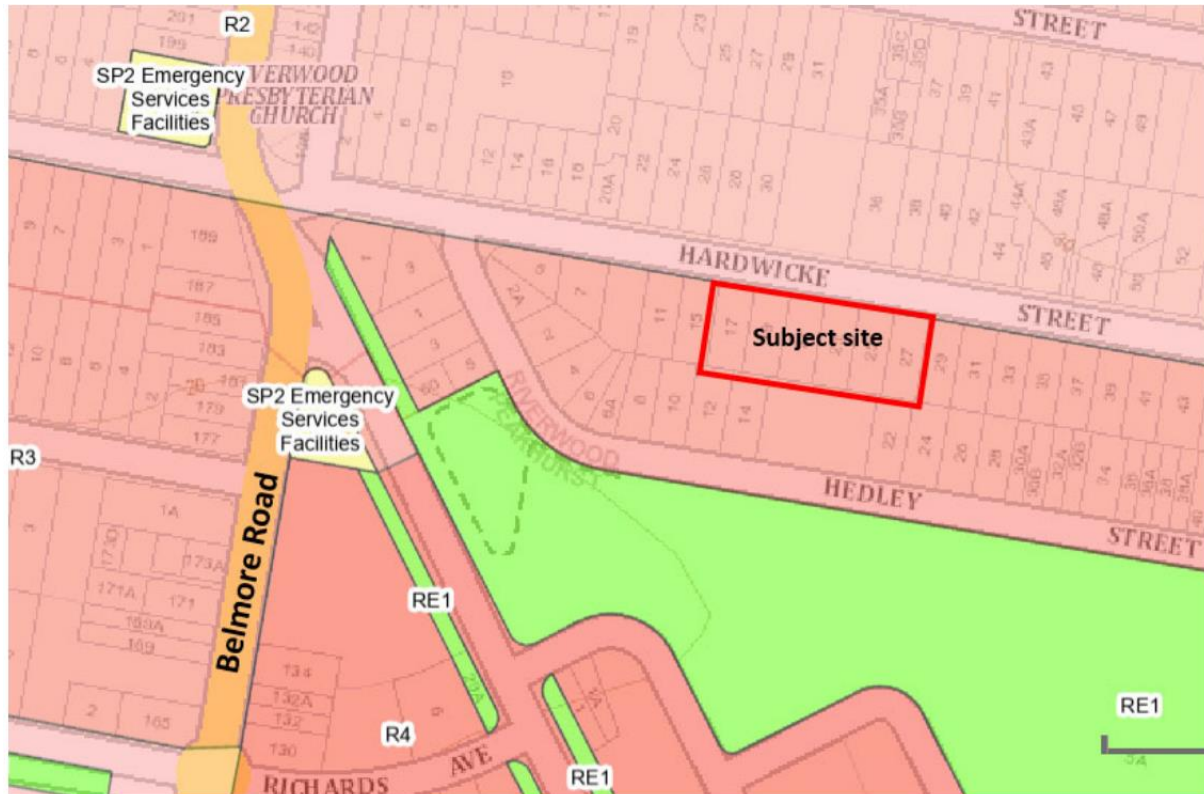


Figure 20 Extract of Land Zoning map from Georges River LEP 2021 (Source: eSpatial Viewer)

The relevant objectives of the R3 zone, as set out in GRLEP 2021 are:

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

The proposed development provides seniors housing that meets the identified needs of the community and includes a mix of 1 and 2-bedroom units. The proposal is not located near heritage items or conservation areas and the development has also been sympathetically designed to fit with the emerging character of the surrounding area. A variety of new landscape plantings, including a mixture of new trees, shrubs and groundcovers, will provide a landscaped setting for the development. The proposal is therefore consistent with the relevant objectives of the R3 zone.

Section 108B of the Housing SEPP permits seniors housing development to be carried out by LAHC as 'development without consent' subject to the provisions set out under that clause. The subsection 6.5.1 of this REF demonstrates compliance with the relevant provisions of section 108B of the SEPP.

6 Planning and Design Framework

6.1 Environmental Planning and Assessment Act 1979

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 2Error! Reference source not found. below demonstrates the effect of the proposed development activity on the matters listed for consideration in subsection 3 of Section 5.5.

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

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

6.2 Biodiversity Conservation Act 2016 (BC Act)

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

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

6.3 Other Acts

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

6.4 Environmental Planning and Assessment Regulation 2021

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

For the purposes of Part 5 of the EP&A Act, the factors in **Table 3** and **Table 4** below have been taken into account in considering the likely impact of the proposed activity on the environment. The table and comments made in this section of the REF are not mutually exclusive and are to be read in conjunction with the other sections of the REF dealing with the environmental impacts of the proposed development activity.

Table 3 Environmental Planning and Assessment Regulation 2021 Section 171

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

Table 4 Factors to be taken into account concerning the impact of an activity on the environment

Guidelines for Division 5.1 assessments require the following Environmental factors to be taken into account:	Relevant?	Impact Assessment		
	YES/NA	Temporary	Minor	Significant [Note 1]
(a) environmental impact on the community	Yes	x	x	
(b) transformation of a locality;	Yes		x	
(c) environmental impact on the ecosystems of the locality;	Yes	x	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;	N/A			

(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	x	

Note 1: A 'significant' impact will trigger the need for an Environmental Impact Statement.

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

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

6.4.2 Strategic Planning Framework

Georges River 2050 - Leading for Change

The *Georges River 2050 - Leading for Change* document was launched in 2020 by Georges River Council. It adopts planning actions that respond to global aspirations for a better and more sustainable future that are established through the United Nation's Sustainable Development Goals (UN SDGs). The document identifies that a higher proportion of retirees (residents aged 65 and above) (15.3%) live in the LGA compared to Greater Sydney (13.4%) and that the number of aged people is projected to have the largest proportion of growth between 2021 and 2036, according to the NSW Department of Planning & Environment 2016, *New South Wales State and Local Government Area Population and Household Projections, and Implied Dwelling Requirements*.

The proposed development aligns with a number of Council's strategic goals, notably the intention to achieve 'a diversity of housing types at affordable price points to attract and retain a diverse community'. The document highlights the need for the creation of opportunities for a diverse range of affordable housing in established areas for older people, including the need for accessible and adaptable housing.

The proposed development, providing 29 seniors living dwellings, which will contribute to the objectives of Georges River 2050, and will increase the provision of affordable and seniors living units.

Georges River Local Strategic Planning Statement 2040

The *Georges River Local Strategic Planning Statement 2040* (LSPS 2040) is a 20-year plan that identifies 20 Planning Priorities for the LGA, expressed through 5 interrelated themes:

1. Access and movement
2. Infrastructure and community
3. Housing and neighbourhoods
4. Economy and centres
5. Environment and open space

LSPS 2040 identifies that the number of senior residents aged over 65 years in the Georges River LGA is projected to grow by approximately 45% over the 20 year period. Notably, Priority P9 seeks to promote a mix of well-designed housing that caters for diverse lifestyle needs and incomes. This objective seeks to provide residents with housing choice in line with the Inclusive Housing Strategy.

The proposed development will expand the supply of affordable housing, with 29 seniors living units, providing inclusive housing stock. The proposal contributes to diversifying the residential uses in the Georges River LGA and satisfies the objectives of the plan by accommodating the ageing population with access to appropriate services. The proposed provision of seniors housing will ensure this type of affordable housing is retained for the foreseeable future, being consistent with key action 51 in utilising the provisions in the EP&A Act for affordable housing, drawing from the outcomes of the Inclusive Housing Strategy.

Inclusive Housing Strategy

The Inclusive Housing Strategy and Delivery Program was prepared for the Georges River Local Government Area in August 2020. The strategy aims to provide a comprehensive framework to encourage, provide and manage affordable housing that meets the needs of the community. The plan is consistent with the Georges River Local Strategic Planning Statement.

The proposed seniors housing development, with a mix of 1 and 2-bedroom dwellings is aligned with Objective 10: Greater housing supply and Objective 11: Housing is more diverse and affordable.

Georges River Community Strategic Plan 2022 - 2032

The Community Strategic Plan and associated documents were adopted by Council on 27 June 2022. It is a 10 year plan that outlines six broad inter-related themes that are derived from the review of the previous Community Strategic Plan 2018-2028 and an extensive community engagement process, which identified community's aspirations and took into account new challenges to set the main priorities for the future. The six strategic pillars are:

1. Our community
2. Our green environment
3. Our economy
4. Our built environment
5. Our place in Sydney
6. Our governance

Under these pillars there are key goals and subsequent strategies for Council to facilitate in partnership with the community, government agencies and business. The proposed development is consistent with the Georges River Community Strategic Plan, and particularly aligns with strategic planning goal 4.2:

- Affordable and quality housing option are available.

The proposal will allow for additional high-quality affordable housing that increases the diversity and choice of seniors housing for the community within the LGA.

6.4.3 Activities in catchments [Section 171A]

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

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

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

6.5 State Environmental Planning Policy (Housing) 2021

6.5.1 Low- and Mid-Rise Housing Policy

The site is zoned R3 medium density residential and is situated within a 400m walking distance from Riverwood town centre, according to the Low- and Mid-Rise Policy Indicative map. This places it within the low and mid-rise housing inner area.

In accordance with Section 174 of the Housing SEPP, residential flat building development is permissible on this land for heights up to 22m (6 storeys). This allows for significant site uplift; however, the proposed 3-storey seniors housing development is specifically designed to cater to the needs of the seniors community. The project is driven by the increasing demand for more seniors living options in the Riverwood suburb. The current built form offers high-quality amenities, including larger private open space areas and improved connectivity within the site. The proposed development prioritises high accessibility standards with simplified access and mobility for seniors. Additionally, the proposed development contributes to both the existing and emerging character of Riverwood under the new Low- and Mid-Rise Housing Policy.

Give the project was significantly progressed before the Policy came into force in 28 February 2025, LAHC has decided to proceed with the current proposal.

6.5.2 Development without Consent

Demolition

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 demolition is permissible and 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*”. Demolition is permissible with consent under the clause 2.7 of the GRLEP2021 and the site contains neither of these heritage notations and therefore demolition can be undertaken by LAHC as “*development without consent*”. A waste management plan has been prepared, and there are several Identified Requirements recommended in the Activity Determination which deal with site safety and environmental protection during demolition and construction.

Development for Seniors Housing

The Housing SEPP is very specific in terms of the matters that LAHC must consider in determining whether to proceed with a seniors housing development that meets the thresholds for “*development without consent*” 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. An assessment against the relevant provisions under Part 5, Division 8 of the Housing SEPP is provided in **Table 5** below.

Table 5 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 the purposes of seniors housing involving the erection of a building on land	
(a) on which development for the purposes of seniors housing is permitted with consent under another environmental planning instrument, or	The development is permissible with consent within the R3 Medium Density Residential zone under the GRLEP 2021.
(b) in a prescribed zone or an equivalent land use zone.	The R3 zone is also a prescribed zone under the SEPP. Part 5, Division 8 of the SEPP therefore applies.
108B – Seniors housing permitted without development consent	
(1) Development to which this Division applies may be carried out by or on behalf of 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 is provided in Tables 6 and 7, below.
(b) the development will not result in a building with a height of more than- (i) 9.5m, or (ii) if the roof of the building contains servicing equipment resulting in the building having a height of more than 9.5m and the servicing equipment complies with section 84(3) – 11.5m, and	The maximum building height is 9.4m and height at the lift overrun is 11m.
(c) the seniors housing will not contain more than 40 dwellings on the site.	The development is for 29 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 – Notifications before carrying out development	
(1) Before carrying out development to which this Division applies, a relevant authority must do the following –	
(a) request that the council nominate persons who must, in the council’s opinion, be notified of the development	Advice was sought from Georges River Council regarding additional persons or properties that should be notified of the development via an email sent to Council on 2 October 2024. Council provided a response on 21 October 2024 advising that the extent of notification is considered satisfactory.

