

# REVIEW OF ENVIRONMENTAL FACTORS

Proposed Seniors Housing Development

at

29-35 Lochinvar Road, Revesby, including proposed drainage works  
within an existing easement across 37 & 39 Lochinvar Road and 38  
Ferndale Road, Revesby NSW 2212

April 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 SIGN-OFF

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I certify that I have reviewed and endorsed the contents of this REF document and, to the best of my knowledge, it is in accordance with the EP&A Act, the EP&A Regulation and the Guidelines approved under clause 170 of the EP&A Regulation, and the information it contains is neither false nor misleading. Name: Lara Huckstepp Designation: A/Manager, Assessment, Homes NSW Signature:  Date: 17/04/2025	

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# 1 Executive Summary

The subject site is located at 29-35 Lochinvar Road, Revesby, and is legally described as Lots 52-55 in Deposited Plan 36467. Stormwater infrastructure is proposed along an existing 2m wide drainage easement across part of the adjoining properties at 37 & 39 Lochinvar Road and 38 Ferndale Road, Revesby, described as Lots 56, 57 and 74 in Deposited Plan 36467. The proposed seniors housing development is described as follows:

*Demolition of existing structures, removal of 15 existing trees, and construction of a 2-storey seniors housing development containing a total of 19 units comprising 11 x 1 bedroom and 8 x 2 bedroom dwellings, 9 at grade car parking spaces, landscaping and associated site works, and consolidation into a single lot; and proposed drainage works along an existing drainage easement across Lots 56, 57 and 74 in Deposited Plan 36467.*

The proposed activity is permissible in the R2 Low Density Residential zone under clause 25 of Schedule 1 Additional permitted uses of *Canterbury Bankstown Local Environmental Plan 2023* (CBLEP 2023). It 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 9.5m in building height.

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

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

The REF demonstrates the following:

- From an analysis of the potential environmental impacts associated with the proposed activity, it has been concluded that the preparation of an Environmental Impact Statement is not required.
- Based on a review of the potential environmental impacts resulting from the proposed activity it has been determined that, subject to implementation of mitigation measures to be incorporated as identified requirements, the activity will not have any significant adverse impact on the environment.
- The proposed activity will not have any effect on matters of national significance and its approval under the *Commonwealth Environment Protection and Biodiversity Conservation Act 1999* is not required.
- The design of the proposed activity has adequately taken into account design principles and better practices set out in the *Seniors Housing Design Guide* and taken into consideration *Good Design for Social Housing* and *NSW Land and Housing Corporation Design Requirements*;
- The site planning and design of the proposed activity adequately address the applicable local environmental planning and development controls of Canterbury Bankstown 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.
- Canterbury Bankstown Council and occupiers of adjoining land were notified of the proposed activity under the provisions of the Housing SEPP. A response was received from Council dated 6 December

2024. Comments on the response are provided in Section **7.1** of this REF. Two submissions were received from occupiers of adjoining land. Comments on the submissions are provided in Section **7.2** of this REF.

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

## 2 Introduction

This Review of Environmental Factors (REF) under Part 5 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) is for an activity involving the demolition of existing structures, removal of 15 existing trees, and construction of a 2-storey seniors housing development containing a total of 19 units comprising 11 x 1 bedroom and 8 x 2 bedroom dwellings, 9 at grade car parking spaces, landscaping and associated site works, and consolidation into a single lot at 29-35 Lochinvar Road, Revesby. The subject site is benefitted by a 2m wide easement to drain water across part of the adjoining properties at 37 & 39 Lochinvar Road and 38 Ferndale Road, Revesby, described as Lots 56, 57 and 74 in Deposited Plan 36467.

The activity<sup>1</sup> will be carried out by, or on behalf of, NSW Land and Housing Corporation (LAHC) and is 'development without consent' under the *State Environmental Planning Policy (Housing) 2021* (Housing SEPP). The proposed development is a seniors housing development for the purpose of providing affordable housing within the suburb of Revesby.

This REF has been prepared by LAHC to satisfy the provisions of Part 5 of the EP&A Act and Part 8 of the *Environmental Planning & Assessment Regulation 2021* (EP&A Regulation).

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

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### 2.1 Purpose of this Review of Environmental Factors (REF)

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

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

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### 2.2 Assessment Methodology

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

- Section 10.7 Planning Certificates were obtained for each lot comprising the site. The zoning was confirmed against the current applicable environmental planning instrument, which is the *Canterbury-Bankstown Local Environmental Plan 2023 (CBLEP 2023)*.

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

- It was determined that seniors housing is 'permitted with consent' in the R2 – Low Density Residential zoning pursuant to clause 25 of Schedule 1 Additional permitted uses of the CBLEP 2023 and can be carried out 'without consent' under the provisions of the Housing SEPP.
- A desktop analysis and investigation of the site and surrounds was undertaken to determine the suitability of the site for the proposed development activity, particularly taking into account the existing site conditions, constraints and local context.
- Relevant local planning controls and State and Commonwealth Government legislation were considered in the environmental assessment of the proposed development activity.
- An environmental impact analysis was undertaken to determine if an Environmental Impact Statement was required.
- Potential environmental impacts identified in the analysis and measures to mitigate these impacts were subsequently discussed in the Review of Environmental Factors.
- 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 Canterbury Bankstown local government area (LGA) and comprises 4 residential allotments. A location plan is provided at **Figure 1** and **Figure 2**.



Figure 1 Location Plan (Source: SIX Maps accessed 16 January 2025)



Figure 2 Location Plan (Source: Nearmap accessed 16 January 2025)

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## 3.2 Site description

The site is currently occupied by four single storey fibre cement dwellings with tiled roofs (refer to photographs at **Figure 3** to **Figure 6**). A copy of the Section 10.7(2) & (5) Planning Certificates (No 20248383) dated October 2024 is provided in **Appendix F**.

The site is an irregular shape with an overall area of approximately 3,365.5m<sup>2</sup>. It has a primary frontage (north and northeast boundary) of approximately 79.45m, to Lochinvar Road. The east side boundary is 56.085m, and the west side boundary is 36.12m. The rear southern boundary is 53.545m. The site experiences a modest slope toward the southeast corner of approximately 1.6m from the northeast corner to the southeast corner, and 1.33m from the northwest corner to the southeast corner (refer to the submitted Survey Plan in **Appendix D**).

The site is not affected by bushfire risk, landslip, or coastal hazards. Additionally, the site is not a biodiversity stewardship site nor subject to a Property Vegetation Plan. The site is not within the Coastal Management Area or Coastal Use Area as mapped in *State Environmental Planning Policy (Resilience and Hazards) 2021*. The site is located within the Georges River Catchment as identified in the *State Environmental Planning Policy (Biodiversity and Conservation) 2021*.

The site experiences minor inundation at the southeastern corner of the site in the Probable Maximum Flood (PMF) storm event, however the level of flood risk does not impact upon the proposal and the development maintains compliance with the applicable flood development controls (refer to the Flood Report at **Appendix O**).

There are 28 trees considered in relation to the proposed development. Of these trees, 20 are located within the site (Trees, 1-3, 5-15, & 19-24), 2 trees are located within the road reserve in front of neighbouring properties (trees 27 & 28), and 6 trees are located on adjoining properties (trees 4, 16, 17, 18, 25, & 26), as identified in the Arboricultural Impact Assessment and Tree Management Plan in **Appendix J**.

An Addendum to the Arboricultural Impact Assessment (**Appendix J**) considers the impact of the proposed stormwater infrastructure on trees along and adjoining the existing drainage easement on 37 Lochinvar Road, and 36-38 Ferndale Road.

### Traffic and Access

Vehicular access is currently provided to the site via multiple crossovers from the Lochinvar Road frontage. Unrestricted kerbside parking is available along both sides of Lochinvar Road.

### Services

Water, sewer, electricity, gas, and telephone facilities are available to the site (refer to the submitted Survey Plan for the location of available services at **Appendix D**). Water, electricity, and telecommunication services are located along the road alignment of Lochinvar Road. A 150mm sewer main traverses the rear boundary of the site.

### Encumbrances

There are no encumbrances identified on the Certificate of Titles (**Appendix Q**), Section 10.7 certificates (**Appendix F**) or indicated on the Survey Plan (**Appendix D**) that restrict the proposed development.





Figure 3 Development site – 29 Lochinvar Road (Source: Site Inspection March 2025)





Figure 4 Development site – 31 Lochinvar Road (Source: Site Inspection March 2025)



Figure 5 Development site - 33 Lochinvar Road (Source: Site Inspection March 2025)





Figure 6 Development site – 35 Lochinvar Road (Source: Site Inspection March 2025)

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### 3.3 Neighbouring development and locality

The site is located within an established residential area which is characterised by older style single storey detached dwelling houses of fibro, weatherboard and brick construction interspersed with more recent 2-storey dwelling houses, dual occupancies, multi-dwelling housing and seniors housing developments more broadly in Revesby.

The property immediately to the west of the subject site at 37 Lochinvar Road contains a single storey dwelling house of weatherboard finish with tiled roofing (refer to photograph at **Figure 7**).

The property immediately to the east of the subject site at 27 Lochinvar Road consists of a recently completed dual occupancy development of brick construction with tile roofing (refer to photograph at **Figure 8**).

Multi-dwelling housing development within proximity to the site is evidenced at 17-23 Lochinvar Road, which is shown in **Figure 9**.

Across the street from the subject site are examples of 2 storey detached dwelling houses and dual occupancy development (refer photograph at **Figure 10**).





Figure 7 Adjoining development to the west – 37 Lochinvar Road (Source: Google Street View, June 2024)



Figure 8 Adjoining development to the south– 27 Lochinvar Road (Source: Site Inspection March 2025)





Figure 9 Multi-dwelling housing development at 17-23 Lochinvar Road (Source: Site Inspection March 2025)



Figure 10 Neighbouring development opposite the site (Source: Site Inspection March 2025)



## Public Transport and Facilities

The closest bus stop is located on Ferndale Road after Kennedy Street (ID 221266) which is approximately 350m walking distance from the site. The return bus stop is located directly across the road on Ferndale Road at Kennedy Street (ID 221256) which is approximately 370m walking distance from the site. **Figure 11** below shows the subject site relative to the nearest bus stops. The stops are serviced by Route 923. Route 923 runs between Panania and Bankstown via Picnic Point at a frequency of at least one service every hour from 6am to 9pm Monday to Friday and 8am to 6pm on Saturdays and Sundays.



Figure 11 Bus stop locations (orange circles) relative to subject site (red). Source: NearMap, accessed January 2025

## Surrounding Land Use

Surrounding land use is predominantly residential with other uses, including some schools and open spaces within the wider area.

Revesby CBD is located approximately 1km north of the site and includes numerous shops and services, including medical services, pharmacies, cafes, supermarkets, restaurants, hairdressers and public aquatic centre. Revesby Train Station provides frequent services to other centres including Sydney CBD and Campbelltown.

# 4 Project Description

## 4.1 Demolition

The proposed activity includes demolition of 4 single storey detached dwelling houses and associated structures, as identified in the Demolition Plan (refer to **Appendix A**).

## 4.2 Removal of trees

The Arboricultural Impact Assessment undertaken for the site (**Appendix J**) considers 28 existing trees in relation to the proposed development. Of these trees, 20 are located within the site (Trees 1-3, 5-15, & 19-24), 2

trees are located within the road reserve in front of neighbouring properties (trees 27 & 28), and 6 trees are located on adjoining properties (trees 4, 16, 17, 18, 25, & 26).

The proposed development requires 14 trees located on the site to be removed, with reasons for removal detailed below:

- Tree Nos. 5 & 12 - located within the proposed stormwater infrastructure footprint and cannot be viably retained.
- Tree Nos. 3, 6, 8, 9, 10, 14, 22 & 23 - located within the footprint of the proposed building, car parking and driveway and cannot be viably retained.
- Tree Nos. 1 & 21 - the proposed building and hardstand footprint results in major and unsustainable encroachments to these trees. Therefore, these trees cannot be viably retained.
- Tree Nos. 19 & 24 - located within the proposed stormwater infrastructure alignment and subject to major encroachment. Therefore, these trees cannot be viably retained.
- It is noted that 7 trees (Tree Nos. 1, 2, 3, 6, 13, 20 & 22) are exempt from protection pursuant to Chapter 2.3, section 2, clause 2.3 of the *Canterbury-Bankstown Development Control Plan 2023* (CBDPC 2023) due to species or size classification.

In addition to the above, Tree No. 7 (Norfolk Island Pine) is identified in the Arboricultural Impact Assessment as having a high retention value and is nominated for retention, however it will be subject to major encroachments into its tree protection zone (TPZ) and structural root zone (SRZ) of 31% and 13%, respectively, as a result of the building footprint, paving and stormwater infrastructure. The arborist recommends root mapping to be undertaken to assess the potential extent of root loss and confirm the structural viability of the tree. Nevertheless, the arborist acknowledges that the proposed extent of soil and feeder root loss within the TPZ would likely result in a decline to tree health. Given the arborist's concerns regarding the retention of Tree 7 and having regard to its close proximity to the proposed dwellings, the potential mature height and spread of this species, and the likelihood of causing ongoing maintenance issues, it is recommended to remove Tree 7 and replace it with more appropriate species in a suitable location. Identified Requirement No. 86 is recommended to permit the removal of Tree 7 and require suitable replacement canopy trees to be provided within the front setback area.

Along the downstream stormwater easement, a group of 3 x trees located in the rear corner of 38 Ferndale Road (LAHC owned) are specimens of *Musa* sp. (Banana tree). This species is listed as an exempt species under Canterbury-Bankstown Tree Management Policy 2023 and can be removed without further consideration. It is also noted that the Survey Plan (**Appendix D**) indicates that 2 of these trees are <5m in height and 1 is 5m in height. On this basis, 2 are also exempt from protection due to their size as per Canterbury-Bankstown Tree Management Policy 2023.

Furthermore, along the rear boundary and western side boundary of the property at 36 Ferndale Road are likely specimens of *Dypsis lutescens* (Golden Cane Palms) or a similar palm / clumping palm species. Proposed works for the stormwater infrastructure are unlikely to result in any long-term impacts to the health and condition of these neighbouring palm trees given the species small Tree Protection Zones, clumping form and known tolerance to root disturbance.

Implementation of root sensitive excavation within the stormwater alignment adjacent to neighbouring trees is recommended by Identified Requirement No. 36, as well as protection in accordance with AS4970-2009 - Protection of trees on development sites.

Tree removal is recommended primarily to accommodate the proposed development especially where encroachment will have an adverse impact on the viability and stability of the individual species recommended for removal (refer to submitted Arboricultural Impact Assessment in **Appendix J**).

Appropriate replacement planting, including trees capable of reaching a mature height of 12m, will be provided as part of the proposed landscaping plan to compensate for the loss of these trees as demonstrated in the Landscape Plan in **Appendix B**.

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## 4.3 Proposed dwellings

The proposed seniors housing development contains a total of 19 units consisting of 11 x 1 bedroom and 8 x 2-bedroom dwellings. All units have been designed in accordance with the Schedule 4 Housing SEPP requirements for Seniors Housing.

The proposed development represents a contemporary, high-quality design. The use of a mixture of face brick, cement render and metal cladding for external walls and parapet roofing is consistent with the existing and developing character in Revesby. The majority of the proposed units (13 of the 19 units) will address the street with habitable rooms, living area windows and upper-level balconies facing the street for passive surveillance.

A balance of cut and fill is proposed to provide a level building platform and facilitate the installation of the onsite stormwater drainage system and parking area (refer to **Appendix C**).

A variety of new landscape plantings, including trees capable of reaching a mature height of up to 15m are proposed to offset the proposed tree removal and enhance the appearance, privacy, and microclimate of the site (refer to **Appendix B**). New plantings have been selected in consideration of the local climate and will consist of a mixture of canopy trees, shrubs, and groundcovers, which will enhance landscaped setbacks and contribute positively to the landscape context of the locality.

Each unit will be provided with its own enclosed private open space area, either in the form of a ground level patio or first floor balcony, which is directly accessible from internal living areas.

A total of 9 car parking spaces, including 4 accessible spaces, will be provided onsite to service the development.

Stormwater will be collected via a series of stormwater pits and gutters on the site, connected to a 43m<sup>3</sup> underground on-site detention tank (OSD) which drains via gravity through an existing downstream stormwater easement over 37 & 39 Lochinvar & 38 Ferndale Road (properties owned by LAHC) to a proposed gully pit located on Ferndale Road (refer to **Appendix C**) and **Figure 19** below. The development also incorporates a 5500L underground rainwater tank for water recycling, with overflows connected to the OSD. Landscaped swales are proposed adjacent to the building to divert overland flows toward surface pits.

New timber-look aluminium batten fencing is proposed along the private open spaces of the dwellings facing the street frontages. Identified Requirement No. 82 is recommended to ensure that these fences do not exceed a height of 1.65m from the finished floor level. This is combined with landscaping planting along the front setback to soften the built form while providing a natural landscape barrier to improve privacy and security. Fences to private open spaces located behind the front building line are to consist of aluminium battens, spaced to provide privacy. Fencing to side and rear boundaries will consist of Colorbond metal panels to a height of 1.8m.

**Figure 12** to **Figure 19** include extracts from the architectural plans illustrating the proposed development.





Figure 12 Extract from Architectural Plans – Site Plan (Source: DTA Architects), dated 10/02/2025)



Figure 13 Extract from Architectural Plans – Ground Floor Plan (Source: DTA Architects), dated 10/02/2025)



Figure 14 Extract from Architectural Plans – First Floor Plan (Source: DTA Architects), dated 10/02/2025)

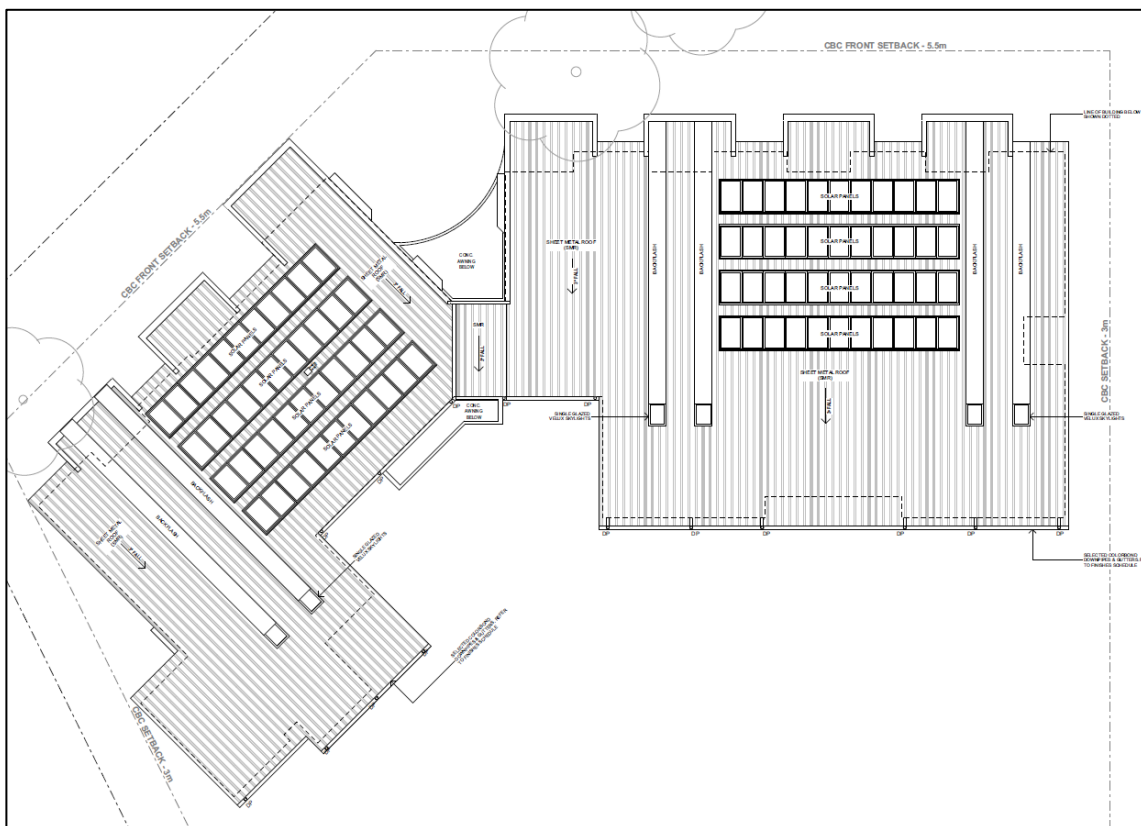


Figure 15 Extract from Architectural Plans – Roof Plan (Source: DEM (Aust), dated 10/02/2025)



Figure 16 Extract from Architectural Plans – Lochinvar Streetscape Perspective (Source: DTA Architects, dated 10/02/2025)

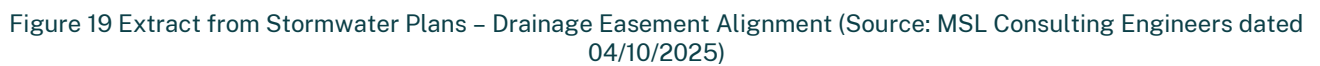


Figure 17 Extract from Architectural Plans –Lochinvar Streetscape Perspective (Source: DTA Architects, dated 10/02/2025)



Figure 18 Extract from Architectural Plans – Rear Elevation Perspective (Source: DTA Architects dated 10/02/2025)





## 4.4 Supporting information

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

Table 1 Supporting information

Title / Name:	Drawing No. / Document Ref	Revision / Issue:	Date [dd/mm/yyyy]:	Prepared by:
<b>Architectural – Appendix A</b>				
Cover Page	1 of 18	B	10/02/2025	DTA Architects
Block Analysis Plan	2 of 18	B	10/02/2025	DTA Architects
Site Analysis Plan	3 of 18	B	10/02/2025	DTA Architects
Demolition Plan	4 of 18	B	10/02/2025	DTA Architects
Development Data	5 of 18	B	10/02/2025	DTA Architects
Site Plan	6 of 18	B	10/02/2025	DTA Architects
Ground Floor Plan	7 of 18	B	10/02/2025	DTA Architects
First Floor Plan	8 of 18	B	10/02/2025	DTA Architects
Roof Plan	9 of 18	B	10/02/2025	DTA Architects
Elevations	10 of 18	B	10/02/2025	DTA Architects
Elevations	11 of 18	B	10/02/2025	DTA Architects
Sections	12 of 18	B	10/02/2025	DTA Architects
Sections	13 of 18	B	10/02/2025	DTA Architects
Shadow Diagrams	14 of 18	B	10/02/2025	DTA Architects
View From Sun Diagram	15 of 18	B	10/02/2025	DTA Architects
View From Sun Diagram	16 of 18	B	10/02/2025	DTA Architects
Perspectives	17 of 18	B	10/02/2025	DTA Architects
Perspectives	18 of 18	B	10/02/2025	DTA Architects
<b>Landscape Plan – Appendix B</b>				
Landscape Plan	1 of 1	D	19/02/2025	Ray Fuggle & Associates Pty Ltd
<b>Civil Plans – Appendix C</b>				
Specifications Sheet	1 of 17	B	04.10.2024	MSL Consulting Engineers Pty Ltd
Overall Site Drainage Plan	2 of 17	B	04.10.2024	MSL Consulting Engineers Pty Ltd
OSD Catchment Area	3 of 17	B	04.10.2024	MSL Consulting Engineers Pty Ltd
Drainage Plan Sheet 1	4 of 17	B	04.10.2024	MSL Consulting Engineers Pty Ltd
Drainage Plan Sheet 2	5 of 17	B	04.10.2024	MSL Consulting Engineers Pty Ltd
Drainage Plan Sheet 3	6 of 17	B	04.10.2024	MSL Consulting Engineers Pty Ltd
Drainage Plan Sheet 4	7 of 17	B	04.10.2024	MSL Consulting Engineers Pty Ltd