Provision	Compliance
(b) give written notice of the intention to carry out the development to – (i) the council, and (ii) any persons nominated by the council under paragraph (a), and (iii) the occupiers of adjoining land	A letter notifying Georges River Council of the proposed development activity was sent by LAHC on 22 October 2024. Letters notifying occupiers of adjoining land of the proposed development activity were sent by LAHC on the same date.
(c) take into account the responses to the notice that are received within 21 days after the notice is given.	Council responded to LAHC's notification by letter dated 4 December 2024. Comments on the response are provided in Section 7.1 of this REF. Thirty-one (31) submissions were received from adjoining occupiers/owners. Comments on the submissions are provided in section 7.2 of this REF.
(2) In this section, a reference to the council is a reference to the council for the land on which the development is proposed to be carried out..	Noted.
108CB - Considerations before carrying out development	
(1) Before carrying out development to which this division applies, the relevant authority must consider -	
(a) the <i>Seniors Housing Design Guide</i> , published by the Department in December 2023, and (b) the design principles for seniors housing set out in Schedule 8.	Refer to checklist in Appendix O and subsection 6.5.3 of this REF. These conclude the development generally- accords with all relevant development standards relating to the design principles for seniors housing.
(2) Before carrying out development to which this division applies, the Aboriginal Housing Office must consider the <i>AHO Design Guidelines NSW</i> , published by the Aboriginal Housing Office in January 2020.	Not applicable
(3) Before carrying out development to which this division applies, the Land and Housing Corporation must consider-	
(a) <i>Good Design for Social Housing</i> , published by the Land and Housing Corporation, in partnership with the Government Architect NSW, in September 2020, and (b) the <i>NSW Land and Housing Corporation Design Requirements</i> , published by the Land and Housing Corporation in February 2023.	Refer to checklist in Appendix O and subsection 6.5.3 of this REF. These conclude that the development complies with all relevant development standards relating to the <i>Good Design for Social Housing</i> and the <i>NSW Land and Housing Corporation Design Requirements</i> .
108D Exempt development Development for the purposes of landscaping and gardening is exempt development if it is carried out by or on behalf of a relevant authority in relation to seniors housing.	Noted
108E Subdivision of seniors housing not permitted – Development consent must not be granted for the 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 6** and **Table 7** below:

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

Provision	Compliance
<p>84 Development standards—general</p> <p>(2) Development consent must not be granted for development to which this section applies unless—</p> <p>(c) for development on land in a residential zone where residential flat buildings are not permitted—</p> <p>(iii) if the development results in a building with more than 2 storeys—the additional storeys are set back within planes that project at an angle of 45 degrees inwards from all side and rear boundaries of the site.</p>	<p>The proposed development is in the R3 zone where residential flat buildings are permitted.</p> <p>The proposed building consists of 2 and 3 storey sections. The 3-storey component is designed to remain within the 45-degree angle projected plane from all side and rear boundaries. Refer to Sections provided in Appendix A.</p>
<p>85 Development standards for hostels and independent living units</p> <p>(1) Development consent must not be granted for development for the purposes of a hostel or an independent living unit unless the hostel or independent living unit complies with the relevant standards specified in Schedule 4.</p> <p>(2) An independent living unit, or part of an independent living unit, located above the ground floor in a multi-storey building need not comply with the requirements in Schedule 4, sections 2, 5–13 and 15–21 if the development application is made by, or by a person jointly with, a social housing provider or Landcom.</p> <p>Note— Development standards concerning accessibility and usability for residential care facilities are not specified in this Policy. For relevant standards, see the Building Code of Australia.</p>	<p>The proposed development complies with relevant standards specified in Schedule 4 as demonstrated in Table 8 below.</p> <p>Noted.</p>
<p>88 Restrictions on occupation of seniors housing</p> <p>(1) Development permitted under this Part may be carried out for the accommodation of only the following—</p> <ul style="list-style-type: none"> (a) seniors or people who have a disability, (b) people who live in the same household with seniors or people who have a disability, (c) staff employed to assist in the administration and provision of services to housing provided under this Part. <p>(2) Development consent must not be granted under this Part unless the consent authority is satisfied that only the kinds of people referred to in subsection (1) will occupy accommodation to which the development relates.</p>	<p>Identified Requirement no. 77 is recommended to achieve compliance.</p>
<p>89 Use of ground floor of seniors housing in business zones</p>	<p>Not applicable as the site is not located in a business zone.</p>

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

Development Standard	Required	Comment
Building Height:	9.5m or less (excluding servicing equipment)	Complies - Maximum height at top of roof is 9.4m and height at lift overrun is 11m.
Density and Scale:	Floor Space Ratio 0.5:1 or less	Does not comply - 0.69:1. Notwithstanding, the FSR complies with the GRLEP 2021 maximum FSR of 0.7:1 and the non-compliance does not result in any adverse impacts on adjoining properties or the streetscape. (refer to variation discussion below).
Landscaped Area:	Minimum landscaped area that is the lesser of: (4) (i) Minimum 35m ² per dwelling (29 x 35m ² =1,015m ²) (ii) 30% of the site area (1,097.46m ²) Landscaped area to comply with minimum 1,015m ²	Complies – 1,360m ² (37%)
Deep Soil Zone:	Minimum 15% of area of site (15% x 3,658.2m ² = 548.73m ²)	Complies - 797m ² or 21.7%
	Minimum 65%to be preferably located at rear of site (548.73m ² X 0.65 = 356.67m ²)	Does not comply - 188.6m ² Notwithstanding, a generous front setback has been provided in this instance intended in order to protect existing trees in the front setback and with the streetscape. In addition, the elongated design of the car park also prevents compliance. On balance, the allocation of deep soil zone areas is considered to appropriately respond to the site constraints, with sufficient separation provided to adjoining properties, and ensuring a high quality landscape setting as viewed from the street.
	Minimum dimension 3m	Complies - Minimum dimension 3m
Solar Access:	70% of living areas & main private open space to receive minimum 2 hrs direct solar access between 9 am and 3 pm at mid-winter	Complies - 100% (29 of the 29 units) of the living and private open space areas achieve at least 2 hours of direct solar access between 9am and 3pm mid-winter
Private Open Space:	Ground level:	
	Minimum 15m ² per dwelling	Complies – All units on ground floor level meet or exceed the minimum requirements, with Private Open Space ranging from 15m ² to 34m ² .
	One area minimum 3m x 3m, accessible from living area	Complies - All units on ground floor level exceed the minimum requirements.

	Upper level/s:	Complies
	1 bedroom: Minimum 6m ² Minimum dimensions 2m	Minimum 12m ² Minimum 2.1m
	2 or more bedrooms: Minimum 10m ² Minimum dimensions 2m	Minimum 12m ² Minimum 2.1m
Car parking:	Minimum 1 car parking space for each 5 dwellings (LAHC concession – social housing provider) – 6 car parking spaces required	Complies - 14 on-grade car parking spaces are proposed for 29 dwellings, including 6 accessible parking spaces.

Non-Compliance with FSR Standard

The development proposes a total gross floor area (GFA) of 2,527.5m² calculated in accordance with the Housing SEPP definition. This translates to an FSR of 0.69:1 and represents an exceedance of 698.4m² against the 0.5:1 FSR development standard provided in clause 108(2)(c) of the Housing SEPP. Despite the non-compliance with the Housing SEPP, the proposed development will comply with the applicable FSR under the GRLEP 2021 of 0.7:1.

In this instance it is considered that the density of the development is appropriate and compatible with the development site and locality. That is, despite this exceedance, it is considered the bulk and scale of the proposed development is compatible with the emerging character of the locality, maintains appropriate visual relationships with the existing area, will not adversely affect the streetscape, skyline or landscape, and does not result in adverse environmental effects on adjoining lands, as demonstrated below.

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

- Although the building is three storeys to the street, the third storey is set back further from the east and west side boundaries, ensuring compliance with the 45-degree angle projected planes. This design effectively mitigates any overshadowing impacts on the neighbouring dwellings.
- Compliant setbacks and an articulated form, with all balconies facing the street and a skilful roof design that ensures the proposed Floor Space Ratio (FSR) variation does not result in unreasonable height, bulk, or scale.
- Significant landscaping and deep soil zones within the site break up hard surfaces and building bulk.
- Provision of considered dwelling layouts, including the careful placement and sizes of window/ door openings, the treatment of windows, and substantial buffer landscaping along boundaries to ensure no overlooking of adjoining residential private open space areas or living areas occurs.
- Ensuring dwellings can be provided with a high level of amenity demonstrated through compliance with the Seniors Housing design standards prescribed by the HSEPP, e.g. high levels of solar access, accessibility, and well-designed Private Open Space areas with courtyard in-between units.
- Materials and finishes including different face brick types, perforated metal screens with unique design to all balconies, create a state-of-the-art built form that enhances the streetscape.
- The development generally responds to the topography of the site, enabling appropriate accessibility for seniors and people with a disability and limited impacts to adjoining development.

The above measures illustrate that the development has appropriately considered the context of the site and has been designed to complement its surroundings. The proposal exceeds the minimum landscaped area,

deep soil requirements and includes private open space with paved patio and landscaping, which ensures the development makes a positive contribution to the streetscape and general locality.

The proposed development will also not generate any significant adverse amenity impacts on surrounding properties in terms of overlooking or overshadowing. Shadows to neighbouring development to the west (15 Hardwicke Street) will be confined to the morning period. Overshadowing impacts generated to development south of the site is not unreasonable and is limited to the afternoon period. The private open space areas of properties to the south will retain high levels of solar access. The proposed development will not cast any shadows on properties to the east and north due to the orientation of the site and substantial separation distance. The proposal, therefore, generates no unacceptable overshadowing impacts to surrounding development and the numerical non-compliance in relation to FSR is supportable.

The proposed development accommodates the variation to FSR without impacting side setbacks and building separation between adjacent development. Adequate side setbacks are provided, and the third storey is setback further to comply with 45-degree angle projected plane that mitigates overlooking and privacy impacts with perimeter landscaping to be implemented to further soften the built form.

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

- contributes to the increase in supply of suitable accommodation for seniors;
- meets the current and future accommodation needs of Sydney's ageing population;
- delivers a well-designed development which reflects and enhances the locality while providing a reasonable level of amenity for residents;
- provides seniors accommodation close to existing infrastructure; and
- is well located to public transport connections.

The proposed exceedance of the floor space ratio therefore has social and environmental benefits as the development increases the supply of seniors housing, whilst positively contributing to the streetscape and surrounding area.

6.5.3 Development standards for accessibility

Consideration of the development standards for accessibility set out in section 85 and Schedule 4 is demonstrated in **Table 8** below.

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

Table 8 Accessibility and useability standards [Schedule 4]

Development Standard (Sch 4)	Required	Comment
2.Siting Standards:		
Wheelchair access 'Non-sloping' sites i.e. with gradients entirely <1:10	100% of ground floor dwellings to have wheelchair access by a continuous accessible path of travel to an adjoining public road	100% of the ground floor units have accessible paths of travel in accordance with AS1428.1 to the front boundaries as confirmed by the submitted Access Compliance Report prepared by Formiga1 (refer Appendix H).

'Sloping' sites i.e. with gradients entirely or partially >1:10	% of ground floor dwellings, equal to % of site with gradient <1:10 or minimum 50% (whichever is greater), to have wheelchair access by a continuous accessible path of travel as per AS1428.1 to driveway or public road that is accessible to all residents	Not applicable, as the site does not have a gradient of more than 1 in 10.
Common areas	All common areas and facilities to have wheelchair accessibility as per AS1428.1	All common areas (ground-floor lobby and first-floor lobby) are capable of complying with AS1428.1 with an 850mm clear door width and accessible paths of travel, including lift, as confirmed by the submitted Access Compliance Report prepared by Formiga1 (refer to Appendix H).

3. Letterboxes:

	To be located on a hard standing area, have wheelchair access by a continuous accessible path of travel from the letterbox to the relevant dwelling and lockable.	Compliance readily achievable. Letterboxes have been provided at each pedestrian main entrance point, 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 Compliance Report prepared by Formiga1 (Appendix H).
Multiple letterboxes	The structure must be in a prominent location.	Separate letterboxes for each building have been provided at the main entry.
Finished level	At least 20% of the letterboxes on the site must be more than 600mm and less than 1,200mm above ground level (finished).	Letterboxes are situated on a hard standing area with wheelchair accessibility as per AS 1428.1. Further specification to be provided at detailed construction documentation stage.