Title / Name:	Drawing No. / Document Ref	Revision / Issue:	Date [dd/mm/yyyy]:	Prepared by:
Drainage Plan Sheet 5	8 of 17	B	04.10.2024	MSL Consulting Engineers Pty Ltd
OSD/Rainwater Tank Base Plan	9 of 17	B	04.10.2024	MSL Consulting Engineers Pty Ltd
OSD/Rainwater Sections & Stormwater Details	10 of 17	B	04.10.2024	MSL Consulting Engineers Pty Ltd
Stormwater Details	11 of 17	B	04.10.2024	MSL Consulting Engineers Pty Ltd
Sediment Control Plan Sheet 1	12 of 17	B	04.10.2024	MSL Consulting Engineers Pty Ltd
Sediment Control Plan Sheet 2	13 of 17	B	04.10.2024	MSL Consulting Engineers Pty Ltd
Sediment Control Plan Sheet 3	14 of 17	B	04.10.2024	MSL Consulting Engineers Pty Ltd
Sediment Control Plan Sheet 4	15 of 17	B	04.10.2024	MSL Consulting Engineers Pty Ltd
Sediment Control Plan Sheet 5	16 of 17	B	04.10.2024	MSL Consulting Engineers Pty Ltd
Sediment & Erosion Control Details	17 of 17	B	04.10.2024	MSL Consulting Engineers Pty Ltd
Cut and Fill Plan	1 of 1	A	04.10.2024	MSL Consulting Engineers Pty Ltd

**Contour and Detail Survey – Appendix D**

Detail and Level Survey	Sheet 1 of 3	-	07/06/2023	S.J Surveying Services Pty Ltd
Level Survey Along Proposed Line of Easement	Sheet 2 of 3	-	07/09/2023	S.J Surveying Services Pty Ltd
Footpath Gradient	Sheet 3 of 3	-	17/06/2023	S.J Surveying Services Pty Ltd

**Notification Plans – Appendix E**

Cover Page	1 of 8	A	10/11/2020	DTA Architects
Site & Landscape Plan	2 of 8	A	10/11/2020	DTA Architects
Development Data	4 of 8	A	10/11/2020	DTA Architects
Elevations	5 of 8	A	10/11/2020	DTA Architects
Elevations	6 of 8	A	10/11/2020	DTA Architects
Schedule of Finishes	7 of 8	A	10/11/2020	DTA Architects
Shadow Diagrams	8 of 8	A	10/11/2020	DTA Architects

**Access Report – Appendix H**

Access Report	24132-DA	A	10/10/2024	Ai Consulting (Aust)
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**AHIMS Web Search – Appendix I**

AHIMS search	-	-	12/02/2025	NSW Government
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**Arborist's Report – Appendix J**

Title / Name:	Drawing No. / Document Ref	Revision / Issue:	Date [dd/mm/yyyy]:	Prepared by:
Arboricultural Impact Assessment	F881	A	30/10/2024	Creative Planning Solutions
Arboricultural Advice	-	-	12/03/2025	Creative Planning Solutions
<b>BASIX – Appendix K</b>				
BASIX Certificate	Cert No. 1769007M_02	-	25/10/2024	Greenview Consulting Pty Ltd
<b>BCA report – Appendix L</b>				
BCA Compliance Assessment	P240070(2)	2	09/10/2024	BCA Vision
<b>NatHERS Certificate – Appendix N</b>				
Nationwide house energy rating scheme – class 2 summary	No. 0009819390	-	25/10/2024	Greenview Consulting Pty Ltd
<b>Geotechnical Investigation - Appendix P</b>				
Geotechnical Investigation Assessment	No. 23/1943	-	July 2023	STS Geotechnics Pty Ltd
<b>Waste Management Plan – Appendix R</b>				
Waste Management Plan	-	-	-	-
<b>Traffic Impact Assessment - Appendix S</b>				
Traffic Impact Assessment	-	3	18/02/2025	Park Transit
<b>Flood Report - Appendix T</b>				
Flood Statement	FR23208	-	24/7/2024	MSL Consulting Engineers Pty Ltd

**Section 10.7 Planning Certificates – Appendix F**

Lot 52 DP 36467, Cert no. 20248383, dated 28/10/2024 – Canterbury-Bankstown Council

Lot 53 DP 36467, Cert no. 20248382, dated 28/10/2024 – Canterbury-Bankstown Council

Lot 54 DP 36467, Cert no. 20248367, dated 25/10/2024 – Canterbury-Bankstown Council

Lot 55 DP 36467, Cert no. 20248366, dated 25/10/2024 – Canterbury-Bankstown Council

**Notification letter – Appendix G****Design compliance and checklists – Appendix M**

Architect's Certificate of Building Design Compliance – DTA Architects, dated 16/10/2024.

Certificate of Landscape Documentation Compliance – Ray Fuggle Associates, dated 02/10/2024.

Certificate of Stormwater Documentation Compliance – MSL Consulting Engineers, 04/10/2024

Certificate of Hydraulic Design Documentation Compliance – Abel & Brown Pty Ltd, 11/10/2024

**Seniors Housing Design Checklist – Appendix O****Titles and Deposited Plans – Appendix Q**



Title Search, Folio: 52-54, 56-57/36467, Search date 17/6/2022, First Schedule: New South Wales Land and Housing Corporation

Title Search, Folio: 55/36467, Search date 27/11/2024, First Schedule: New South Wales Land and Housing Corporation

Title Search, Folio: 74/36467, Search date 18/03/2025, First Schedule: New South Wales Land and Housing Corporation

Deposited Plan 36467, Search Date 17/6/2022

Plan of Easement Over Lots 56, 57 & 74 in DP36467, Registered 22/11/2024

## 5 Zoning and Permissibility

The site is zoned R2 Low Density Residential under *Canterbury Bankstown Local Environmental Plan 2023* (CBLEP 2023) (see **Figure 20**). The proposed development is defined as ‘seniors housing’ under the provisions of CBLEP 2023 and is permissible with consent in the R2 zone.



Figure 20 Land zoning map, site outlined red (Source: NSW Planning Portal, accessed January 2025)

The relevant objectives of the R2 zone, as set out in CBLEP 2023 are:

- To provide for the housing needs of the community within a low density residential environment.
- To ensure suitable landscaping in the low density residential environment.
- To minimise and manage traffic and parking impacts.
- To promote a high standard of urban design and local amenity.

The proposed development is consistent with the above objectives because it:

- will provide new affordable housing that meets the identified needs of the community;
- will provide a density and type of housing that is compatible with the scale of existing development and will add to the variety of housing in the locality;
- will provide a high quality and attractive development that will contribute to existing streetscape and overall desired character of the area; and

- will increase housing density on a site within close proximity to Revesby CBD and associated commercial and retail facilities.

Section 108B of the Housing SEPP permits seniors housing development to be carried out by LAHC as 'development without consent' subject to the provisions set out under that clause. **Table 7** in subsection **6.5.1** of this REF demonstrates compliance with the relevant provisions of Section 108B of the Housing SEPP.

## 6 Planning and Design Framework

### 6.1 Environmental Planning and Assessment Act 1979

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

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

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

Table 2 Compliance with subsection 3 of Section 5.5 of the EP&A Act 1979

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

### 6.2 Biodiversity Conservation Act 2016 (BC Act)

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

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

### 6.3 Other Acts

No other State and Commonwealth Acts are applicable to the proposed activity. The provisions of the *Contaminated Land Management Act 1997* are addressed in Section 6.6 with *State Environmental Planning Policy (Resilience and Hazards) 2021*.

## 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.
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/N/A	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;	N/A			
(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);	NA			
(g) endangering of any species of animal, plant or other form of life, whether living on land, in water or in the air;	N/A			
(h) long-term effects on the environment;	Yes		x	
(i) degradation of the quality of the environment;	Yes	x	x	
(j) risk to the safety of the environment;	Yes	x	x	
(k) reduction in the range of beneficial uses of the environment;	N/A			
(l) pollution of the environment;	Yes	x	x	
(m) environmental problems associated with the disposal of waste;	Yes		x	
(n) increased demands on resources (natural or otherwise) that are, or are likely to become, in short supply;	Yes		x	

Guidelines for Division 5.1 assessments require the following Environmental factors to be taken into account:	Relevant?	Impact Assessment		
	YES/N/A	Temporary	Minor	Significant [Note 1]
(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 the long-term social benefits of providing affordable housing that meets the needs of the community. The applicable Local Strategic Planning Statement (LSPS) and Housing Strategy are considered below at Section 6.4.2 of this report.

## 6.4.2 Strategic Planning Framework

A summary of the relevant New South Wales strategic plans that apply to the site and locality is provided below.

### Connective City 2036 Local Strategic Planning Statement

The Canterbury Bankstown *Connective City 2036* (CC2036) strategy provides direction on where and when future housing growth will occur to 2036 and beyond, consistent with the strategic priorities on housing contained in the South District Plan. As per the CC2036 Council is planning for most of its housing growth to occur within areas which are close to public transport and other services. The CC2036 identifies that an additional 39,350 new dwellings will be needed by 2036 to accommodate projected population growth. The site and development proposal will assist in meeting these required housing targets and aligns with the aims and *Evolutions* of the CC2036.

Development of the subject site for the purposes of affordable housing will assist Council in satisfying several of the CC2036 *Evolutions* outlined to achieve a Connective City 2036, in particular *Evolution 6 Urban and Suburban Places, Housing the City*. The proposed development will directly address one of the *Priorities* of Evolution 6 being to *Provide affordable housing typologies, especially for very low, low and moderate income households*

The proposed development is also consistent with the ***principles for housing in the City***, in particular the following:

1. *Locate 80 per cent of new housing within walking distance of mass transit/train stations;*
7. *Sustainably grow smaller centres;*
8. *Coordinate housing delivery and infrastructure planning;*
10. *Provide housing choice to suit each life stage through a range of housing typologies, sizes and tenures;*

11. Provide affordable housing typologies especially for very low, low and moderate income households.

### Canterbury Bankstown Housing Strategy & Canterbury Bankstown Affordable Housing Strategy

The proposed development is also considered to be consistent with the objectives of the *Canterbury Bankstown Housing Strategy 2020* and *Affordable Housing Strategy 2020* and will assist Canterbury Bankstown Council in the achievement of these Strategic Directions.

The development will provide the efficient redevelopment of existing urban land in order to provide additional affordable (social) housing in a mix of dwelling types in an accessible location, close to frequent public transport, employment opportunities, services and community facilities. The proposed development supports the Strategy's aims to focus at least 80% of new dwellings within walking distance of centres and places of high amenity and will assist Council to achieve its housing targets in the Canterbury Bankstown LGA by reducing the gap between the modelling yield and the net target of 25,000 dwellings by 2026 / 50,000 dwellings by 2036.

The City of Canterbury Bankstown Council has identified in their Housing Strategy and Affordable Housing Strategy that *"Housing stress is a significant issue in Canterbury Bankstown, as with many other parts of Greater Sydney, due to comparatively low income to Sydney's high housing costs. Almost twenty-two thousand households experience housing stress in the city, or 18.6% compared to 11.8% in Greater Sydney. Households on moderate, low or very low incomes and key workers, who spend more than 30 per cent of their income on housing are impacted in their ability to pay for essential items like food, clothing, transport and utilities and are said to be experiencing housing stress."* It also notes that in the Canterbury Bankstown LGA there is an *"estimated population of 2,344 people experiencing homelessness (ABS, 2016). It is important that housing choice, particularly for affordable housing, is provided across the city to reduce the risk of vulnerable persons falling into homelessness."* The proposed development will directly assist in addressing these issues through the provision of 19 additional social housing dwellings.

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

The site is located within the Georges River Catchment, as defined in Part 6.2 of *State Environmental Planning Policy (Biodiversity and Conservation) 2021* (Biodiversity and Conservation SEPP). Therefore, the provisions of Section 171A of the *Environmental Planning and Assessment Regulation 2021* apply to the development.

An assessment of the relevant provisions of the Regulations is provided in the table below:

Table 5 Compliance with s171A of the EP&A Regulation 2021.

Guidelines for Division 5.1 assessments require the following Environmental factors to be taken into account:	Comment
<b>171A Activities in catchments – the Act, s 5.10(a)</b> (1) When considering the likely impact on the environment of an activity proposed to be carried out in a regulated catchment, a determining authority must take into account –	
(a) the matters a consent authority must consider under <i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i> , sections 6.6(1), 6.7(1), 6.8(1) and 6.9(1), and	The proposal has been designed in consideration of Sections 6.6(1), 6.7(1), 6.8(1) and 6.9(1) of the Biodiversity SEPP. Refer to Section 6.6 of this report for further discussion.
(b) the matters of which a consent authority must be satisfied under <i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i> , sections 6.6(2), 6.7(2), 6.8(2) and 6.9(2).	The proposal has been designed in consideration of Sections 6.6(2), 6.7(2), 6.8(2) and 6.9(2) of the Biodiversity SEPP. Refer to Section 6.6 of this report for further discussion.
(3) When considering the likely impact on the environment of an activity proposed to be carried out in the Sydney Drinking Water Catchment, the determining authority – (a) must, in addition to the matters referred to in subsection (1), take into account whether the activity –	Not applicable. The site is not located within the Sydney Drinking Water Catchment.



Guidelines for Division 5.1 assessments require the following Environmental factors to be taken into account:	Comment
(i) will have a neutral or beneficial effect on water quality, and	Not applicable.
(ii) is consistent with the NorBE Guideline within the meaning of State Environmental Planning Policy (Biodiversity and Conservation) 2021, Part 6.5, and	Not applicable.
(b) is not required to take into account the matters specified in State Environmental Planning Policy (Biodiversity and Conservation) 2021, section 6.6(1)(a) or (2)(a).	Not applicable.
(4) When considering the likely impact on the environment of an activity proposed to be carried out in the Sydney Harbour Catchment, the determining authority must, in addition to the matters referred to in subsection (1), take into account the matters a consent authority must consider under State Environmental Planning Policy (Biodiversity and Conservation) 2021, section 6.28(1).	Not applicable. The site is not located within the Sydney Harbour Catchment.
(5) The requirements of this section are in addition to the requirements specified in section 171.	Noted.

## 6.5 State Environmental Planning Policy (Housing) 2021

### 6.5.1 Housing for seniors and people with a disability – Part 5, Chapter 3

#### Division 1 – Land to which Part applies

This division sets out the circumstances in which the provisions of Part 5, Chapter 3 do, or do not, apply to land.

Table 6: Compliance with the relevant provisions of Chapter 3, Part 5, Division 1

Provision	Compliance
<b>Division 1 – Land to which Part applies</b>	
<b>79 Land to which Part applies</b>	
<p>This Part applies to land in the following zones –</p> <ul style="list-style-type: none"> <li>(a) Zone RU5 Village,</li> <li>(b) Zone R1 General Residential,</li> <li>(c) Zone R2 Low Density Residential,</li> <li>(d) Zone R3 Medium Density Residential,</li> <li>(e) Zone R4 High Density Residential,</li> <li>(e1) Zone E1 Local Centre,</li> <li>(e2) Zone E2 Commercial Centre,</li> <li>(e3) Zone E3 Productivity Support,</li> <li>(e4) Zone MU1 Mixed Use,</li> <li>(f) Zone B1 Neighbourhood Centre,</li> <li>(g) Zone B2 Local Centre,</li> <li>(h) Zone B3 Commercial Core,</li> <li>(i) Zone B4 Mixed Use,</li> <li>(j) Zone B5 Business Development,</li> <li>(k) Zone B6 Enterprise Corridor,</li> <li>(l) Zone B7 Business Park,</li> <li>(m) Zone B8 Metropolitan Centre,</li> <li>(n) Zone SP1 Special Purposes,</li> </ul>	Complies – the site is zoned R2 Low Density Residential.

Provision	Compliance
<p>(o) Zone SP2 Infrastructure,</p> <p>(o1) Zone SP4 Enterprise under the following local environmental plans –</p> <ul style="list-style-type: none"> <li>(i) <i>Canada Bay Local Environmental Plan 2013</i>,</li> <li>(ii) <i>Central Coast Local Environmental Plan 2022</i>,</li> <li>(iii) <i>Penrith Local Environmental Plan 2010</i>,</li> <li>(iv) <i>Pittwater Local Environmental Plan 2014</i>,</li> <li>(v) <i>Port Macquarie-Hastings Local Environmental Plan 2011</i>,</li> <li>(vi) <i>Sutherland Shire Local Environmental Plan 2015</i>,</li> <li>(vii) <i>The Hills Local Environmental Plan 2019</i>,</li> <li>(viii) <i>Warringah Local Environmental Plan 2011</i>,</li> </ul> <p>(o2) Zone SP5 Metropolitan Centre,</p> <p>(p) Zone RE2 Private Recreation.</p>	
<b>80 Land to which Part does not apply – general</b>	
<p>(1) This Part does not apply to the following land –</p> <p>(a) land to which <i>Warringah Local Environmental Plan 2000</i> applies that is located within locality B2 (Oxford Falls Valley) or C8 (Belrose North) under the Plan,</p> <p>(b) land described in Schedule 3.</p> <p>(2) Nothing in Schedule 3 operates to preclude the application of this Part to land only because –</p> <p>(a) the land is identified under <i>State Environmental Planning Policy (Resilience and Hazards) 2021</i>, Chapter 2, or</p> <p>(b) in relation to land used for the purposes of an existing registered club – the land is described in another environmental planning instrument as –</p> <ul style="list-style-type: none"> <li>(i) private open space, or</li> <li>(ii) open space where dwellings or dwelling houses are permitted.</li> </ul>	<p>The site is not on land to which Warringah LEP 2000 applies.</p> <p>The land is not described in Schedule 3. Refer to the assessment under the heading ‘Schedule 3 Environmentally sensitive land’ below.</p> <p>N/A – the site is not located within the coastal zone.</p> <p>N/A – the land is not used for the purposes of a registered club.</p>
<b>Schedule 3 Environmentally sensitive land</b>	
Land shown cross-hatched on the Bush Fire Evacuation Risk Map.	The site is not identified on bush fire evacuation risk map.
Land identified as coastal wetlands and littoral rainforests area within the meaning of <i>State Environmental Planning Policy (Resilience and Hazards) 2021</i> , Chapter 2.	The land is not identified as coastal wetlands or littoral rainforest.
Land identified as coastal vulnerability area within the meaning of <i>State Environmental Planning Policy (Resilience and Hazards) 2021</i> , Chapter 2.	The land is not identified as being within a coastal vulnerability area.
Land declared as an area of outstanding biodiversity value under the <i>Biodiversity Conservation Act 2016</i> , section 3.1.	The land is not declared as an area of outstanding biodiversity value.
Land identified on the Map within the meaning of the <i>Biodiversity Conservation Regulation 2017</i> , section 7.3.	The land is not so identified.

Provision	Compliance
Land identified in another environmental planning instrument as follows – (a) (Repealed) (b) open space, (c) natural wetland	The land is not identified in another environmental planning instrument as either open space or natural wetland.

## 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 clause 2.7 of the CBLEP 2023 and the subject site contains neither of these heritage notations, and therefore demolition can be undertaken by LAHC as "development without consent". A waste management plan has been prepared, 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 or not to proceed with a seniors housing development that meets the thresholds for self-approval under the SEPP. There are locational and detailed design requirements that also need to be considered. These are discussed below.

Chapter 3, Part 5, Division 8 of the Housing SEPP permits seniors housing to be carried out by LAHC as 'development without consent' subject to the provisions set out under that section. **Table 7** below demonstrates compliance with the relevant provisions of the Housing SEPP.

**Table 7 Compliance with relevant provisions under Chapter 3, Part 5, Division 8 of the Housing SEPP for seniors housing 'development without consent' carried out by LAHC**

Provision	Compliance
<b>108A – Development to which Division applies</b>	
This Division applies to development for purposes of seniors housing involving the erection of a building on land –	
(a) on which development for purposes of seniors housing is permitted with consent under another environmental planning instrument, or	The development is permissible with consent within the R2 zone under the CBLEP 2023.
(b) in a prescribed zone or an equivalent land use zone.	The R2 zone is also a prescribed zone under the SEPP. Part 5, Division 8 of the SEPP therefore applies.
<b>108B – Seniors housing permitted without development consent</b>	
(1) Development to which this Division applies may be carried out by or on behalf of a relevant authority without development consent if -	
(a) the relevant authority has considered the applicable development standards specified in sections 84(2)(c)(iii), 85, 88, 89 and 108, and	Consideration of the development standards are provided in <b>Table 8</b> and <b>Table 9</b> below.

Provision	Compliance
<p>(b) the development will not result in a building with a height of more than-</p> <ul style="list-style-type: none"> <li>(i) 9.5m, or</li> <li>(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</li> </ul>	Complies – The maximum building height is 9.5m. Servicing equipment does not exceed 9.5m, therefore (b)(ii) is not applicable.
(c) the seniors housing will not contain more than 40 dwellings on the site.	Complies – The development is for 19 dwellings.
(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.
<b>108C – Notification before carrying out development</b>	
(1) Before carrying out development to which this division applies, the 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 Canterbury-Bankstown Council regarding additional persons that should be notified of the development via an email sent to Council on 21 August 2024. Council provided a response on 6 September 2024 confirming the scope of the notification but did not provide owners details. As such, surrounding occupiers were notified of the development.
<p>(b) give written notice of the intention to carry out the development to –</p> <ul style="list-style-type: none"> <li>(i) the council, and</li> <li>(ii) any persons nominated by the council under paragraph (a), and</li> <li>(iii) the occupiers of adjoining land,</li> </ul>	<p>Canterbury-Bankstown Council was notified of the proposed development activity by LAHC on 7 November 2024 via the NSW Planning Portal.</p> <p>Letters notifying occupiers of adjoining land of the proposed development activity were sent by LAHC on 7 November 2024.</p>
(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 6 December 2024. Comments on the response are provided in Section 7.1 of this REF. Two (2) submissions were received by surrounding neighbours. Responses 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.
<b>108CA Landcom must notify Secretary of Department of Communities and Justice</b>	Not applicable



Provision	Compliance
<b>108CB Considerations before carrying out development</b>	
(1) Before carrying out development to which this division applies, the relevant authority must consider —	
(a) the <i>Seniors Housing Design Guide</i> , published by the Department in December 2023, and	Refer to checklist in <b>Appendix O</b> and subsection 6.5.4 of this REF. These indicate the guidelines have been considered.
(b) the design principles for seniors housing set out in Schedule 8.	Consideration of these principles is discussed in <b>Table 11</b> and <b>Appendix O</b> .
(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	Refer to checklist in <b>Appendix O</b> , subsection 6.5.5 of this REF and the Architect's Certificate of Building Design Compliance in <b>Appendix M</b> which indicate that the design and dwelling requirements have been considered.
(b) the <i>NSW Land and Housing Corporation Design Requirements</i> , published by the Land and Housing Corporation in February 2023.	Refer to subsection 6.5.6 of this REF and the Architect's Certificate of Building Design Compliance in <b>Appendix M</b> which indicate that the design requirements have been considered.
(4) Before carrying out development to which this division applies, Landcom must consider the <i>Landcom Affordable Housing Design Guideline</i> , published by Landcom, in partnership with the Government Architect NSW, in November 2023.	Not applicable
<b>108D – Exempt development</b>	Noted
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.	
<b>108E – Subdivision of seniors housing not permitted</b>	Subdivision is not proposed.
Development consent must not be granted for the subdivision of seniors housing.	The lots will be consolidated as part of the development.