4. Car parking:

Parking spaces associated with a class 1, 2 or 3 building under the <i>Building Code of Australia</i> are	(2) Provided in a common area for use by occupants who are seniors or people with a disability, the following applies — (a) for a parking space not in a group — the parking space must comply with AS/NZS 2890.6, (b) for a group of 2–7 parking spaces — (i) at least 1 of the parking spaces must comply with AS/NZS 2890.6, and (ii) 50% of the parking spaces must — (A) comply with AS/NZS 2890.6, or (B) be at least 3.2m wide and have a level surface with a maximum gradient of 1:40 in any direction, (c) for a group of 8 or more parking spaces — (i) at least 15% of the parking spaces must comply with AS/NZS 2890.6, and	Complies. The activity is required to provide 6 car parking spaces in accordance with c.108(j) of the Housing SEPP. Of the 6 required car parking spaces, 100% are accessible spaces, which meet the requirements of AS2890.6. Additional car parking provided by LAHC meets the requirements of AS2890.1 for standard car parking spaces. Compliance indicated as per the submitted Traffic Impact and
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	(ii) at least 50% of the parking spaces must – (A) comply with AS/NZS 2890.6, or (B) be at least 3.2m wide and have a level surface with a maximum gradient of 1:40 in any direction.	Parking Assessment Report prepared by Greenview Consulting (refer Appendix S).
Multiple parking spaces accessible by a common access point	(6) Accessible by a common access point, the access point must be secured by a power-operated garage door, vehicle gate, vehicle barrier or similar device.	Not applicable. The proposal does not incorporate power-operated doors, gates, barriers and the like as they pose a maintenance issue for LAHC.
	(7) A parking space, other than a parking space under subsection (6), must be – (a) secured by a power-operated door, or (b) capable of accommodating the installation of a power-operated door, including by having – (i) access to a power point, and (ii) an area for motor or control rods for a power-operated door.	Not applicable. The proposal does not incorporate power-operated doors, gates, barriers and the like as they pose a maintenance issue for LAHC.
	(8) A requirement in this section for a parking space to comply with AS/NZS 2890.6 extends to the associated shared area within the meaning of AS/NZS 2890.6.	Noted
	(9) In this section, a parking space is in a common area if it is not attached to or integrated with a hostel or independent living unit.	Noted
5. Accessible entry		
Main entrance to a dwelling	Must have – (a) a clear opening that complies with AS 1428.1, and (b) a circulation space in front of the door and behind the door that complies with AS 1428.1.	All main entries for each ground floor dwelling are detailed with circulation space and clear door openings as per AS 1428.1-200 (subject to Identified Requirement No. 80). Compliance achievable as per the submitted Access Report prepared by Formiga1 (Appendix H).
6. Interiors		
Note: consideration only required for ground floor units in accordance with section 85(2)		
Internal doorway	(1) Must have an unobstructed opening that complies with AS1428.1	Compliance readily achievable. The unobstructed doorway opening of all internal doors in every ground floor dwelling is readily capable of compliance with AS 1428.1 as per the submitted Access Compliance Report prepared by Formiga1 (Appendix H).
Internal corridor	(2) Must have a minimum unobstructed width of 1,000mm	Compliance readily achievable. The unobstructed internal corridor width in every ground floor dwelling is readily capable of compliance with AS 1428.1 as per the submitted

		Access Compliance Report prepared by Formiga1 (Appendix H).
Circulation spaces	<p>(3) in front of and behind an internal doorway in the following areas must comply with AS 1428.1 –</p> <ul style="list-style-type: none"> (a) a kitchen, (l) a laundry, (c) a bathroom (d) a toilet, (e) a bedroom, (f) a living area, (g) the main area of private open space. 	<p>Compliance readily achievable.</p> <p>The doorway circulation space to the specific areas listed in this clause are readily capable of compliance with AS 1428.1-2009 as per the submitted Access Compliance Report prepared by Formiga1 (Appendix H).</p>

7. Bedroom

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

	<p>At least one bedroom in a dwelling must have:</p> <ul style="list-style-type: none"> (a) a clear area, not including a circulation space, sufficient to accommodate <ul style="list-style-type: none"> (i) for a hostel- a wardrobe and a single size bed, or (ii) for an independent living unit - a queen size bed, and (b) a clear area for the bed of at least: <ul style="list-style-type: none"> (i) 1,200mm wide at the foot of the bed, and (ii) 1,000mm wide beside the bed between it and the wall, wardrobe or any otl obstruction, and (c) at least 2 double general power outlets on the wall where the head of the bed is likely to be (d) at least 1 general power outlet on the wall opposite the wall where the head of the bed is likely to be 	<p>Compliance readily achievable.</p> <p>Further detailed information will be required at construction documentation stage (refer to Identified Requirement No. 76).</p>
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8. Bathroom

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

	<p>(1) At least one bathroom in a dwelling must be located on –</p> <ul style="list-style-type: none"> (a) the same floor as the entry to the dwelling, or (b) a floor serviced by a private passenger lift accessible only from inside the dwelling. 	<p>Complies.</p> <p>The bathrooms in each ground floor dwelling comply with the requirements of this clause indicated as per the submitted Access Compliance Report prepared by Formiga1 (Appendix H).</p>
	<p>(2) The bathroom must have the following –</p> <ul style="list-style-type: none"> (a) a slip resistant floor surface that achieves a minimum rating of P3 in accordance with AS 4586 – 2013, 	<p>Compliance readily achievable.</p> <p>Further detailed information will be required at construction</p>

	<p>(b) a washbasin with tap ware capable of complying with AS 1428.1, including by future adaptation if the washbasin and tap ware continue to use exiting hydraulic lines,</p> <p>(c) a shower that —</p> <ul style="list-style-type: none"> (i) is accessible without a shower-hob or step, and (ii) complies with the requirements of AS 1428.1 for the entry, circulation space, floor gradient to the wastewater outlet and location of the mixer tap, and (iii) is in the corner of a room, and (iv) has a wall capable of accommodating the installation of a grab rail, portable shower head with supporting grab rail and shower seat, in accordance with AS 1428.1, <p>(d) a wall cabinet with shelving illuminated by an illumination level of at least 300 lux,</p> <p>(e) a double general power outlet in an accessible location, in accordance with AS 1428.1.</p>	documentation stage (refer to Identified Requirement No.76).
	(3) Subsection (2)(c) does not prevent the installation of a shower screen that can easily be removed to enable compliance with that paragraph.	Noted

9. Toilet

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

	<p>(1) At least one toilet in a dwelling must be located on —</p> <ul style="list-style-type: none"> (a) the same floor as the entry to the dwelling, or (b) a floor serviced by a private passenger lift accessible only from inside the dwelling. 	<p>Complies.</p> <p>The toilets in each dwelling comply with the requirements of this clause indicated as per the submitted Access Compliance Report prepared by Formiga1 (Appendix H).</p>
	<p>(2) The toilet must have the following —</p> <ul style="list-style-type: none"> (a) a water closet pan — <ul style="list-style-type: none"> (i) in the corner of the room, and (ii) with a centreline set-out in accordance with AS 1428.1, (b) a circulation space in front of the water closet pan that is — <ul style="list-style-type: none"> (i) at least 1,200mm long and at least 900mm wide, and (ii) clear of door swings and fixtures, other than a toilet paper dispenser or grab rails, (c) a circulation space around the water closet pan that complies with AS 1428.1, 	<p>Compliance readily achievable.</p> <p>Further detailed information will be required at construction documentation stage (refer to Identified Requirement No. 76).</p>

	<p>(d) a slip resistant floor surface that achieves a minimum rating of P3 accordance with AS 4586 — 2013,</p> <p>(e) a wall capable of accommodating the installation of a back rest and grab rail that will comply with AS 1428.1.</p>	
	(3) A removable shower screen may be located in the circulation space specified in subsection (2)(c).	Noted

10. Surfaces of balconies and external paved areas

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

	<p>Balconies and external paved areas must have surfaces that are slip resistant and comply with —</p> <p>(a) the <i>Building Code of Australia</i>, or</p> <p>(b) the Standards Australia Handbook SA HB 198:2014, <i>Guide to the specification and testing of slip resistance of pedestrian surfaces</i>, published on 16 June 2014.</p>	<p>Compliance readily achievable.</p> <p>Further detailed information will be required at construction documentation stage to ensure compliance (refer to Identified Requirement No. 76).</p>
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11. Door Hardware

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

	<p>(1) Door handles and hardware for all doors, including entry doors and external doors, must comply with AS 1428.1.</p> <p>(2) To avoid doubt, subsection (1) does not apply to cabinetry.</p>	<p>Compliance readily achievable.</p> <p>Further detailed information will be required at construction documentation stage to ensure compliance (refer to Identified Requirement No. 76).</p>
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12. Switches and power points

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

	<p>(1) Switches and power points must —</p> <p>(a) comply with AS 1428.1, or</p> <p>(b) be capable of complying with AS 1428.1 through future adaptation.</p> <p>(2) Subsection (1) does not apply to —</p> <p>(a) remote controls, or</p> <p>(b) power points likely to serve appliances that are not regularly moved or turned off.</p>	<p>Compliance readily achievable.</p> <p>Further detailed information will be required at construction documentation stage to ensure compliance (refer to Identified Requirement No.76).</p>
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13. Private passenger lifts

	(1) This section applies to a private passenger lift that is required by this schedule to be accessible only from inside a particular dwelling.	<p>Not Applicable.</p> <p>Private passenger lifts have not been proposed.</p>
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Part 2 Additional standards for independent living units

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

15. Bedroom

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

	At least one bedroom in an independent living unit that complies with this schedule, section 7 must be located on – (a) the same floor as the entry to the unit, or (b) a floor serviced by a private passenger lift accessible only from inside the unit.	In this development each respective independent living unit is single level with the kitchen, main bedroom and toilet located on the same level.
16. Living room Note: consideration only required for ground floor units in accordance with section 85(2)		
	(1) A living room in an independent living unit must be located on – (a) the same floor as the entry to the dwelling, or (b) a floor serviced by a private passenger lift accessible only from inside the dwelling. (2) The living room must have – (a) a circulation space that – (i) is clear of all fixtures, and (ii) has a diameter of at least 2,250mm, and (b) a telecommunications or data outlet adjacent to a general power outlet.	Compliance readily achievable. Further detailed information will be required at construction documentation stage to ensure compliance (refer to Identified Requirement No. 76).
17 Main area of private open space Note: consideration only required for ground floor units in accordance with section 85(2)		
	The main area of private open space for an independent living unit must be located on – (a) the same floor as the entry to the dwelling, or (b) a floor serviced by a private passenger lift accessible only from inside the dwelling.	Complies. The private open space area for each ground floor dwelling complies with the requirements of this clause as per the submitted Access Compliance Report prepared by Formiga1 (Appendix H).
18. Kitchen Note: consideration only required for ground floor units in accordance with section 85(2)		
	(1) A kitchen in an independent living unit must be located on – (a) the same floor as the entry to the dwelling, or (b) a floor serviced by a private passenger lift accessible only from inside the dwelling.	Complies. The kitchen area for each ground floor dwelling complies with the requirements of this clause as per the submitted Access Compliance Report prepared by Formiga1 (Appendix H).
	(2) The kitchen must have a circulation space with a diameter of at least 1,200mm between each bench top, cupboard or large appliance and each other bench top, cupboard or large appliance.	Compliance readily achievable. Further detailed information will be required at construction documentation stage (refer to Identified Requirement No. 76).
	(3) Each circulation space specified in subsection (2) must be capable of being increased to a diameter of 1,550mm without – (a) relocating the sink, or (b) moving a load-bearing wall, or	Compliance readily achievable. Further detailed information will be required at construction documentation stage (refer to Identified Requirement No. 76).

	(c) breaching another circulation requirement.	
	<p>(4) The kitchen must have the following fittings —</p> <p>(a) a bench that includes at least one work surface that is —</p> <ul style="list-style-type: none"> (i) at least 800mm long, and (ii) clear of obstructions, and (iii) not in the corner of the room, <p>(b) a lever tap set with the lever and water source that is within 300mm of the front of the bench,</p> <p>(c) a cooktop next to the work surface,</p> <p>(d) an isolating switch for the cooktop,</p> <p>(e) an oven that —</p> <ul style="list-style-type: none"> (i) has operative elements between 450mm and 1,250mm above the finished floor level, and (ii) is next to the work surface, <p>(f) at least one double general power outlet located within 300mm of the front of a work surface.</p>	<p>Compliance readily achievable.</p> <p>Further detailed information will be required at construction documentation stage (refer to Identified Requirement No. 76).</p>
	<p>(5) The cupboards must —</p> <ul style="list-style-type: none"> (a) not be entirely located in the corner of the bench or the corner of the room, and (b) face where the user of the fixture is likely to be. 	<p>Compliance readily achievable.</p> <p>The kitchen layout is readily capable of compliance with the requirements of this clause as per the submitted Access Compliance Report prepared by Formiga1 (Appendix H).</p>
	<p>(6) An overhead cupboard in the kitchen must be capable of being fitted with “D” pull cupboard handles towards the bottom of the cupboard.</p>	<p>Compliance readily achievable.</p> <p>Further detailed information will be required at construction documentation stage to ensure compliance (refer to Identified Requirement No. 76).</p>
	<p>(7) A below-bench cupboard in the kitchen must be capable of being fitted with “D” pull cupboard handles towards the top of the cupboard.</p>	<p>Compliance readily achievable.</p> <p>Further detailed information will be required at construction documentation stage to ensure compliance (refer to Identified Requirement No.76).</p>
	<p>(8) The lever tap set, cooktop, isolating switch, oven and double general power outlet must —</p> <ul style="list-style-type: none"> (a) not be in the corner of the bench or the corner of the room, and (b) face where the user of the fixture is likely to be. 	<p>Compliance readily achievable.</p> <p>Further detailed information will be required at construction documentation stage to ensure compliance (refer to Identified Requirement No. 76).</p>

	(9) Cabinetry below a work surface must be able to be easily removed to allow wheelchair access to the work surface.	Compliance readily achievable. Further detailed information will be required at construction documentation stage to ensure compliance (refer to Identified Requirement No. 76).
19. Laundry Note: consideration only required for ground floor units in accordance with section 85(2)		
	(1) A laundry in an independent living unit must be located on — (a) the same floor as the entry to the dwelling, or (b) a floor serviced by a private passenger lift accessible only from inside the dwelling.	Complies. The laundry in all units comply with the requirements of this clause as per the submitted Access Report.
	(2) The laundry must have the following — (a) a circulation space that complies with AS 1428.1 at the approach to any external doors, (b) an appropriate space for an automatic washing machine and a clothes dryer, (c) a clear space in front of each appliance of at least 1,550mm, (d) a slip resistant floor surface that achieves a minimum rating of P3 in accordance with AS 4586 — 2013, (e) a continuous accessible path of travel to the main area of private open space or any clothesline provided for the dwelling.	Compliance readily achievable. Further detailed information will be required at construction documentation stage (refer to Identified Requirement No. 76).
	(3) The space specified in subsection (2)(c) may overlap with a door swing or the circulation space for a door.	Noted
	(4) For laundry facilities in a cupboard, the cupboard must be capable of being fitted with “D” pull cupboard handles in the following locations — (a) for below-bench cupboards — towards the top, (b) for overhead cupboards — towards the bottom, (c) for floor-to-ceiling doors — between 900mm and 1,100mm above the finished floor level.	Compliance readily achievable. Further detailed information will be required at construction documentation stage to ensure compliance (refer to Identified Requirement No. 76).
	(5) In this section — laundry includes laundry facilities in a cupboard.	Noted
20. Linen Storage Note: consideration only required for ground floor units in accordance with section 85(2)		
	An independent living unit must have a floor-to-ceiling linen storage cupboard that — (a) is at least 600mm wide, and (b) has adjustable shelving.	Compliance is readily achievable. A linen cupboard of 600mm minimum width has been detailed in every dwelling. The height of the cupboard and the shelves shall be

		reviewed at the next design phase as per the submitted Access Compliance Report prepared by Formiga1 (Appendix H).
20. Lift access in multi-storey buildings Note: consideration only required for ground floor units in accordance with section 85(2)		
	An independent living unit on a storey above the ground storey must be accessible by a lift that complies with the <i>Building Code of Australia</i> , Volume 1, Part E3.	Although a concession for this clause is provided to LAHC developments in section 85(2), the proposed development provides two passenger lifts and complies with this requirement. .
21. Garbage		
	A garbage storage area and a recycling storage area provided for an independent living unit must be accessible by a continuous accessible path of travel from the dwelling entrance.	Compliance readily achievable. Separate garbage rooms integrated within the building have been provided adjacent to main entry foyer which is considered convenient for all users. This area is accessed via walkways with suitable gradients. Suitable provisioning has been made within the design, as per the submitted Access Compliance Report prepared by Formiga1 (Appendix H).

6.5.4 Seniors Housing Design Guide 2023

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

The Guide offers design principles and best practice for developments assessed under the Housing SEPP. Part 2 of the Guide includes chapters that assist to understand the site, context, and future resident needs, leading to better housing solutions for seniors. Section 15 within Part 3 of the Guide highlights six key design principles for Independent Living for medium density. These principles must be considered when designing such developments. Here are the six principles:

- Neighbourhood amenity and Streetscape
- Solar access and design for climate
- Stormwater
- Crime prevention
- Accessibility
- Waste management

Clause 108CB(1)(a) of the Housing SEPP requires the relevant authority to take into account the relevant provisions of the Guide 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 Guide is provided at **Appendix O**. The design has followed the Guidelines and responds well to the site and the overall design approach anticipated by the SHDG.

6.5.5 Good Design for Social Housing

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

Clause 108CB(3)(a) of the Housing SEPP requires the relevant authority to consider the relevant provisions of the *Good Design for Social Housing policy* (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 privacy is provided for residents. The floor plan design allows occupants to age in place as each unit is accessibility compliant, being prepared for the changing needs of tenants over time.

The development incorporates passive and active sustainable design, durable and low maintenance materials and appropriately sized units to reduce running costs. The proposal achieves a high NatHERS rating with an average of 7.4 stars which exceeds the minimum targets set by LAHC. A 92.4kW photovoltaic system has been incorporated to offset energy use in the development. PV solar panels are positioned on the north facing roof elevations to maximise solar gains.

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

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

Belonging

The form and materiality of the proposed development have been selected to respond to the style and emerging character of the local area and will make a high-quality contribution to the streetscape.

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

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

Value

The development exceeds sustainability targets, with an average NatHERS star rating of 7.4 stars. The scheme incorporates sustainable features including insulation, high quality glazing, heat pump, clothes lines, native plantings, ceiling fans, good solar access and good levels of natural cross ventilation. Photovoltaic panels and rainwater re-use will assist in minimising the use and cost of access to natural resources.

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

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

Collaboration

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

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

6.5.6 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.

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

The proposed development is assessed against provisions within LAHC Design Requirements 2023 and has adequately considered principles for environmental performance, Universal Design, external character, interior configuration and detailing, and services and maintenance. The detailed assessment against the requirements is provided at **Appendix O**.

6.5.7 Housing SEPP Design Principles

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

A site analysis was undertaken as part of the design process. The impact of the bulk, scale and built form is compatible with the future character of the area and the use responds to current demand in 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 proposed development is not a residential care facility.
(b) recognise the desirable elements of –

(i) the location's current character, or

(ii) for precincts undergoing a transition – the future character of the location so new buildings contribute to the quality and identity of the area, and

The existing character is predominantly single and two storey residential development of varying age and architectural style. Face brick with pitched roofs is a prominent feature of housing in the immediate area, particularly dwellings constructed during the mid to late twentieth century. Dispersed throughout the neighbourhood are more recent additions including multi dwelling housing, and contemporary rendered dwellings with pitched roofs.

The local development controls reflect a future character of residential development with a 9m height limit and density of 0.7:1.

The proposed development reflects the existing character of the local area through the use of a light tan face brick that is compatible with the neighbouring dwellings, and light surf mist fibre cement panels to all external elevations, flat roof forms and low front fencing integrated with a diverse landscape scheme.

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

The site is not located within a heritage conservation area nor are there any heritage items that adjoin the site.

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

(i) providing building setbacks to reduce bulk and overshadowing, and

(ii) using building form and siting that relates to the site's landform, and

(iii) adopting building heights at the street frontage that are compatible in scale with adjacent buildings, and

(iv) considering, where buildings are located on the boundary, the impact of the boundary walls on neighbours, and

The development has been designed to reflect the desirable characteristics of the area which include deep soil front setbacks. The building setbacks are consistent with the Georges River DCP 2021 requirements, providing amenity for future residents, existing neighbours and the streetscape. Generous side setbacks have been provided in association with screening vegetation, reducing bulk and overshadowing on western and southern properties. The development is three storeys and the third storey is setback to ensure compliance with 45-degree angle projected planes that mitigates any overlooking and overshadowing impacts.

The development is below the height limit permitted under the Housing SEPP and retains more than 2 hours solar access to the living areas and private open spaces of neighbouring dwellings in mid-winter.

The proposal does not locate buildings directly upon the boundaries. A suitable balance of cut and fill is proposed to address the access requirements for seniors housing under the Housing SEPP.

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

Setbacks will maintain the existing predominant building lines and patterns of setbacks within the street and are consistent with the Georges River DCP 2021. A 6.8m setback is proposed from the primary street frontage (Hardwicke Street) which is in line with the existing adjoining dwellings setbacks.

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

The proposed landscape design incorporates plantings at the front and rear of the development which will enhance the streetscape and provide a vegetative buffer at the rear of the site. The proposed development maintains the existing tree canopy along Hardwicke Street that preserves the streetscape character and enhance the aesthetic appeal.

The scheme incorporates a mix of ground covers, native shrubs including Bottlebrush and Gynea Lily, climbers and feature trees including the native *Elaeocarpus reticulatus* – Blueberry Ash and *Hymenosporum flavum* – Native frangipani.

The proposal requires the removal of 3 trees within the site to accommodate the proposed building. The development proposes 8 new trees, with some species capable of achieving a mature height of 10-15m. The high-quality landscape design will enhance the appearance of the site and represents a positive outcome for the streetscape in terms of visual and ecological value.

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

The development has been carefully designed to retain and protect the 5 high value street trees (T1-T5) located adjacent to the site frontage, as well as the high value Liquidambar Tree (T7) located within the front setback of the subject property, where the front building line has been intentionally set back in order to retain and protect these trees.

The 3 existing trees within the site are recommended for removal as they do not have sufficient significance for retention as stated in the Arboricultural Impact Assessment Report prepared by Allied Tree Consultancy (refer to **Appendix J**). As outlined above, substantial replacement planting is proposed to compensate for the loss of existing vegetation. This will include 6 Blueberry Ash trees (5-10m mature height), 4 Tuscarora Crepe Myrtle (5-10m mature height), 2 Chinese Elm (10-15m mature height) and 1 Native Frangipani (10-15m mature height).

(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, dwelling layouts, placement and sizing of window openings and location of landscaping, particularly at the side boundaries.

The building has generally been designed so that high use areas such as living rooms and private open space areas are oriented towards the street frontage to minimise privacy impacts to adjoining properties. Where windows and balconies are proposed, adequate setbacks have been maintained and privacy screening provided to restrict direct overlooking where appropriate. The third storey of the development has been setback to comply with the 45-degree angle projected planes that ensures no overlooking and overshadowing.

Screening will be provided by trees and vegetation along the boundaries and fencing 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 southern dwellings and adjacent development. The landscaped setback near the southwest corner of the site provides a large deep soil area which will accommodate shade trees and dense landscape plantings with small seating area to create a pleasant outlook when viewed from neighbouring properties.

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

Solar access and design for climate [section 101]

The design of seniors housing should –

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

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

The site has a frontage to Hardwicke Street and the development has been designed so that all 29 units have living areas and private open space that capture the northern orientation and achieve a high level of solar access.

Overall, the development exceeds the sustainability targets and achieves an average NatHERS rating of 7.4, with 10 units achieving less than 7 stars whereas the remaining 19 units exceed the 7 stars.

As demonstrated on the shadow diagrams (**Appendix A**), solar access is adequately maintained to living and private open space areas of neighbouring properties despite the site orientation, due to substantial separation distances to adjoining buildings, particularly the generous setback from the southern boundary.

Landscaping will also assist in microclimate management through the cooling effects of the trees, shrubs and groundcovers on the site.

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.*

Site stormwater will be captured and drained as shown on the submitted stormwater management plans in accordance with Council's requirements (**Appendix C**). A rainwater tank is proposed 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.*

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

Site planning enforces territorial reinforcement by establishing clear entry points and boundaries through fencing and landscaping. The entry points provide a secure progression from public to private spaces and will create a safe environment for residents. All 29 units face Hardwicke Street providing passive surveillance of public areas as well as separate pedestrian and vehicle entry points.

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, whilst allowing for passive surveillance through semi-transparent vertical battens. The design of the proposed development will also allow for general surveillance of the rear of the site and parking area, particularly units 1,5,6, & 9 which have their bedroom windows looking onto these areas. Peep-holes will also be provided to the front door of each dwelling to enable residents to view approaches to their dwelling without having to open the door.

Accessibility [section 104]

Seniors housing should –

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

The proposed development is well located with safe pedestrian links within and adjacent to the site that provide access to transport services / local facilities and will provide an attractive and safe environment for pedestrians and motorists with convenient access to car parking areas for residents.

The site is located approximately 700m walking distance to Riverwood Station. It is located approximately 400m walking distance to the southern end of Riverwood town centre, which provides a wide range of services and facilities including supermarkets, chemists, medical centres, dentists, physiotherapist, bank, newsagent, restaurants, hairdressers, Riverwood Sports and Recreation Club and a DCJ office.