The Housing SEPP requires LAHC to consider the applicable development standards specified in sections 84(2)(c)(iii), 85, 88, 89 and 108. Consideration of these sections of the SEPP is demonstrated in the **Table 8** and **Table 9**, below.

Table 8 Compliance with sections 84(2)(c)(iii), 85, 88, 89 of the Housing SEPP

Provision	Compliance
<p><b>84 Development standards—general</b></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 R2 zone where residential flat buildings are not permitted.</p> <p>Not applicable, proposed development is 2 storeys.</p>
<p><b>85 Development standards for hostels and independent living units</b></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 <i>Building Code of Australia</i>.</p>	<p>The proposed development complies with relevant standards specified in Schedule 4 as demonstrated in <b>Table 10</b> below.</p>
<p><b>88 Restrictions on occupation of seniors housing</b></p> <p>(1) Development permitted under this Part may be carried out for the accommodation of only the following—</p> <p>(a) seniors or people who have a disability,</p> <p>(b) people who live in the same household with seniors or people who have a disability,</p> <p>(c) staff employed to assist in the administration and provision of services to housing provided under this Part.</p> <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>Complies. Identified Requirement No. 74 is recommended to achieve compliance with 88(1) &amp; (2).</p>
<p><b>89 Use of ground floor of seniors housing in business zones</b></p>	<p>Not applicable. The proposed development is in an R2 zone.</p>

Table 9 Non-Discretionary development standards for Independent Living units (Section 108 of the Housing SEPP)

Development Standard	Required	Proposed	Complies
(2)(a) Building Height	9.5m or less	8.3m	Yes
(2)(b) Height of Servicing Equipment	11.5m or less If greater than 9.5m, not more than 20% of roof area	Roof equipment is limited to solar panels, which do not exceed 9.5m in height	Yes
(2)(c) Density and Scale	Floor Space Ratio 0.5:1 or less	0.5:1 (1677m <sup>2</sup> )	Yes
2(d) Landscaped Area	Lesser of 35m <sup>2</sup> per dwelling (19 x 35m <sup>2</sup> = 665m <sup>2</sup> ); or, 30% of the site area (1009.7m <sup>2</sup> )	1471.24m <sup>2</sup>	Yes
2(f) Deep Soil Zone	Minimum 15% of area of site (15% x 3,365.5m <sup>2</sup> = 504.825m <sup>2</sup> )	1043.7m <sup>2</sup> (31%)	Yes
	Minimum 65% to be preferably located at rear of site = 328.13m <sup>2</sup>	476.97m <sup>2</sup>	Yes
	Minimum dimension 3m	Minimum dimension 3m.	Yes
2(g) Solar Access	70% of living areas & private open space to receive minimum 2 hrs direct solar access between 9am and 3pm at mid-winter	73% (14/19) of dwellings achieve 2 hours of direct solar access to living areas and private open spaces between 9am and 3pm mid-winter.	Yes
2(h) Private Open Space	Ground level: Minimum 15m <sup>2</sup> per dwelling	Min 15m <sup>2</sup> provided.	Yes
	One area minimum 3m x 3m, accessible from living area	Minimum 3m x 3m provided.	Yes
	Upper level/s:  1 bedroom: Minimum 6m <sup>2</sup> Minimum dimensions 2m	Min. 8m <sup>2</sup> Min. 2m	Yes
	2 or more bedrooms: Minimum 10m <sup>2</sup> Minimum dimensions 2m	Min. 10m <sup>2</sup> Min. 2m	Yes
2(j) Car parking	Minimum 1 car parking space for each 5 dwellings (LAHC concession)	9 car parking spaces for 19 dwellings, including 4 accessible parking spaces.	Yes

### 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 10** 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 10 Accessibility and useability standards [Schedule 4]

Development Standard (Sch 4)	Required	Comment
2.Siting Standards:		
Wheelchair access 'Non-sloping' sites i.e. with gradients entirely <1:10	100% of ground floor dwellings to have wheelchair access by a continuous accessible path of travel to an adjoining public road	100% of the ground floor units have accessible paths of travel in accordance with AS1428.1 to the front boundaries as confirmed by the submitted Access Report prepared by Ai Consultancy (refer <b>Appendix H</b> ).
'Sloping' sites i.e. with gradients entirely or partially >1:10	% of ground floor dwellings, equal to % of site with gradient <1:10 or minimum 50% (whichever is greater), to have wheelchair access by a continuous accessible path of travel as per AS1428.1 to driveway or public road that is accessible to all residents	Not applicable, as the site does not have a gradient of more than 1 in 10.
Common areas	All common areas and facilities to have wheelchair accessibility as per AS1428.1	All common areas have accessible paths of travel in accordance with AS1428.1. Compliance indicated as per the submitted Access Report prepared by Ai Consultancy (refer <b>Appendix H</b> ).
3. Letterboxes:		
	To be located on a hard standing area, have wheelchair access by a continuous accessible path of travel from the letterbox to the relevant dwelling and lockable.	Letterboxes have been provided adjacent to the Lochinvar Road pedestrian entry, situated on a hard standing area with wheelchair accessibility as per AS 1428.1. Compliance indicated as per the submitted Access Report prepared by Ai Consultancy (refer <b>Appendix H</b> ). Further specification to be provided at detailed construction documentation stage.
Multiple letterboxes	The structure must be in a prominent location.	Letterboxes have been provided adjacent to the Lochinvar Road pedestrian 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).	Compliance readily achievable. Further specification to be provided at detailed construction documentation stage.
4. Car parking:		
Parking spaces associated with a class 1, 2 or 3 building under the <i>Building Code of Australia</i> are	(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	Complies  As a social housing provider LAHC is required to provide 4 car parking spaces in accordance with 108(2)(j) of the Housing SEPP. All 4 of the required car spaces meet the requirements of AS2890.6.



	<p>(ii) 50% of the parking spaces must —</p> <p>(A) comply with AS/NZS 2890.6, or</p> <p>(B) be at least 3.2m wide and have a level surface with a maximum gradient of 1:40 in any direction,</p> <p>(c) for a group of 8 or more parking spaces —</p> <p>(i) at least 15% of the parking spaces must comply with AS/NZS 2890.6, and</p> <p>(ii) at least 50% of the parking spaces must —</p> <p>(A) comply with AS/NZS 2890.6, or</p> <p>(B) be at least 3.2m wide and have a level surface with a maximum gradient of 1:40 in any direction.</p>	An additional 5 spaces are provided on site in addition to the minimum requirements specified by the Housing SEPP. These spaces comply with the requirements of AS2890.2 for standard car parking spaces.
Multiple parking spaces accessible by a common access point	(6) Accessible by a common access point, the access point must be secured by a power-operated garage door, vehicle gate, vehicle barrier or similar device.	<p>Not applicable.</p> <p>The proposal does not incorporate power-operated doors, gates, barriers and the like as they pose a maintenance issue for LAHC.</p>
	<p>(7) A parking space, other than a parking space under subsection (6), must be —</p> <p>(a) secured by a power-operated door, or</p> <p>(b) capable of accommodating the installation of a power-operated door, including by having —</p> <p>(i) access to a power point, and</p> <p>(ii) an area for motor or control rods for a power-operated door.</p>	<p>Not applicable.</p> <p>The proposal does not incorporate power-operated doors, gates, barriers and the like as they pose a maintenance issue for LAHC.</p>
	(8) A requirement in this section for a parking space to comply with AS/NZS 2890.6 extends to the associated shared area within the meaning of AS/NZS 2890.6.	Noted
	(9) In this section, a parking space is in a <b>common area</b> if it is not attached to or integrated with a hostel or independent living unit.	Noted
<b>5. Accessible entry</b>		
Main entrance to a dwelling	<p>Must have —</p> <p>(a) a clear opening that complies with AS 1428.1, and</p> <p>(b) a circulation space in front of the door and behind the door that complies with AS 1428.1.</p>	<p>All main entries for each dwelling are detailed with circulation space and clear door opening as per AS 1428.1 (subject to Identified Requirement No. 76).</p> <p>Compliance achievable as per the submitted Access Report prepared by Ai Consultancy (refer <b>Appendix H</b>).</p>
<b>6. Interiors</b>		
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	<p>Compliance readily achievable.</p> <p>The unobstructed doorway opening of all internal doors in every dwelling is readily capable of compliance with AS 1428.1 as per the submitted Access Report prepared by Ai Consultancy (refer <b>Appendix H</b>).</p>

Internal corridor	(2) Must have a minimum unobstructed width of 1,000mm	Compliance readily achievable.  The unobstructed internal corridor width in every dwelling is readily capable of compliance with AS 1428.1 as per the submitted Access Report prepared by Ai Consultancy (refer <b>Appendix H</b> ).
Circulation spaces	(3) in front of and behind an internal doorway in the following areas must comply with AS 1428.1 – (a) a kitchen, (b) a laundry, (c) a bathroom, (d) a toilet, (e) a bedroom, (f) a living area, (g) the main area of private open space.	Compliance readily achievable.  The doorway circulation space to the specific areas listed in this clause are readily capable of compliance with AS 1428.1-2009 as per the submitted Access Report prepared by Ai Consultancy (refer <b>Appendix H</b> ).

## 7. Bedroom

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

	At least one bedroom in a dwelling must have: (a) a clear area, not including a circulation space, sufficient to accommodate (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: (i) 1,200mm wide at the foot of the bed, and (ii) 1,000mm wide beside the bed between it and the wall, wardrobe or any other obstruction, and (c) 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	Compliance readily achievable.  Further detailed information will be required at construction documentation stage (refer to Identified Requirement No. 73).
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## 8. Bathroom

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

	(1) At least one bathroom in a dwelling 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 bathrooms in each ground floor dwelling comply with the requirements of this clause indicated as per the submitted Access Report prepared by Ai Consultancy (refer <b>Appendix H</b> ).
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	<p>(2) The bathroom must have the following –</p> <p>(a) a slip resistant floor surface that achieves a minimum rating of P3 in accordance with AS 4586 – 2013,</p> <p>(b) a washbasin with tap ware capable of complying with AS 1428.1, including by future adaptation if the washbasin and tap ware continue to use existing hydraulic lines,</p> <p>(c) a shower that –</p> <p style="padding-left: 40px;">(i) is accessible without a shower-hob or step, and</p> <p style="padding-left: 40px;">(ii) complies with the requirements of AS 1428.1 for the entry, circulation space, floor gradient to the wastewater outlet and location of the mixer tap, and</p> <p style="padding-left: 40px;">(iii) is in the corner of a room, and</p> <p style="padding-left: 40px;">(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> <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>	<p>Compliance readily achievable.</p> <p>Further detailed information will be required at construction documentation stage (refer to Identified Requirement No. 73).</p>
	<p>(3) Subsection (2)(c) does not prevent the installation of a shower screen that can easily be removed to enable compliance with that paragraph.</p>	<p>Noted</p>
<p><b>9. Toilet</b></p> <p>Note: consideration only required for ground floor units in accordance with section 85(2)</p>		
	<p>(1) At least one toilet in a dwelling must be located on –</p> <p>(a) the same floor as the entry to the dwelling, or</p> <p>(b) a floor serviced by a private passenger lift accessible only from inside the dwelling.</p>	<p>Complies.</p> <p>The toilets in each dwelling comply with the requirements of this clause indicated as per the submitted Access Report prepared by Ai Consultancy (refer <b>Appendix H</b>).</p>
	<p>(2) The toilet must have the following –</p> <p>(a) a water closet pan –</p> <p style="padding-left: 40px;">(i) in the corner of the room, and</p> <p style="padding-left: 40px;">(ii) with a centreline set-out in accordance with AS 1428.1,</p> <p>(b) a circulation space in front of the water closet pan that is –</p>	<p>Compliance readily achievable.</p> <p>Further detailed information will be required at construction documentation stage (refer to Identified Requirement No. 73).</p>