The site is located within 400m walking distance of bus stops along Belmore Road, including bus stops Belmore Road at Amy Road (ID: 2210286) and Belmore Road opposite Amy Road (ID: 221059).

Both bus stops are serviced by bus route 942 which provides access between Lugarno and Campsie, via Riverwood, Roselands, Belmore and Lakemba centres. The bus services run at a frequency of at least one bus every hour from 6am to 9pm Monday to Friday and 8am to 6pm on Saturdays and Sundays.

There are numerous bus stops within the locality. The closest surveyed bus stops are on Belmore Road, approximately 325m and 393m from the site (Belmore Road at Amy Road (ID: 2210286) and Belmore Road opposite Amy Road (ID: 221059)),

The formed and level footpaths are available from the site to the bus stops with appropriate gradients, subject to the construction of upgrades or new pathways and crossings to Hardwicke Street (new path); Hedley Street (new street crossing and new path providing access to the Peakhurst Path); and Jacques Avenue (new path and new crossing of Jacques Avenue), as shown in Civil Plans at **Appendix C** and as identified in the Access Compliance Report prepared by Formiga1 (**Appendix H**).

Car parking is provided for residents within the site, including 6 accessible parking spaces and accessible pathways are provided between the car parking area and the internal lobby. There is ample street parking available on Hardwicke Street for visitors.

Waste management [section 105]

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

Two waste storage areas are provided, being one at each pedestrian entry foyer accessible to all units and will accommodate general waste, recycling and green waste bins. The storage areas have been appropriately screened to minimise visual impact but still retain good visibility to avoid the creation of entrapment spaces. The site will be serviced by Council's Wheel-Out-Wheel-Back service.

6.5.8 Apartment Design Guide

Chapter 18 of the Seniors housing Design Guide 2023 recommends consideration of Apartment Design Guide for 3 or more storey seniors housing developments.

An assessment of the proposed development against the Apartment Design Guide has been undertaken and deemed to achieve compliance except as discussed below in **Table 10**. Refer to Apartment Design Guide Checklist from the Architect in **Appendix N**. Further detail will be incorporated in the construction documentation.

Table 10 Compliance with relevant provisions under Apartment Design Guide

Provision	Compliance
4G Storage	
<p>4G-1 Adequate, well-designed storage is provided in each apartment.</p> <p>In addition to storage in kitchens, bathrooms and bedrooms, the following storage is provided:</p> <p>Min, storage areas</p> <p>-Studio = 4m³</p> <p>-1Br unit = 6 m³</p> <p>- 2 Br unit = 8m³</p> <p>-3 Br Unit – 10m³</p> <p>At least 50% of the required storage is to be located within the apartment.</p>	<p>The proposed development does not achieve the minimum storage areas required under this clause. The proposed development complies with storage requirements under Schedule 4 of the Housing SEPP for seniors housing developments and LAHC Design requirements. The development does not include a basement area to accommodate the shortfall in storage areas. These units are typically greater in size than minimum sizes under the ADG. The proposed storage areas are considered adequate for seniors housing developments as it complies with LAHC Design Requirements.</p>
4K Apartment mix	
<p>4K-1 a range of apartment types and sizes is provided to cater for different household types now and into the future</p>	<p>3-bedroom type is not provided. The proposed 1 and 2-bedroom units are provided based on the Homes NSW waiting list within the Georges River LGA. The proposed mix is considered appropriate for seniors housing.</p>

6.6 Other State Environmental Planning Policies

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

Table 11 Compliance with other applicable State and Environmental Planning Policies

SEPP (Sustainability Buildings) 2022
A BASIX Certificate has been obtained for the development proposal (refer to Appendix K).
SEPP (Transport and Infrastructure) 2021
The Transport and Infrastructure SEPP provides planning controls relating to development for the purposes of essential services infrastructure (hospitals, roads, water supply, telecommunications and electrical networks), educational establishments and childcare facilities and major infrastructure corridors.
<i>2.11 Impact of rail noise or vibration on non-rail development</i> – Not applicable, the site is not located in proximity to a railway corridor.
<i>2.119 Development with a frontage to a classified road</i> – Not applicable as the site does not have a frontage to any State or Regional Classified Roads
<i>2.120 Impact of road noise or vibration on non-road development</i> – Not applicable, as the development is not on land in or adjacent to a road that has an annual average daily traffic volume of more than 20,000.
<i>2.122 Traffic-generating development</i> – Not applicable, as the development is not of a type specified in Column 1 of Schedule 3, in that the development does not propose access to a classified road; is not within 90m of connection to a classified road; and does not propose 300 or more dwellings.
SEPP (Biodiversity and Conservation) 2021
This Biodiversity and Conservation SEPP provides planning controls related to conservation and management, to ensure protection of the natural environment.
Chapter 2 – Vegetation in non-rural areas, 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 3 trees within the site (refer to Arboricultural Impact Assessment Report at Appendix J).
Notwithstanding, Clause 6 of the Housing SEPP specifies that development permitted without consent may be carried out without another consent or a licence, permission, approval or authorisation otherwise required under another environmental planning instrument. This means the proposed removal of trees within the site can be included within the REF scope and does not require a permit from Council.
However, Council has raised concern regarding removal of Tree no. 9 which is a high retention tree. The proposed removal of tree no. 9 is unavoidable to accommodate the proposed car parking. Further, additional tree planting is proposed across the site to replace the proposed removal.
An assessment of all trees proposed for removal has been undertaken within sections 4.2 and 8.9 of this REF.
Chapters 3 & 4 – Koala habitat protection 2020 and 2021, are not applicable as the land is not within a prescribed zone, or equivalent land use – section 3.3 and section 4.4.
Chapter 5 – River Murray Lands is not applicable, the land is not shown on the map and is not located in the riverine land of the River Murray, pursuant to section 5.3.
Chapter 6 – Water catchments. The site is located within a regulated catchment, namely, the Georges River Catchment. Accordingly, the controls for development set out in Division 2 of Part 6.2 of the Biodiversity and Conservation SEPP apply to the activity.
Under Section 171A of the EP&A Regulation, LAHC, as determining authority for the activity, when considering the likely impact on the environment of an activity proposed to be carried out in a regulated catchment, must consider Biodiversity and Conservation SEPP, sections 6.6(1), 6.7(1) and 6.9(1). Further, as the consent authority LAHC must

be satisfied under State Environmental Planning Policy (Biodiversity and Conservation) 2021, sections 6.6(2), 6.7(2), 6.8(2) and 6.9(2).

6.6 Water quality and quantity

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

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

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

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

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

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

Comment: Stormwater will be collected within the site, connected to an underground detention tank draining to the proposed street drainage pit within Hardwicke Street. Roof water will be collected from downpipes and connected to a 5m³ underground rainwater tank for recycling with overflow connected to an on-site detention tank (OSD) with a storage volume of 160m³. The OSD tank will be fitted with a media filtration chamber which will manage water quality prior to discharging to public infrastructure.

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

Identified Requirements (Nos 6 and 29) are recommended to ensure that the stormwater management is designed in accordance with Georges River Council's technical guidelines and policies.

6.7 Aquatic ecology

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

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

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

- that the direct, indirect or cumulative adverse impact on terrestrial, aquatic or migratory animals or vegetation will be kept to the minimum necessary for the carrying out of the development,
- the development will not have a direct, indirect or cumulative adverse impact on aquatic reserves,
- if a controlled activity approval under the *Water Management Act 2000* or a permit under the *Fisheries Management Act 1994* is required in relation to the clearing of riparian vegetation – the approval or permit has been obtained,
- the erosion of land abutting a natural waterbody or the sedimentation of a natural waterbody will be minimised, and

- the adverse impact on wetlands that are not in the coastal wetlands and littoral rainforests area will be minimised.

Comment: The subject site is not located on riparian land and will not require a controlled activity permit. The site does not adjoin a natural waterbody. Suitable erosion and sedimentation controls will be required to minimise erosion and maintain water quality. In addition, the scale and nature of the activity, together with its location, is unlikely to have significant impacts upon aquatic ecology.

6.8 Flooding

This clause relates to flood liable land.

Comment: The site is not located on flood liable land.

6.9 Recreation and public access

This clause relates to development on recreational land and public access to natural water bodies and foreshores.

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

SEPP (Resilience and Hazards) 2021

The Resilience and Hazards SEPP provides provisions for development in the coastal zone, management of hazardous and offensive development and remediation of contaminated land.

Section 4.6 of this SEPP requires the consent authority to consider whether land is contaminated prior to granting development consent. According to Council's Section 10.7(2) & (5) Planning Certificates, the land is not affected by a policy restriction relating to contaminated land.

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

Previous evidence of contamination	Yes/ No	Response
a) Was the subject land at any time zoned for industrial, agricultural or defence purposes?	No	LAHC records indicate that the land has been used for residential purposes since the late 1950's. Identified Requirements attached to the Activity Determination required any evidence of contamination to be appropriately managed at that time.
(b) Do existing records held by the planning authority show that a potentially contaminating activity listed in Table 1 in Appendix 1 has previously been approved or carried out on the subject land? (The use of records held by other authorities or libraries is not required for an initial evaluation.)	No	LAHC records indicate that the land has not been used for a potentially contaminating activity listed in Table 1, Appendix 1 of the draft Guidelines.
(c) Is the subject land currently used for a potentially contaminating activity listed in Table 1 in Appendix 1?	No	Each lot currently contains a single storey detached dwelling and associated structures.

(d) Has the subject land ever been regulated through licensing or other mechanisms in relation to any potentially contaminating activity listed in Table 1 in Appendix 1?	No	LAHC records indicate that the land has not been regulated through licensing or other mechanisms.
(e) Are there any land use restrictions on the subject land relating to possible contamination, such as orders or notices issued under the CLM Act?	No	As noted in the section 10.7 certificates, there are no land use restrictions relating to contamination under the CLM Act.
(f) Has a site inspection indicated that the site may have been associated with any potentially contaminating activities listed in Table 1?	No	A site inspection has been undertaken which indicated that the site is unlikely to have been associated with potentially contaminating activities.
(g) Are there any contamination impacts on immediately adjacent land which could affect the subject land?	No	Adjoining development is residential, forming part of a larger residential subdivision carried out in the late 1950's.
(h) Are there any human or environmental receptors that could be affected by contamination?	No	A standard identified requirement (No. 17) has been recommended to cover the possibility of discovering site contamination during demolition / construction works.
(i) Is the site adjacent to a site on the EPA's list of notified sites under s60 of the CLM Act, or adjacent to a site regulated by the EPA under the CLM Act?	No	A review of the EPA's register of notified sites indicates that the land is not adjacent to a notified site under s60 of the CLM act or a site regulated by the EPA under the CLM Act.

Given the above, it is unlikely that the site is contaminated however a recommended Identified Requirement (No.17) requires implementation of management measures in the unlikely event of contamination prior or during construction works.

6.7 Georges River Local Environmental Plan 2021 (GRLEP 2021)

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

Table 12 Georges River Local Environmental Plan 2021

Relevant Provisions / Development Standards for Seniors Housing			
Clause	Provision / Development Standard	Required	Provided
4.3	Height of Buildings	(2) The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map (9 metres)	Does not comply. Maximum building height (measured in accordance with the LEP definition) is 9.4m. However, it complies with HSEPP height control of 9.5m.
4.4	Floor Space Ratio	(2) The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the Floor Space Ratio Map (0.7:1).	Complies. Proposed FSR is 0.69:1.
6.2	Earthworks	<p>(3) In deciding whether to grant development consent, the consent authority must consider the following matters –</p> <p>(a) the likely disruption of, or any detrimental effect on, drainage patterns and soil stability in the locality of the development,</p> <p>(b) the effect of the development on the likely future use or redevelopment of the land,</p> <p>(c) the quality of the fill or the soil to be excavated, or both,</p> <p>(d) the effect of the development on the existing and likely amenity of adjoining properties,</p> <p>(e) measures to minimise the need for cut and fill, particularly on sites with a slope of 15% or greater, by stepping the development to accommodate the fall in the land,</p> <p>(f) the source of any fill material and the destination of any excavated material,</p> <p>(g) the likelihood of disturbing relics,</p> <p>(h) the proximity to, and potential for adverse impacts on, any waterway, drinking water catchment or environmentally sensitive area,</p> <p>(i) appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.</p>	<p>Complies.</p> <p>The proposed activity includes areas of cut and fill, as demonstrated in the Civil Report (refer to Attachment C).</p> <p>Excavation on the site has been limited given that no basement is provided. Excavation is generally proposed to provide to create a level building platform, and for ancillary works including stormwater works.</p> <p>Identified Requirements No.7 and 14 require appropriate measures to ensure the proposed earthworks do not cause offsite stormwater impacts, and that all retaining walls and other methods necessary to prevent movement of excavated or filled round, are designed by an appropriately qualified person.</p> <p>Identified Requirements No. 43 and 44 require any fill used on site to be placed and compacted appropriately and be Virgin Excavated Natural Matter and free of any contaminants.</p> <p>No relic, or potential for aboriginal relics were identified in the Aboriginal Heritage Information Management System (AHIMS) search provided at Appendix I, and there were no heritage affectations on the 10.7 planning</p>

Relevant Provisions / Development Standards for Seniors Housing			
			<p>certificates (Appendix F). Despite this, Identified Requirement No. 47 is recommended to ensure appropriate procedures are followed in the event of unexpected finds.</p> <p>The proposed activity is considered to satisfy the requirements of clause 6.2 subject to the implementation of the above mitigation measures.</p>
6.4	Stormwater Management	<p>(2) In deciding whether to grant development consent for development, the consent authority must be satisfied that the development –</p> <p>(a) is designed to maximise the use of water permeable surfaces on the land having regard to the soil characteristics affecting on-site infiltration of water, and</p> <p>(b) includes, if required by the Georges River Stormwater Management Policy, on-site stormwater detention or retention to minimise stormwater runoff volumes and reduce the development's reliance on mains water, groundwater, or river water, and</p> <p>(c) avoids significant adverse impacts of stormwater runoff on adjoining properties, native bushland, receiving waters and the downstream stormwater system or, if the impact cannot be reasonably avoided, minimises and mitigates the impact, and</p> <p>(d) is designed to minimise the impact on public drainage systems.</p>	<p>Complies</p> <p>Stormwater will be collected via a series of stormwater pits and gutters on site, connecting to a 160m³ underground stormwater detention tank that will drain to existing public stormwater infrastructure in Hardwicke Street.</p> <p>Roof water will be collected from downpipes and connect to a 5m³ underground rainwater tank for recycling with overflow connected to the underground detention tank. The stormwater engineer has certified that the proposed stormwater management plan has been designed in accordance with the requirements of Georges River Council as evidenced in Appendix M.</p>
6.11	Environmental Sustainability	<p>(3) Development consent must not be granted to development on land to which this clause applies if the building is 1,500 square metres in gross floor area or greater unless adequate consideration has been given to the following in the design of the building –</p> <p>(a) water demand reduction, including water efficiency, water recycling and minimisation of potable water usage,</p> <p>(b) energy demand reduction, including energy generation, use of renewable energy and reduced reliance on mains power,</p> <p>(c) indoor environmental quality, including daylight provision, glare</p>	<p>Complies</p> <p>The proposed activity has been designed to achieve a high level of environmental sustainability through several measures:</p> <ul style="list-style-type: none"> a) Water efficiency and re-use measures have been designed in accordance with BASIX requirements and include a 5000L rainwater tank for water reuse. b) A 92.4kW (output) photovoltaic system is provided on the rooftop to supplement energy supply and use within the development.

Relevant Provisions / Development Standards for Seniors Housing			
		<p>control, cross ventilation, and thermal comfort,</p> <p>(d) the minimisation of surfaces that absorb and retain heat and the use of surfaces that reflect heat where possible,</p> <p>(e) a reduction in new materials consumption and use of sustainable materials, including recycled content in concrete, sustainable timber, and PVC minimisation,</p> <p>(f) transport initiatives to reduce car dependence such as providing cycle facilities, car share and small vehicle parking spaces.</p>	<p>c) The proposal achieves 100% solar access and cross ventilation to all dwellings, shading devices to glazed elements; and building insulation is proposed to achieve a high level of thermal comfort and amenity to indoor spaces.</p> <p>d) Approximately 37% of the site is landscaped area, with 22% comprising deep soil areas, which exceeds the minimum requirements under the Housing SEPP and will assist in minimising heat retention. Provision of deep soil areas will also allow for the planting of several canopy trees across the site which will create shade and reflect heat.</p> <p>e) As identified in the Waste Management Plan (Appendix T) demolished building materials are to be recycled where possible. New materials have been selected for their durability and longevity.</p> <p>f) The site has been chosen for redevelopment due to its proximity to public transport, goods and services and public open space areas, thereby reducing reliance on private car ownership.</p>

6.8 Georges River Development Control Plan 2021

Georges River Development Control Plan 2021 (GRDCP 2021) does not contain specific development controls for seniors housing. As such, the building setbacks for *multi-dwelling housing* have been used for comparative purposes to demonstrate the suitability of the site for the proposed scale of the development as shown in **Table 13** below.

The general controls for all development set out in GRDCP 2021 have generally been addressed in the various sections of this REF that address compliance with the provisions of the Housing SEPP.

Table 13 Georges River Development Control Plan 2021

Compliance with setback controls for multi-dwelling housing (Medium Density)		
Multi-dwelling housing		
Clause	Requirement	Proposed
6.2.4 Building Setbacks	<u>Building Setbacks (Front)</u> 1. Minimum setbacks from the primary street boundary are:	Complies. 6.8m setback is proposed from the Hardwicke Street and it is in

Compliance with setback controls for multi-dwelling housing (Medium Density)

	<ul style="list-style-type: none"> i. 4.5m to the main building facade; and ii. 5.5m to the front wall of a garage, carport roof or onsite parking space. <p><u>Building Setbacks (Side allotment boundary)</u> 3. Minimum side boundary setback is 4m to the main building facade (multi dwelling housing).</p> <p><u>Building Setbacks (rear allotment boundary)</u> 5. The minimum rear boundary setback is 6m to the main building facade from the rear of the allotment.</p>	<p>accordance with adjoining dwellings setback.</p> <p>Complies. 6.94m to eastern side boundary and min. 4m to western site boundary.</p> <p>Complies. 14m to southern boundary.</p>
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7 Notification, Consultation and Consideration of Responses

7.1 Council Notification

In accordance with section 43 and 108C of the Housing SEPP, Georges River Council was notified of the development by letter dated 22 October 2024 (refer to **Appendix G**). The notification response period formally closed on 15 November 2024 however as per Council’s request an extension was given until 29 November 2024 and another extension until 4 December 2024. Council responded to the notification by letter dated 2 December 2024, with matters raised outlined in **Table 14** below. Further Council mentioned in their letter dated 2 December 2024 that Council’s engineering comments were not able to be provided given the short timeframe.

Table 14 Issues raised in Council submission

Issues raised	Response
Arboriculture Comments	
<p>The Arboricultural Impact Assessment (AIA) report has not assessed the current set of plans or reviewed sub-surface utility plans. This could result in greater tree impacts than specified in the submitted AIA.</p> <p>The AIA assessed 12 existing trees within and surrounding the site that will be impacted by the proposed development.</p> <p>The AIA recommends the removal of 4 trees numbered 6, 9, 11 & 12. Trees 6, 11 & 12 are low significant trees. Tree 9 is a large mature native tree with a ‘High’ Landscape Significance and ‘High’ retention valued rating. In accordance with IACA ‘Significance of a Tree Assessment Rating System (S.T.A.R.S.), ‘High’ Retention Valued Trees are a priority for retention and should be retained and protected with design modifications/appropriated setbacks prescribed by Australian Standard AS4970 ‘Protection of trees on development sites.’</p> <p>Trees 1-5, 7, 8 and 10 are proposed to be retained. Trees 1-5 are Council owned street trees. These Street trees form part of an avenue planting and have been nominated with a ‘High’ Landscape Significance and ‘High’ Retention Valued Rating. The submitted AIA recommends that any tree root greater than 50mm diameter be retained and that an AQF L5 Arborist be present during any excavation works with the trees Tree Protection Zone (TPZ).</p> <p><u>Recommendations</u></p>	<p>The AIA report dated July 2024 has thoroughly assessed the impact of the latest design on the trees and has provided appropriate protection measures to ensure their retention. Identified Requirements no 36, 80, and 81 are included to ensure these measures are implemented during construction.</p> <p>Regarding the utility plans, the L3 design will be finalised during the construction documentation stage. At this stage, the L3 consultant will work closely with the Project Arborist to ensure that all utility installations are planned and executed with minimal impact on the trees. An Identified Requirement No. 83 is included to consider appropriate methods of installation.</p> <p>Tree 9 <i>Casuarina glauca</i> ‘Swamp Sheok’ is identified as a high significance tree and located at the rear of the site. The proposed development has been designed to respond to the existing site conditions, natural topography, and applicable development controls. This design approach has resulted in positioning the car park at the rear of the site, effectively hiding it from street view and maintaining the aesthetic appeal of the area.</p> <p>While the retention of significant trees is a priority, the removal of Tree 9 is necessary to avoid any potential damage to the proposed building. The removal is justified by the need to ensure the structural integrity and functionality of the development.</p> <p>However, the development also considers the retention of other high significance trees where possible. The design has been adjusted to minimise the impact on</p>

It is recommended that tree protection measures are installed prior to any works commencing in accordance with Australian Standard AS4970 'Protection of trees on development sites' and section 9 in the AIA prepared by Allied Tree Consultancy dated July 2024.

these trees, ensuring their preservation and contributing to the site's ecological value.

To mitigate the impact of the removal of Tree 9, the proposal includes the planting of new trees that will attain heights ranging from 6m to 15m at maturity (refer to **Appendix B**). This will contribute to tree canopy cover and improve the site's ecological value.

7.2 Notification of Occupiers of Adjoining Land and Other Persons

Under section 43(1)(a) and 108C(1)(a) of the Housing SEPP, Georges River Council 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 properties that should be notified of the development via an email dated 2 October 2024. Council provided an email response on 21 October 2024 confirming the scope of notification and provided with alternate contact details as per their database.

Figure 21 illustrates the properties in which the occupiers and landowners were notified of the development.

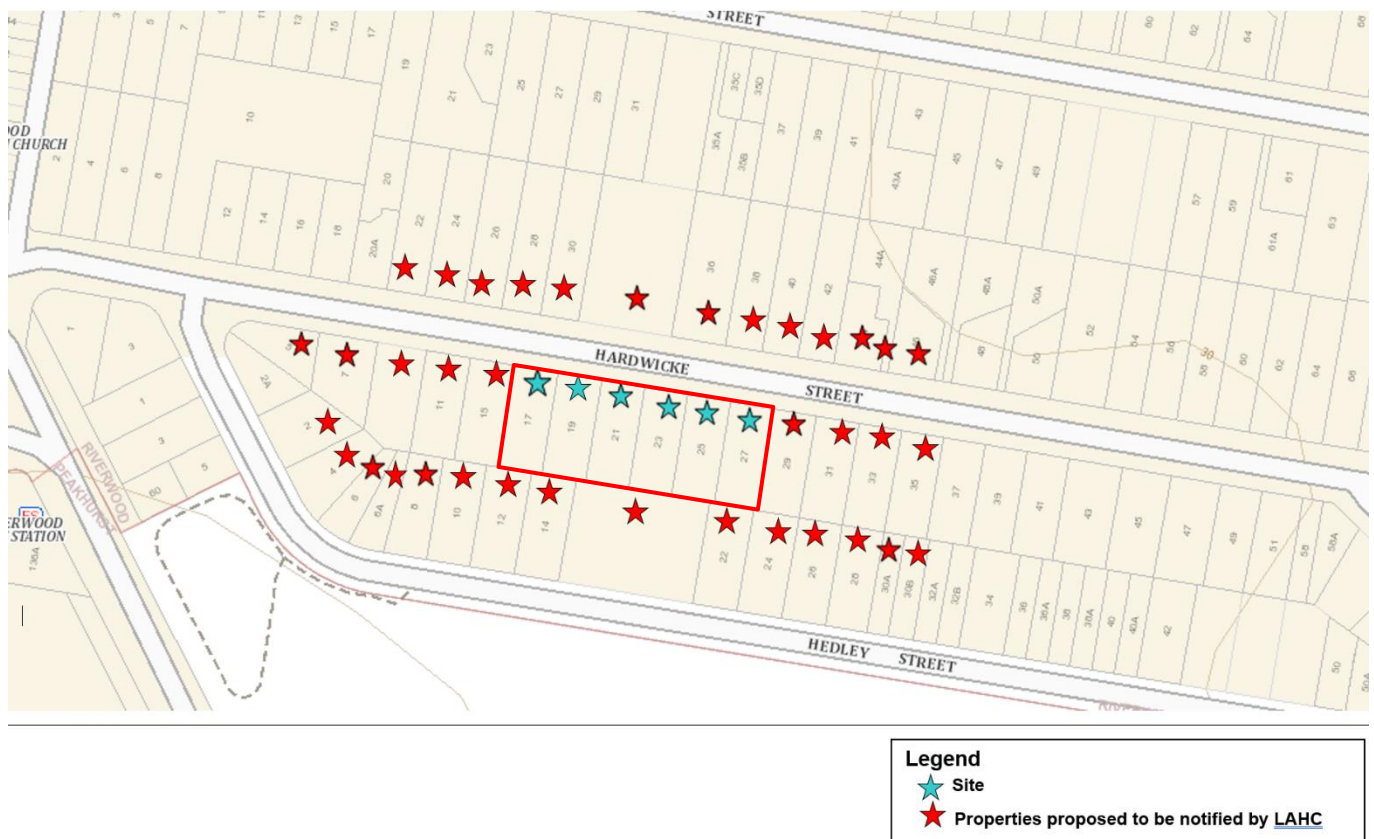


Figure 21 Map of Properties Notified of the Proposed Development (Source: LAHC)

Under section 43(1)(b) and 108C(1)(b) of Housing SEPP, occupiers of adjoining land, as identified in the above map, and other persons nominated by Council were notified of the proposed development activity by letter dated 22 October 2024. A Copy of the notification letter is provided at **Appendix G**

The notification response period formally closed on 15 November 2024. Thirty-one submissions were received and a petition containing 24 signatures was also received. The issues raised in the submissions are discussed in **Table 15**.