	<ul style="list-style-type: none"> <li>(i) at least 1,200mm long and at least 900mm wide, and</li> <li>(ii) clear of door swings and fixtures, other than a toilet paper dispenser or grab rails,</li> <li>(c) a circulation space around the water closet pan that complies with AS 1428.1,</li> <li>(d) a slip resistant floor surface that achieves a minimum rating of P3 in accordance with AS 4586—2013,</li> <li>(e) a wall capable of accommodating the installation of a back rest and grab rail that will comply with AS 1428.1.</li> </ul>	
	(3) A removable shower screen may be located in the circulation space specified in subsection (2)(c).	Noted
<b>10. Surfaces of balconies and external paved areas</b>		
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> <ul style="list-style-type: none"> <li>(a) the <i>Building Code of Australia</i>, or</li> <li>(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.</li> </ul>	<p>Compliance readily achievable.</p> <p>Further detailed information will be required at construction documentation stage to ensure compliance (refer to Identified Requirement No.73).</p>
<b>11. Door Hardware</b>		
Note: consideration only required for ground floor units in accordance with section 85(2)		
	<ul style="list-style-type: none"> <li>(1) Door handles and hardware for all doors, including entry doors and external doors, must comply with AS 1428.1.</li> <li>(2) To avoid doubt, subsection (1) does not apply to cabinetry.</li> </ul>	<p>Compliance readily achievable.</p> <p>Further detailed information will be required at construction documentation stage to ensure compliance (refer to Identified Requirement No. 73).</p>
<b>12. Switches and power points</b>		
Note: consideration only required for ground floor units in accordance with section 85(2)		
	<ul style="list-style-type: none"> <li>(1) Switches and power points must— <ul style="list-style-type: none"> <li>(a) comply with AS 1428.1, or</li> <li>(b) be capable of complying with AS 1428.1 through future adaptation.</li> </ul> </li> <li>(2) Subsection (1) does not apply to— <ul style="list-style-type: none"> <li>(a) remote controls, or</li> <li>(b) power points likely to serve appliances that are not regularly moved or turned off.</li> </ul> </li> </ul>	<p>Compliance readily achievable.</p> <p>Further detailed information will be required at construction documentation stage to ensure compliance (refer to Identified Requirement No. 73).</p>
<b>13. Private passenger lifts</b>		
	(1) This section applies to a private passenger lift that is required by this schedule to be accessible only from inside a particular dwelling.	Not Applicable.



Private passenger lifts have not been proposed.

## Part 2 Additional standards for independent living units

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

### 15. Bedroom

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

At least one bedroom in an independent living unit that complies with this schedule, section 7 must be located on — (a) the same floor as the entry to the unit, or (b) a floor serviced by a private passenger lift accessible only from inside the unit.	In this development each respective independent living unit is single level with the kitchen, main bedroom and toilet located on the same level.
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### 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. 73).
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### 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 dwelling complies with the requirements of this clause as per the submitted Access Report prepared by Ai Consultancy (refer <b>Appendix H</b> ).
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### 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 dwelling complies with the requirements of this clause as per the submitted Access Report prepared by Ai Consultancy (refer <b>Appendix H</b> ).
(2) The kitchen must have a circulation space with a diameter of at least 1,200mm between each	Compliance readily achievable.

	bench top, cupboard or large appliance and each other bench top, cupboard or large appliance.	Further detailed information will be required at construction documentation stage (refer to Identified Requirement No. 73).
	<p>(3) Each circulation space specified in subsection (2) must be capable of being increased to a diameter of 1,550mm without —</p> <p>(a) relocating the sink, or</p> <p>(b) moving a load-bearing wall, or</p> <p>(c) breaching another circulation requirement.</p>	<p>Compliance readily achievable.</p> <p>Further detailed information will be required at construction documentation stage (refer to Identified Requirement No. 73).</p>
	<p>(4) The kitchen must have the following fittings —</p> <p>(a) a bench that includes at least one work surface that is —</p> <p style="padding-left: 40px;">(i) at least 800mm long, and</p> <p style="padding-left: 40px;">(ii) clear of obstructions, and</p> <p style="padding-left: 40px;">(iii) not in the corner of the room,</p> <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> <p style="padding-left: 40px;">(i) has operative elements between 450mm and 1,250mm above the finished floor level, and</p> <p style="padding-left: 40px;">(ii) is next to the work surface,</p> <p>(f) at least one double general power outlet located within 300mm of the front of a work surface.</p>	<p>Compliance readily achievable.</p> <p>Further detailed information will be required at construction documentation stage (refer to Identified Requirement No. 73).</p>
	<p>(5) The cupboards must —</p> <p>(a) not be entirely located in the corner of the bench or the corner of the room, and</p> <p>(b) face where the user of the fixture is likely to be.</p>	<p>Compliance readily achievable.</p> <p>The kitchen layout is readily capable of compliance with the requirements of this clause as per the submitted Access Report.</p>
	(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>Compliance readily achievable.</p> <p>Further detailed information will be required at construction documentation stage to ensure compliance (refer to Identified Requirement No. 73).</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>Compliance readily achievable.</p> <p>Further detailed information will be required at construction documentation stage to ensure compliance (refer to Identified Requirement No. 73).</p>

	<p>(8) The lever tap set, cooktop, isolating switch, oven and double general power outlet must –</p> <p>(a) not be in the corner of the bench or the corner of the room, and</p> <p>(b) face where the user of the fixture is likely to be.</p>	<p>Compliance readily achievable.</p> <p>Further detailed information will be required at construction documentation stage to ensure compliance (refer to Identified Requirement No. 73).</p>
	<p>(9) Cabinetry below a work surface must be able to be easily removed to allow wheelchair access to the work surface.</p>	<p>Compliance readily achievable.</p> <p>Further detailed information will be required at construction documentation stage to ensure compliance (refer to Identified Requirement No. 73).</p>
<b>19. Laundry</b> Note: consideration only required for ground floor units in accordance with section 85(2)		
	<p>(1) A laundry in an independent living unit must be located on –</p> <p>(a) the same floor as the entry to the dwelling, or</p> <p>(b) a floor serviced by a private passenger lift accessible only from inside the dwelling.</p>	<p>Complies.</p> <p>The laundry in each dwelling complies with the requirements of this clause as per the submitted Access Report prepared by Ai Consultancy (refer <b>Appendix H</b>).</p>
	<p>(2) The laundry must have the following –</p> <p>(a) a circulation space that complies with AS 1428.1 at the approach to any external doors,</p> <p>(b) an appropriate space for an automatic washing machine and a clothes dryer,</p> <p>(c) a clear space in front of each appliance of at least 1,550mm,</p> <p>(d) a slip resistant floor surface that achieves a minimum rating of P3 in accordance with AS 4586 – 2013,</p> <p>(e) a continuous accessible path of travel to the main area of private open space or any clothesline provided for the dwelling.</p>	<p>Compliance readily achievable.</p> <p>Further detailed information will be required at construction documentation stage (refer to Identified Requirement No. 73).</p>
	<p>(3) The space specified in subsection (2)(c) may overlap with a door swing or the circulation space for a door.</p>	<p>Noted</p>
	<p>(4) For laundry facilities in a cupboard, the cupboard must be capable of being fitted with “D” pull cupboard handles in the following locations –</p> <p>(a) for below-bench cupboards – towards the top,</p> <p>(b) for overhead cupboards – towards the bottom,</p> <p>(c) for floor-to-ceiling doors – between 900mm and 1,100mm above the finished floor level.</p>	<p>Compliance readily achievable.</p> <p>Further detailed information will be required at construction documentation stage to ensure compliance (refer to Identified Requirement No. 73).</p>
	<p>(5) In this section –</p> <p><b>laundry</b> includes laundry facilities in a cupboard.</p>	<p>Noted</p>

**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 Report prepared by Ai Consultancy (refer **Appendix H**).

**21. 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 *Building Code of Australia*, Volume 1, Part E3.

Although a concession for this clause is provided to LAHC developments under Section 85(2) of the SEPP, the proposed development provides a passenger lift and is readily capable of compliance with this requirement.

**22. Garbage and recycling**

A garbage storage area and a recycling storage area provided for an independent living unit must be accessible by a continuous accessible path of travel from the dwelling entrance.

Compliance readily achievable.

There is a garbage bin area provided adjacent to the main pedestrian entry, which is considered convenient for all users. This area is accessed via walkways with suitable gradients. Suitable provisioning has been made within the design, as per the submitted Access Report prepared by Ai Consultancy (refer **Appendix H**).

## 6.5.4 Seniors Housing Design Guide

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

The 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.

In accordance with Part 3, Section 11 of the Guide, the development is considered as ‘stand-alone independent living unit development medium density’. As such, the design principles for independent living set out in Part 3, Section 15 of the Guide are relevant to the design of the development. These principles, as follows, must be considered when designing such developments:

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

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

An assessment of the design of the activity against the SHDG is provided at **Appendix O**. The proposed design is consistent with the SHDG.

### 6.5.5 Good Design for Social Housing

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

Section 108CB(3)(a) of the Housing SEPP requires the relevant authority to consider the relevant provisions of the *Good Design for Social Housing* policy (September 2020) when assessing a proposed seniors housing development under Chapter 3, Part 5, Division 8 of the Housing SEPP.

The following assessment against the *Good Design for Social Housing* demonstrates that the proposed development has adequately considered the goals and principles outlined. Each goal is individually addressed below, and detailed responses are provided by the Architect in the Housing for Seniors Checklist in **Appendix O**.

#### Wellbeing

The proposed development supports the wellbeing of future tenants by providing safe and accessible housing where residents have privacy and amenity.

All units have been designed to comply with accessibility requirements of Schedule 4 of the Housing SEPP, and 4 accessible car parking spaces are provided. The development therefore caters for varying degrees of mobility, allowing residents to age in place. The development incorporates passive and active sustainable design by achieving cross-ventilation in 63% of units and at least 2 hours solar access during mid-winter to the living areas and private open spaces of 72% of units. There is also the use of durable and low maintenance materials and appropriately sized units to reduce running costs. The proposal achieves a high NatHERS rating with an average of 8.2 stars which exceeds the minimum targets set by LAHC. A photovoltaic system has been incorporated to offset energy use in the development with PV solar panels positioned to maximise solar gains.

Each ground floor unit is provided with an area of private open space that accommodates a paved area for outdoor dining and adjoining attractive gardens planted with low maintenance species. Each first floor unit is provided with a balcony that accommodates outdoor dining as well as service functions, such as clothes drying and air conditioning units. High quality landscaping across the site will enhance the amenity for residents. A yarning circle has been provided in the communal open space to encourage community connection and reflection under the canopy of existing trees to support the health and wellbeing of residents.

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

#### Belonging

The proposed development is situated in Revesby which is characterised by a range of low-medium scale development, with a mix of detached dwellings, dual occupancies and multi-unit housing more broadly. The form and materiality of the proposed development have been selected to respond to the style and character of the local area and will make a high quality contribution to the streetscape. The external brick façade and aesthetic of the development is consistent with the neighbouring context, making it indistinguishable from private housing.