Table 15 Issues raised by adjoining owners / neighbours

Issues raised	LAHC Response
<p>Objection to Three storey development</p> <p><i>Total 25 submissions received raised concerns about scale of the development not being compatible with the existing surrounding properties.</i></p>	<p>The proposed three storey development complies with permissible height of 9.5m under HSEPP 2021 and permissible FSR of 0.7:1 under GRLEP 2021. This development will provide additional housing to seniors in an area with high demand, providing an affordable housing option and contributing to a diverse housing stock.</p> <p>Since notification of this development activity the new Low and Mid-rise Housing Policy provisions of the Housing SEPP have come into effect. These provisions permit developments up to 22m in height on this site as it is within a 400m walking distance of the Riverwood town centre. This policy aims to increase housing supply and diversity by permitting dual-occupancies, terraces, townhouses, and residential flats in well-located areas. The proposed seniors housing development aligns with the emerging character of the area, which is being transformed to support higher density living while maintaining accessibility to public transport and community facilities.</p>
<p>Property values</p> <p>Total 15 submissions received raised concerns regarding property values.</p>	<p>The proposed three-storey development, featuring a landscaped area and on-site car parking, effectively addresses the current demand and will positively contribute to the local character of the area. There is no evidence to suggest it will negatively impact on property prices.</p>
<p>Selection of Tenants</p> <p>Concern was raised regarding future tenants and possibility of housing people with criminal background</p>	<p>The development will strictly provide accommodation for seniors, which is defined under the State Environmental Planning Policy (Housing) 2021 (Housing SEPP) as:</p> <ul style="list-style-type: none"> • people who are at least 60 years of age, • people who are resident at a facility at which residential care, within the meaning of the Aged Care Act 1997 of the Commonwealth, is provided, • people who have been assessed as being eligible to occupy housing for aged persons provided by a social housing provider. <p>Standard Identified Requirement (No 77) is recommended that limits the use accommodation to the kinds of people referred to above, in accordance with the Housing SEPP provisions.</p>
<p>Traffic and parking</p> <p>Total 28 submissions received raised concerns about traffic congestion and strain on off-street parking</p>	<p>A Traffic Impact Assessment Report (Appendix S) was prepared by Greenview Consulting. The report indicates the proposed development would generate around 5</p>

	<p>additional vehicle trips in the AM peak hour period (1 in, 4 out) over the existing conditions, and zero additional vehicle trips in the PM peak hour period. The report concludes that this scale of traffic generation is minor and as such, no noticeable impacts to the surrounding traffic environment are expected as a result of the proposed development.</p> <p>The Traffic Impact Assessment Report also indicates that the level of on-site parking satisfies the requirements of the State Environmental Planning Policy (Housing) 2021 (Housing SEPP). The Housing SEPP specifies car parking rates that are to be provided for LAHC developments. In this case the required amount is 6 car spaces for the entire development. The proposed design has included 14 car parking spaces. LAHC has designed the development to comply with the Housing SEPP and this number of parking spaces are expected to cater for the proposed number of social housing tenants that occupy the buildings.</p>
<p>Privacy</p> <p>Total 5 submissions received raised concerns about potential overlooking from upper-level units and compromising privacy of existing residents.</p>	<p>The proposed development provides approximately 10m setback from the side boundaries to the third level, significantly reducing any overlooking impacts. Additionally, the development carefully considers window placement and incorporates high sill windows to prevent potential overlooking, thereby maintaining the privacy of adjoining occupiers.</p>
<p>Amenities and services</p> <p>Total 5 submissions received raised concerns about overcrowding of existing public amenities and potentially reducing quality of the services</p>	<p>The development complies with the land use and density permitted in the R3 Medium Density Residential zoning under the Georges River LEP.</p> <p>The proposal is consistent with the Council's Local Strategic Planning Statement 2020, which identifies the need for new housing. This alignment demonstrates that the development supports community planning objectives.</p> <p>The Peakhurst Park Spatial Framework outlines opportunities for enhancing amenities and facilities.</p> <p>The proposed development will have a positive impact on the local community and will provide improved diverse housing, potential economic benefits, and enhanced public amenities.</p>

<p>Noise</p> <p>Total 4 submissions received raised concerns about traffic noise and impact on peaceful environment due to public housing.</p>	<p>Noise generated when the seniors housing development is completed and occupied will be entirely in keeping with their residential surroundings.</p> <p>The development includes large side setbacks compared to existing setbacks in the area, reducing noise transmission. Air conditioning units are strategically placed in private open spaces away from streets and adjoining property boundaries to minimise any potential noise impacts. The development provides dense landscaping and retains street trees that will act as natural sound barriers, further reducing noise and maintaining serene environment.</p> <p>Further a Traffic Impact Assessment Report (Appendix S) was prepared by Greenview Consulting indicates that the proposed development would generate around 5 additional vehicle trips in the AM peak hour period (1 in, 4 out) over the existing conditions, which is considered minor. Additionally, the report highlights that the peak hour period for seniors does not coincide with the network AM peak. As a result, the traffic noise impacts during the network AM peak are expected to be minor.</p>
<p>Safety</p> <p>Total 2 submissions received raised concerns about potential safety hazards due to increase in traffic creating dangerous condition for pedestrians.</p>	<p>A Traffic Impact Assessment Report (Appendix S) was prepared by Greenview Consulting. The report indicates the proposed development would not have a significant impact on the locale in terms of traffic efficiency, amenity, safety, and/or road pavement life.</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** 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 with associated structures, such as garages, carports and sheds. The older residences are predominantly constructed of brick with tiled roofs. The character of the area is evolving with a number of newer 2-storey dwellings, semi-detached dwellings and multi-unit developments interspersed throughout the locality. Currently there is a moderate level of transition from low density housing to medium density development within the zone. This is noted by the existing multi-dwelling housing development at 16-20 Hedley Street for 14 units and the approved 2 storey dual occupancy residential housing development at 9 Hardwicke Street, Riverwood.

The bulk and scale of the proposed development will be generally compatible with the character of the neighbourhood and will deliver a built form outcome consistent with the planning controls for the locality and character statement. The 3-storey design, siting, layout and landscape setting of the proposed development generally aligns with that of emerging development in the locality.

Mitigation Measures

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

8.2 Bulk and Density

The proposed development is generally consistent with the bulk and scale envisaged on the site under the relevant local planning controls. The 3-storey development incorporates appropriate setbacks with substantial separation distance from adjacent buildings, distinguished by a variety of articulation features, external finishes and materials to reduce the visual bulk of the development. The transition to two-storey elements towards the east and west mitigates potential overlooking and overshadowing impacts, enhancing the overall design quality. All units will address the street with suitable façade articulation and privacy screens not only enhance the streetscape but also contribute to a vibrant and engaging public domain.

While the proposal exceeds the Housing SEPP floor space ratio control of 0.5:1, it complies with the floor space ratio control of 0.7:1 under the GRLEP 2021. This compliance with the local floor space ratio control in conjunction with generous setbacks and landscaped deep soil zones, confirms the bulk and scale is acceptable in its context.

Justification for the variation to the Housing SEPP floor space ratio control is provided beneath table 7 of this REF, which found that despite the non-compliance, the development is considered consistent with the objectives of the Housing SEPP in that it:

- contributes to the increase in supply of suitable accommodation for seniors;
- meets the current and future accommodation needs of Sydney's ageing population;
- delivers a well-designed development which reflects and enhances the locality while providing a reasonable level of amenity for residents;
- provides seniors accommodation close to existing infrastructure;
- is well located to public transport connections.

The proposed exceedance of the floor space ratio therefore has significant environmental benefits as the development increases the supply of seniors housing while positively contributing to the streetscape and surrounding area; and is not considered to result in any unacceptable overshadowing or privacy impacts to adjoining dwellings. The proposal will suitably increase housing density which is consistent with State and regional strategies (including the new Low and Mid Rise Housing Policy) and the development controls applying the site. As such, no mitigation measures are required.

Mitigation Measures

No mitigation measures required.

8.3 Streetscape

The architectural style of the proposed development activity is generally compatible with the form of medium density development emerging in the surrounding locality. The development provides a generous front setback to align with the existing streetscape. The proposed design, which integrates substantial landscaping into the site's frontages, enhances the aesthetic of the building and improves the experience for pedestrians and occupants through a finer grained streetscape appearance. In addition, the hard stand car parking area will be obscured from street view, resulting in a built form that has been designed with consideration of the dwellings surrounding the site.

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

The built form has been designed to address the street frontages through incorporation of street facing windows and doors, as well as courtyards and angled balconies on level 1 and 2 within the front setback, improving casual surveillance of the street.

Mitigation Measures

No mitigation measures required.

8.4 Visual Impact

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

The proposed development will make a positive contribution to the residential streetscape through construction of new contemporary dwellings that generally responds to the site context and the existing and emerging neighbourhood character. Articulation and a diverse mix of materials will assist with the overall aesthetic of the site.

The building's front setback has been designed to ensure the avenue of trees within the verge on Hardwicke Street is retained and protected, together with retaining and protecting Tree T7 within the front setback. Substantial new landscaping is proposed within the front setbacks, incorporating the planting of 6 Blueberry Ash trees (5-10m mature height), 4 Tuscarora Crepe Myrtle (5-10m mature height), 2 Chinese Elm (10-15m mature height) and 1 Native Frangipani (10-15m mature height) along Hardwicke Street. These canopy trees provide shade to pedestrians, improve the aesthetic quality of the streetscape and soften the visual impact of the dwellings when viewed from the public domain. The rear and side setbacks will also be landscaped adding to the long-term visual amenity of the surrounding properties and further improving the appearance of the site from the street.

Mitigation Measures

No mitigation measures are required.

8.5 Privacy

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

- All units Private Open Space/balconies are orientated toward the street frontages, with landscaping, including trees and shrubs, proposed within the front setback to improve streetscape amenity and privacy for future residents. Overlooking is mitigated to the adjacent developments through generous side and rear setbacks, with first and second floor windows provided with highset windows where they have the potential to result in adverse privacy impacts. Perforated aluminum privacy screens with a unique design are proposed to balconies, addressing any privacy impacts to 15 Hardwicke Street.
- Extensive landscaping has been provided within rear and side setbacks to act as a visual buffer between the windows, balconies and terraces on the subject site and properties to the south, east and west, which ensures the privacy for adjacent developments is maintained and overlooking potential is minimised.
- High-quality landscape design, which incorporates trees, shrubs, climbers and fencing, is proposed within the site, around the development perimeter and integrated with the architectural design to ensure adequate privacy between the units and proposed communal spaces, such as pathways, building entrances, and the car parking.
- The proposed 1.8m high metal fencing will assist to mitigate overlooking from ground level units into properties to the west and east. Patios within the development are separated by palisade fencing 1.8m high. The upper-level windows have been provided with privacy screens to discourage overlooking into the courtyard POS on ground floor level.

Mitigation Measures

No mitigation measures are required.

8.6 Solar Access

The design and siting of the proposed development will provide adequate daylight access to the proposed dwellings' living areas, private open space, and the private open space areas of neighbouring properties. The submitted Architectural Plans (refer to **Appendix A**) indicate that 100% of dwellings (29 of 29) receive at least 2 hours direct solar access to the living and private open space areas on 21st June, which exceeds the requirement for 70% of dwellings to achieve 2 hours of direct solar access to the living and private open space areas on 21st June.