The proposed development is secured with landscape barrier planting and fencing for private open spaces, creating a sense of safety for tenants. The secured entry lobbies to the building as well as the delineated pathways creates the opportunity for casual interaction among residents in a safe environment as well as a



defined transition from public to private spaces. Proposed seating within the common open space area and along pathways will provide a pleasant, landscaped environment for passive recreation and social interaction.

The mixed unit sizing caters to the needs of a diverse range of tenants.

### Value

The development exceeds sustainability targets, with the average NatHERS rating being 8.2 stars. The scheme incorporates sustainable features including insulation, high-quality glazing, clothes lines, native plantings, ceiling fans, and good solar access and cross-ventilation. Photovoltaic panels and rainwater re-use will assist in minimising the use and cost of access to natural resources.

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

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

### Collaboration

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

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

## 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.

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

An assessment of the proposed development against the LAHC Design Requirements has been undertaken and deemed to achieve compliance, refer to Certificate of Compliance from the Architect in **Appendix M**. Further detail will be incorporated in the construction documentation.

## 6.5.7 Housing SEPP Design Principles

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

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

The Housing SEPP articulates a range of design principles that the LAHC must consider in determining whether to proceed with a proposed seniors housing activity. **Table 11** below demonstrates how the principles have been considered in the design of the proposal.

Table 11 Response to Design Principles (Schedule 8)

1 Neighbourhood amenity and streetscape
<p><i>Seniors housing should be designed as follows –</i></p> <p><i>(a) to recognise the operational, functional and economic requirements of residential care facilities, which typically require a different building shape from other residential accommodation</i></p>
<p>N/A, no residential care facility proposed.</p>
<p><i>(b) to recognise the desirable elements of –</i></p> <p><i>(i) the location's current character, or</i></p> <p><i>(ii) for precincts undergoing a transition – the future character of the location so new buildings contribute to the quality and identity of the area,</i></p>
<p>The existing character is predominantly single and two storey residential development of varying age and architectural styles in landscaped settings. Face brick &amp; weatherboard cladding with pitched roofs is a prominent feature of housing in the immediate area. Dispersed throughout the neighbourhood are more recent additions including larger, contemporary rendered dwellings and dual occupancy developments with flat roofs. Contemporary residential development in the locality of the proposed development is suggestive of a transition of character in the Revesby suburb and likely future form of development. The proposal is generally compatible in form, scale and character with more contemporary residential development in the locality. The proposed landscaped front setback areas with tree plantings will enhance the existing leafy streetscape character, consistent with the future desired character of the Revesby locality.</p>
<p>The proposed development complies with the local development controls, which reflect a future character of residential development, by providing a maximum height of 8.3m and a density (FSR) of 0.50:1.</p>
<p>The building has been designed as 2 distinct, but compatible forms when viewed from the street. The proposed building footprints and massing are articulated to express individual units as separate dwellings, with sun shading and balconies, including balcony roofs, articulated to further break down the scale of the new building. High quality finishes and the well-considered design of the development add to the identity of the locality.</p>
<p><i>(c) to complement heritage conservation areas and heritage items in the area,</i></p>
<p>The site is not located within a heritage conservation area nor are there any heritage items that adjoin the site.</p>
<p><i>(d) to maintain reasonable neighbourhood amenity and appropriate residential character by –</i></p> <p><i>(i) providing building setbacks to reduce bulk and overshadowing, and</i></p> <p><i>(ii) using building form and siting that relates to the site's landform, and</i></p> <p><i>(iii) adopting building heights at the street frontage that are compatible in scale with adjacent buildings, and</i></p> <p><i>(iv) considering, where buildings are located on the boundary, the impact of the boundary walls on neighbours,</i></p>
<p>The proposed building setbacks are compatible with the streetscape character of the locality and are generally consistent with Council's DCP requirements. Greater side and rear setbacks have been provided, where possible, in association with screening vegetation.</p>
<p>Given the orientation of the site and the proposed building setbacks, shadows cast by the proposed development will predominantly fall within the site. As shown in the shadow diagrams in <b>Appendix A</b>, some minor overshadowing of the adjoining property at 37 Lochinvar Road will occur in the morning and at 27 Lochinvar Road, and properties located to the rear of the site in Ferndale Road, in the afternoon in mid-winter. However, the dwellings and associated private open spaces will receive solar access throughout the remainder of the day. The proposed development will therefore not unacceptably reduce the amount of solar access to the living areas and private open spaces of neighbouring dwellings in mid-winter.</p>
<p>A suitable balance of cut and fill is proposed to address the access requirements for seniors housing under the Housing SEPP.</p>
<p>The development is below the height limit permitted under the Housing SEPP and CBLEP 2023 and is compatible with the height and scale of adjoining dwellings and other contemporary residential developments in the vicinity.</p>
<p>The development does not propose buildings located on the boundary.</p>

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

The building line generally responds to the existing building line along the street frontage.

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

The proposed landscape design incorporates substantial plantings at the front and rear of the development which will enhance the streetscape and provide a vegetative buffer at the rear of the site.

The proposed tree species have generally been obtained from Canterbury-Bankstown's Tree Management Policy. The scheme incorporates a mix of native ground covers, shrubs, and trees including Cedar Wattle, Summer Red Flowering Gum and Rosea Ironbark. The incorporation of a mix of low maintenance ground covers, native shrubs and feature trees will create a pleasant environment for residents and attract animal and birdlife.

*(g) to retain, wherever reasonable, significant trees,*

The Arboricultural Impact Assessment (**Appendix J**) recommends the removal of 14 trees (Trees 1, 3, 5, 6, 8, 9, 10, 12, 14, 19 & 21-24). These trees are either located within the proposed development footprint and would be impacted by an unavoidable major encroachment within their tree protection zones or are considered exempt species for removal. Tree 7 is also proposed to be removed given concerns regarding its retention due to major encroachments, having regard to its proximity to the proposed dwellings and the likelihood of ongoing maintenance issues. Identified Requirement No 86 is recommended to permit the removal of Tree 7 and require the substitution of replacement trees in the front setback area, as shown on the Landscape Plan (**Appendix B**), with species that are capable of reaching a mature height of 10-15m, to ensure that suitable compensatory canopy tree planting is provided.

The Landscape Plan (**Appendix B**) incorporates the provision of 20 additional trees, as well as approximately 500 shrubs and 170 groundcovers, which will provide replacement tree cover on the site and increase the variety of species, including flowering trees, which will provide additional habitat for fauna in the long-term.

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

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

## 2 Visual and acoustic privacy

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

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

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

The proposed development has been designed to maintain visual and acoustic privacy to adjoining properties and within the development. Design solutions include appropriate building setbacks and heights, dwelling layouts, placement and sizing of window openings and location of landscaping, particularly at the side and rear boundaries.

The building has generally been designed so that high use areas such as living rooms and private open space areas are oriented to the front or rear of the site to minimise privacy impacts. Where balconies face the side boundary, privacy screening is provided to restrict direct overlooking. First floor windows facing the side boundaries have been designed to be high sill to minimise opportunities for overlooking of adjoining properties.

Boundary fencing to a height of 1.8m will assist with mitigation of visual and acoustic impacts associated with the internal hard stand car parking. Perimeter landscaping will also act as a visual and acoustic buffer between the car park and adjacent development.

Generally, bedroom windows are located away from the driveway and pathways. The proposed dwellings have been designed in accordance with the requirements of the Building Code of Australia for sound and impact transmission so that acceptable noise levels between dwellings and adjoining properties are achieved.

## 3 Solar access and design for climate

*The design of seniors housing should –*

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

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

Of the 19 units, 14 receive at least 2 hours direct solar access to their living and private open space areas between 9am and 3pm on June 21. Skylights have been provided to the living rooms of south facing first floor units to increase solar access. Units have been designed to take advantage of natural ventilation, with 12 units being configured to enable cross-ventilation.

Overall, the development exceeds the sustainability targets and achieves an average NatHERS rating of 8.2 stars.

As demonstrated on the shadow diagrams (**Appendix A**), overshadowing to neighbouring properties is minimal, with more than 3 hours solar access maintained to living spaces and private open space of neighbouring dwellings in mid-winter.

#### 4 Stormwater

*The design of seniors housing should aim to –*

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

Site stormwater will be captured and drained as shown on the submitted stormwater management plans in accordance with Council's requirements (**Appendix C**). Stormwater will be collected via a series of stormwater pits and gutters on the site connected to an underground on site detention tank draining via an existing 2m wide drainage easement across adjoining properties to a proposed gully pit on Ferndale Road. Roof water from the proposed development will be collected from downpipes and connected to an underground rainwater tank for recycling with overflow connected to the underground detention tank. The rainwater tank is proposed to facilitate water re-use for landscape irrigation.

#### 5 Crime prevention

*Seniors housing should –*

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

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

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

Fencing will be constructed along the side and rear boundaries, and all areas of private open space are fenced to create security and delineate between public and private spaces, whilst allowing for passive surveillance through semi-transparent vertical battens. Peepholes will also be provided on the front doors of each dwelling to enable residents to view approaches to their dwelling without having to open the door (Identified Requirement No.78).

#### 6 Accessibility

*Seniors housing should –*

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

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

The closest surveyed bus stops are on Ferndale Road:

- Ferndale Road after Kennedy Street (ID221266); and
- Ferndale Road at Kennedy Street (ID22156).

Both bus stops are within 400m walking distance of the site as specified under section 93(3)(a) of the Housing SEPP (refer to longitudinal survey in **Appendix D**). These stops are serviced by bus route 923 which can take residents to a full range of services and facilities in Bankstown, Panania and Revesby. The frequency of bus services meets the criteria specified for seniors housing in the Housing SEPP.

Subject to some minor upgrading works as identified in the Access Report (**Appendix H**), a continuous accessible path of travel will be available from the site to these bus stops.

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

7 Waste management

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

A waste storage area is provided centrally within the building and will accommodate general waste, recycling, organic and bulky waste. The storage area has been appropriately integrated within the building form to minimise visual impact but still retain good visibility to avoid the creation of entrapment spaces. The site will be serviced by Council’s ‘collect and return’ service.

## 6.6 Other State Environmental Planning Policies

**Table 12** below outlines applicability of, and compliance with, other State Environmental Planning Policies (SEPPs).

Table 12 Compliance with other applicable State Environmental Planning Policies

SEPP (Sustainable Buildings) 2022
A BASIX Certificate, and associated NatHERS Certificates, have been obtained for the development proposal (refer to <b>Appendix K and Appendix N</b> ). The certificates confirm that the development complies with the minimum requirements for water, energy and thermal performance.
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.
The site is not located in close proximity to a State Classified Road, adjacent/near a rail corridor or electricity infrastructure and as such, the provisions of the SEPP do not apply.
SEPP (Biodiversity and Conservation) 2021
This Biodiversity and Conservation SEPP provides planning controls related to conservation and management, to ensure protection of the natural environment.



## Tree removal

The development proposes tree removal and thus the provisions of the SEPP related to vegetation clearing do apply. Clause 2.6(1) of this SEPP requires a permit from Council for clearing of vegetation required under the policy. The proposed development seeks the removal of 15 trees located within the development footprint as identified in the Arboricultural Impact Assessment (**Appendix J**). Tree removal is recommended primarily to accommodate the proposed development especially where encroachment will have an adverse impact on the viability and stability of the individual species recommended for removal.

Section 6 of the Housing SEPP specifies that development permitted without consent may be carried out without any other 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.

## Regulated catchment

The site is located within the Georges River Catchment. Accordingly, the controls for development set out in Division 2 of Part 6.2 of the Biodiversity and Conservation SEPP apply to the activity.

Under Section 171A(1) of the EP&A Regulation, LAHC, as determining authority for the activity, when considering the likely impact on the environment of an activity proposed to be carried out in a regulated catchment, must:

- consider *State Environmental Planning Policy (Biodiversity and Conservation) 2021*, sections 6.6(1), 6.7(1), 6.8(1) and 6.9(1), and
- 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).