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

Mitigation Measures

No mitigation measures are required.

8.7 Overshadowing

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

At 9am, shadows generated by the proposed development are generally contained on the south side of the site, with only minor impacts on properties to the west. At 12pm, shadows are mainly contained within the subject site, with only minor overshadowing of adjoining properties to the south. From 12pm onwards, shadows remain within the development site, ensuring that the neighboring properties retain at least 3 hours of solar access.

The adjoining properties will therefore maintain a reasonable level of sunlight resulting from the proposed development. It is noted that the impacts generally result from a compliant building form in any case.

Mitigation Measures

No mitigation measures are required.

8.8 Traffic and Parking

A total of 14 surface car parking spaces, including 6 accessible spaces, will be available on site to serve the proposed development. The provision of on-site car parking exceeds the parking requirements set out in the Housing SEPP for developments carried out by LAHC by 8 additional car spaces. The additional spaces are proposed to address community expectations where parking concerns are raised. Unrestricted street parking is available on Hardwicke Street to accommodate any overflow parking demand generated by the proposed development. The proposal also includes the removal of 5 redundant vehicle crossovers on Hardwicke Street which provide additional on-street parking.

The Traffic Impact Assessment Report (**Appendix S**) indicates that the proposed development would generate around 5 additional vehicle trips in the AM peak hour period (1 in, 4 out) over the existing conditions, and zero additional vehicle trips in the PM peak hour period. The report concludes that this scale of traffic generation is minor and as such, no noticeable impacts to the surrounding traffic environment are expected as a result of the proposed development.

The Traffic and Parking Assessment Report also examined the adequacy of the proposed internal driveway and parking arrangement and confirmed that the proposed car parking and vehicular access design has satisfies the relevant requirements of AS2890.1:2004. The Report confirms that adequately sized passing bays are provided, adequate sightlines at the driveway entry/exit for the purpose of pedestrian and vehicle safety are provided, and overall that the development will not have a significant impact on the locale in terms of the traffic efficiency, amenity and safety.

The 6 accessible parking spaces have been designed to comply with the requirements of AS2890.6, as verified in the Access Report under **Appendix H**.

Mitigation Measures

No mitigation measures are required.

8.9 Flora and Fauna

An Arboricultural Impact Assessment has been prepared for the site by Allied Tree Consultancy (**Appendix J**). The report considers 11 trees, with 6 trees located within the site and 5 trees within the street verge.

The report recommends the removal of 3 trees within the site (T6, T9 and T12) primarily to accommodate the proposed development or the individual species are not considered to be significant or worthy of retention. Tree 9 is of high significance as per Arboricultural Impact Assessment; however the removal of this tree is necessary to avoid any damage to the proposed building.

More appropriate tree plantings, including trees capable of reaching mature heights between 5m and 15m, will be provided as part of the proposed landscaping plan to compensate for the loss of these trees (refer to submitted Landscape Plan in **Appendix B**).

The Arborist considers the impact of the development on the trees as follows:

- T10 – No impact on this tree.
- T1-5 (street trees) – These trees are subject to a minor encroachment however the proportion of encroachment provide by the design will not adversely impact on the trees. However, the new crossover resides within the same footprint as the existing, however the new crossover may require additional excavation to meet the foundation requirements. Project Arborist will need to be on-site during these works to mitigate possible damage to the root system.
- T7 – This tree is subject to a major encroachment in particular due to the excavation of the retaining walls however this tree is considered capable for retention in the long the long term.
- T8 – This tree is subject to a major encroachment however is considered capable for retention in the long term.

In addition, a public footpath is proposed and is recommended to be located adjacent to the property boundary to minimise the impact on street trees and recommended to be constructed of porous materials in part. The Arborist recommends roots greater than 50mm should be retained and they will require the footpath to be ramped over the top of significant roots. The design and construction of the footpath should be undertaken in consultation with Council and the project arborist.

The Arboricultural Impact Assessment report assessed the proposed development in relation to these trees, including public domain works and confirmed that subject to appropriate tree protection measures they were capable of retention.

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

Mitigation Measures

Identified Requirements No.1, 18, 19 and 37 are included in the Activity Determination and require the implementation of the Landscape Plan; and the protection measures are recommended in the Arboricultural Impact Assessment.

Identified Requirements No.20 have also been added to ensure that trees T6, T9 and T12 are removed in accordance with council requirements and replacement street tree planting is provided as requested by Council and shown on the Landscape Plan (**Appendix B**).

Identified Requirements No.82 and 83 are recommended to mitigate impacts of the development on the surface roots which can cause conflict with the footpath and subsurface utilities.

8.10 Heritage (European / Indigenous)

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

Aboriginal Heritage

An Aboriginal Heritage Information Management System (AHIMS) search, dated 1 October 2024 (**Appendix I**) did not find any record of Aboriginal Sites or Places on the site or in the surrounding locality. Discovery of cultural material during development activities cannot be ruled out, however, an identified requirement has been applied should any Aboriginal relics be discovered on the site during excavation/ construction.

Other Cultural Heritage

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

Mitigation Measures

A standard Identified Requirement (Nos. 47 & 48) has been applied should any cultural heritage relics be discovered on the site during excavation / construction.

8.11 Soils / Contamination / Acid Sulfate Soils / Salinity

Geotechnical

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

- The subsurface conditions generally consist of fill and silty clays overlying weathered shale. In BH2, fill is present from surface to a depth of 0.1m. Firm to stiff becoming very stiff with increasing depths, natural silty clays underlie the site to the depths of 1.7m to 2.1m. Weathered shale underlies the natural silty clays to the depths of auger refusal, 1.8m to 2.3m.
- Groundwater was not observed during drilling works.

Mitigation Measures

No mitigation measures required.

Soil and Erosion

An Erosion and Sediment Control plan, detailing sediment control measures for the project, has been prepared by the civil engineer (refer to **Appendix C**).

Mitigation Measures

An Identified Requirement (No. 13) recommends that sediment control measures be implemented during demolition/construction in accordance with Council requirements and/or the guidelines contained in the 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.

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

The initial evaluation indicates that the site is unlikely to be contaminated, however, an identified requirement is recommended to cover the possibility of finding contamination during works.

Mitigation Measures

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

Acid Sulfate Soils

According to Council's Section 10.7(2) & (5) Planning Certificates, the land is not identified as being affected by acid sulfate on the Acid Sulfate Soil Map under the GRLEP 2021. Therefore, further investigation is not required.

Mitigation Measures

No mitigation measures are required.

Salinity

Council's Section 10.7(2) & (5) Planning Certificates indicate that the site is not affected by salinity. The Geotechnical Report prepared by STS Geotechnics refers to DLWC (2002) "Site Investigation for Urban Salinity", which indicates that the electrical conductivity values found in the site during the soil test 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

Stormwater drainage for the proposed development has been designed in accordance with Council's requirements as confirmed in the Civil Engineering report (refer **Appendix C**) as per their discussion with Councils engineers.

Generally, stormwater will be collected via a series of stormwater pits and gutters on the site connected to an 160m³ underground detention tank draining to the proposed street drainage pit within Hardwicke Street. Roof water from the subject development will be collected from downpipes and connected to an underground 5m³

rainwater tank for recycling with overflow connected to the underground detention tank. The OSD tank will be fitted with a media filtration chamber which will manage water quality prior to discharging to public infrastructure.

It is noted that an existing stormwater drainage easement is located along the southern boundary within the site and extends further towards the south (towards Hedley Street). The Civil Engineering report at **Appendix C** mentions that there are no pipes located within this easement, and further, Hedley Street itself does not contain an inground stormwater system. The proposed stormwater strategy does not rely on this existing drainage easement.

It is proposed to drain the entire site towards the north, with the exception of a small portion which is in the order of 65m² and is located at the south-western corner. This small area bypasses the OSD given it is located at a higher level. Since this area is significantly smaller than the area draining to the southern neighbour properties under the existing condition, it is expected that the stormwater runoff from this area will infiltrate into the ground without adversely affecting the neighbouring properties and is a significant improvement to the current scenario. The proposed stormwater strategy is in the Civil Plans at **Appendix C**.

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

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

Mitigation Measures

Identified Requirements (Nos. 6-9, 14, 43 & 73) 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 Georges River Council for the 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 of 7am to 5pm Monday to Saturday, consistent with the requirements for complying development across NSW.

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.

The architectural plans (**Appendix A**) detail the provision of air conditioning units for each individual dwelling. Specific details of the air conditioning system are to be provided in the detailed construction documentation. Any air conditioning units must be designed and operated in accordance with the acoustic requirements set

out in *EPA Guidelines and the Protection of the Environment Operations (Noise Control) Regulation 2017*. Acoustic Certification is required at construction documentation stage and prior to occupation to ensure the air conditioning units are appropriately designed and installed. Their operation is also subject to an ongoing use Identified Requirement.

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

Mitigation Measures

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

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

Appropriate standard Identified Requirements (Nos. 2, 59 & 61) have been applied to ensure compliance with the above mitigation measures.

8.15 Air Quality

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

Mitigation Measures

Appropriate standard Identified Requirements (Nos. 62, 65 & 66) 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:

- concrete and bricks will be transported to an approved building waste collection facility;
- any asbestos sheeting will be handled according to SafeWork NSW requirements and disposed of to an approved building waste collection facility;
- metal will be transported to metal recyclers for sale and reuse; and
- timber, plasterboard and other salvageable materials will be resold to various salvage yards where appropriate or disposed of at an approved building waste collection facility.

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

During Construction

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

- bricks, tile and concrete to be transported to building recycling facility;
- concrete shall be crushed and reused for filling, levelling or temporary road base;
- tiles shall be crushed and reused for filling, levelling or temporary road base;
- timber shall be sent to second hand suppliers;
- plasterboard shall be sent to building recycling facility; and
- metal offcuts from gutter and downpipes, etc. shall be recycled wherever possible.

During Occupation

General and non-recyclable waste will be disposed of in Council's standard waste and recycling storage bins located in the garbage storage enclosures. Two enclosures are proposed, with one located at each building entry, designed to be accessible to all residents. Bins will be collected by Council under the Wheel-out & Wheel-back service.

Paper / metal / glass will be disposed of in Council's standard waste recycling bins to be located in the garbage storage enclosures and collected by Council under Wheel-out & Wheel-back service.

Mitigation Measures

Standard Identified Requirements (Nos. 50-57) are recommended to ensure construction/demolition waste is appropriately managed and disposed of.

A Identified Requirement (No. 38) is recommended to require the preparation of a final waste management plan for the demolition, construction and occupation phases of the development.

8.17 Resource Use & Availability

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

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

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

Mitigation Measures

Identified Requirement (No 3) includes the requirement to implement all BASIX commitments.

8.18 Community / Social Effects

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

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

Mitigation Measures

No mitigation measures are required.

8.19 Economic Impact

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

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

Mitigation Measures

No mitigation measures are required.

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 Sections 171 and 171A of the EP&A Regulation. Following an analysis of the potential impacts associated with the proposed activity it was determined that an environmental impact statement is not required.

As demonstrated in this REF, the proposed activity is consistent with the relevant objectives and standards set out in the Housing SEPP, GRLEP 2021, and the design principles and better practices set out in the relevant guidelines.

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

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

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**.

Appendices

APPENDIX A – ARCHITECTURAL PLANS

APPENDIX B – LANDSCAPE PLAN

APPENDIX C – CIVIL & STRUCTURAL PLANS

APPENDIX D – SURVEY PLAN

APPENDIX E – NOTIFICATION PLANS

APPENDIX F – SECTION 10.7 CERTIFICATES

APPENDIX G – NOTIFICATION & CONSULTATION

APPENDIX H – ACCESS REPORT

APPENDIX I – AHIMS SEARCH

APPENDIX J – ARBORIST REPORT

APPENDIX K – BASIX REPORT

APPENDIX L – BCA REPORT

APPENDIX M – DESIGN COMPLIANCE CERTIFICATES

APPENDIX N – ADG CHECKLIST

APPENDIX O – HOUSING FOR SENIORS CHECKLIST

APPENDIX P – GEOTECHNICAL INVESTIGATION

APPENDIX Q – TITLE SEARCH AND DP

APPENDIX R – SERVICES SPATIALS AND STRUCTURAL PLANS

APPENDIX S – TRAFFIC IMPACT ASSESSMENT REPORT

APPENDIX T – WASTE MANAGEMENT PLAN