Part 6.2 Development in regulated catchments	Comment
<p><b>6.6 Water quality and quantity</b> This clause requires the consent authority to consider whether the development will:</p> <ul style="list-style-type: none"> <li>• have a neutral or beneficial effect on the quality of water entering a waterway;</li> <li>• have an adverse impact on water flow in a natural waterbody;</li> <li>• increase the amount of stormwater run-off from a site, and</li> <li>• Incorporate on-site stormwater retention, infiltration or reuse.</li> </ul> <p>The consent authority is also required to assess the impact of the development</p> <ul style="list-style-type: none"> <li>• on the level and quality of the water table;</li> <li>• the cumulative environmental impact of the development on the regulated catchment;</li> <li>• and whether the development makes adequate provision to protect the quality and quantity of ground water.</li> </ul> <p>Further this clause also requires that consent is not issued unless the consent authority is satisfied the development ensures:</p> <ul style="list-style-type: none"> <li>• the effect on the quality of water entering a natural waterbody will be as close as possible to neutral or beneficial, and</li> <li>• the impact on water flow in a natural waterbody will be minimised.</li> </ul>	<p>Stormwater will be collected within the site and conveyed via underground stormwater pipes and landscaped swales to the onsite detention tank (OSD) and rainwater tank, prior to discharge to Council's stormwater system. A sediment sump and seepage outlets will be incorporated into the OSD to filter sediment and fine pollutants prior to discharge.</p> <p>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 <i>Blue Book Managing Urban Stormwater: Soils and Construction</i> (4th edition, Landcom, 2004).</p> <p>Identified Requirements (Nos 6 and 42) are recommended to ensure that stormwater management of the activity is designed in accordance with Canterbury-Bankstown's technical guidelines and policies, and the stormwater plan endorsed by the Activity Determination.</p>
<b>6.7 Aquatic ecology</b>	The subject site is not located on riparian land and will not require a controlled activity permit. The site does

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

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

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

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

not adjoin a natural waterbody. Suitable erosion and sedimentation controls will be required to minimise erosion and maintain water quality. The site does not comprise any significant vegetation and as such there is negligible impact from the vegetation removal. The proposed development includes planting of suitable replacement native indigenous vegetation. In addition, the scale and nature of the activity, together with its location, is unlikely to have significant impacts upon aquatic ecology.

## 6.8 Flooding

(1) In deciding whether to grant development consent to development on land in a regulated catchment, the consent authority must consider the likely impact of the development on periodic flooding that benefits wetlands and other riverine ecosystems.

(2) Development consent must not be granted to development on flood liable land in a regulated catchment unless the consent authority is satisfied the development will not —

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

Given that a relatively minor portion of the site is affected by the PMF event, notably the landscaped rear portion of the site adjacent to the surface carpark, it is considered unlikely that a flood event would result in a release of pollutants into the catchment or have an adverse impact on the natural flow of floodwaters.

**6.9 Recreation and public access**

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

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 Hazard 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.

The site is located within a developed residential area of Revesby. The s10.7 Planning Certificates do not identify the site as potentially contaminated (refer to **Appendix F**). 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 the table below:

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 early 1950's.
(b) Do existing records held by the planning authority show that a potentially contaminating activity listed in Table 1 in Appendix 1 has previously been approved or carried out on the subject land? (The use of records held by other authorities or libraries is not required for an initial evaluation.)	No	LAHC records indicate that the land has not been used for a potentially contaminating activity listed in Table 1, Appendix 1 of the draft Guidelines.
(c) Is the subject land currently used for a potentially contaminating activity listed in Table 1 in Appendix 1?	No	Each lot 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 and did not indicate that the site may have been associated with potentially contaminating activities listed in Table 1.
(g) Are there any contamination impacts on immediately adjacent land which could affect the subject land?	No	Adjoining development is residential.
(h) Are there any human or environmental receptors that could be affected by contamination?	No	A standard identified requirement 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 to or during construction works.

## 6.7 Canterbury-Bankstown Local Environmental Plan 2023 (CBLEP 2023)

Compliance with the relevant provisions / development standards set out in the CBLEP 2023 is demonstrated in **Table 13** below.

Table 13 Canterbury-Bankstown Local Environmental Plan 2023

Relevant Provisions		
<b>4.3</b>	Height of Buildings 9m  9.5m available as per s108(2)(b) of the Housing SEPP.	Maximum height proposed is approximately 8.3m, measured centrally from the top of the roof RL32.52 to the existing ground level RL24.22.
<b>4.4</b>	Floor Space Ratio (FSR) 0.5:1 (1682.75m <sup>2</sup> GFA)	The development proposes an FSR of 0.5:1 (1677.22m <sup>2</sup> GFA), which complies with both the LEP and the Housing SEPP.
<b>5.21</b>	Flood Planning  (1) The objectives of this clause are as follows – (a) to minimise the flood risk to life and property associated with the use of land, (b) to allow development on land that is compatible with the flood function and behaviour on the land, taking into account projected changes as a result of climate change, (c) to avoid adverse or cumulative impacts on flood behaviour and the environment, (d) to enable the safe occupation and efficient evacuation of people in the event of a flood. (2) Development consent must not be granted to development on land the consent authority considers to be within the flood planning area unless the consent authority is satisfied the development –	The subject site is not impacted by 1% AEP flood extent; however, the southern portion of 29 and 31 Lochinvar Road are affected by minor inundation in the Probable Maximum Flood (PMF) event.  A Flood Report prepared by MSL Consulting Engineers Pty Ltd dated 25 July 2024 ( <b>Appendix T</b> ) was provided in support of the application, which confirms that all proposed floor levels (min. FFL 24.2m) will be above the highest PMF level on-site (approx. 23.4m AHD). Therefore, the proposed dwellings will function as safe refuges during a large flood event, and there is no specific requirement for offsite evacuation. Accordingly, the flood affectation of the site is considered minor and does not inhibit the development of the site.

## Relevant Provisions

(a) is compatible with the flood function and behaviour on the land, and

(b) will not adversely affect flood behaviour in a way that results in detrimental increases in the potential flood affectation of other development or properties, and

(c) will not adversely affect the safe occupation and efficient evacuation of people or exceed the capacity of existing evacuation routes for the surrounding area in the event of a flood, and

(d) incorporates appropriate measures to manage risk to life in the event of a flood, and

(e) will not adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses.

(3) In deciding whether to grant development consent on land to which this clause applies, the consent authority must consider the following matters —

(a) the impact of the development on projected changes to flood behaviour as a result of climate change,

(b) the intended design and scale of buildings resulting from the development,

(c) whether the development incorporates measures to minimise the risk to life and ensure the safe evacuation of people in the event of a flood,

(d) the potential to modify, relocate or remove buildings resulting from development if the surrounding area is impacted by flooding or coastal erosion.



Figure 21 Extract of Flood Report (Source: MSL Consulting Engineers Dated 24/07/2024)

## 6.2

## Earthworks

(3) In deciding whether to grant development consent for earthworks, or for development involving ancillary earthworks, the consent authority must consider the following —

- (a) the likely disruption of, or any detrimental effect on, drainage patterns and soil stability in the locality of the development,
- (b) the effect of the development on the likely future use or redevelopment of the land,
- (c) the quality of the fill and the soil to be excavated,

A Geotechnical Investigation (**Appendix P**) was undertaken for the site and has informed the design of the development.

The proposal does not include any significant cut or fill to facilitate the development. Excavation will largely be limited to the footings of the development, and all fill will be located within the building envelope via drop edge beams.

The proposed development has been designed to ensure minimal disruption / detrimental effect on the drainage patterns or soil stability in the locality. Extent of cut and fill is largely located within the building footprint and away from allotment boundaries.

The hydraulics consultant has certified that site drainage has been designed generally in accordance



Relevant Provisions		
	<p>(d) the effect of the development on the existing and likely amenity of adjoining properties,</p> <p>(e) the source of the fill material and the destination of any excavated material,</p> <p>(f) the likelihood of disturbing relics,</p> <p>(g) proximity to and potential for adverse impacts on, a waterway, drinking water catchment or environmentally sensitive area.</p> <p>(h) appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.</p>	<p>with Council's requirements (refer Stormwater Document Compliance Certificate in <b>Appendix M</b>).</p> <p>The amount of proposed cut and fill will create a level building platform that will facilitate the residential use of the land.</p> <p>All fill will be virgin excavated natural material. Any excess excavated material will be transported to an appropriate facility in accordance with a final waste management plan.</p> <p>Identified Requirement (No.46) is recommended to cover the potential disturbance of any relics found on the site during demolition / construction.</p> <p>The development has been designed in accordance with the relevant stormwater management and drainage requirements (<b>Appendix C</b>) and includes on-site detention, rainwater tank and trash screens to outlet pipes to ensure water quality is maintained.</p> <p>In addition, soil erosion and sedimentation measures will be implemented during works to ensure that there are no adverse impacts on any waterway, drinking water catchment or environmentally sensitive area.</p>
6.3	<p>Stormwater management and water sensitive urban design</p> <p>(1) The objective of this clause is to avoid or minimise the adverse impacts of urban stormwater on land to which this clause applies and on adjoining properties, native bushland, waterways and ground water systems.</p> <p>(2) This clause applies to land in Zones R2, R3, R4, B1, B2, B4, B5, B6, B7, IN1, IN2, SP1, SP2, RE1 and RE2.</p> <p>(3) Development consent must not be granted to development on land to which this clause applies unless the consent authority is 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 practicable, on-site stormwater retention for use as an alternative supply to mains water, groundwater or river water, and</p> <p>(c) avoids significant adverse impacts of stormwater runoff on the land on which the development is carried out, adjoining</p>	<p>The proposed stormwater arrangement has been designed in consideration of Council's stormwater policy and the provisions of Canterbury-Bankstown DCP 2023. The development has been designed to maximise the amount of permeable surfaces with approximately 1043.73m<sup>2</sup> (31%) of the site being dedicated to soft soil landscaping or deep soil zones. Further, an on-site detention tank that includes a sediment sump and seepage outlets has been provided to manage stormwater at the site, as well as a 5500L rainwater tank for the purposes of landscape irrigation.</p> <p>Stormwater will be directed to a new kerb inlet pit located on Ferndale Street via an existing downstream inter-allotment drainage easement.</p>

## Relevant Provisions

properties and infrastructure, native bushland and receiving waters, or if the impact cannot be reasonably avoided, minimises and mitigates the impact, and

(d) includes riparian, stormwater and flooding measures, and

(e) is designed to incorporate the following water sensitive urban design principles –

- (i) protection and enhancement of water quality, by improving the quality of stormwater runoff from urban catchments,
- (ii) minimisation of harmful impacts of urban development on water balance and on surface and groundwater flow regimes,
- (iii) integration of stormwater management systems into the landscape in a way that provides multiple benefits, including water quality protection, stormwater retention and detention, public open space and recreational and visual amenity.

## 6.8 Canterbury-Bankstown Development Control Plan 2023 (CBDPC 2023)

*Canterbury-Bankstown Development Control Plan 2023 (CBDPC 2023)* contains development controls for residential development, however, does not contain specific development controls for seniors housing. As such, the relevant controls for multi-dwelling housing have been used for comparative purposes to demonstrate the suitability of the site for the proposed scale of development as shown in **Table 14** below.

The general controls for all development set out in CBDPC 2023 have generally been addressed in the various sections of this REF that address compliance with the provisions of the Housing SEPP. The following controls are only those which are not already covered by the requirements under the Housing SEPP.

Table 14 Canterbury-Bankstown Development Control Plan 2023

Chapter 5 – Residential Accommodation Former Bankstown LGA			
Section 7–Multi Dwelling Housing and Multi Dwelling Housing (Terraces)			
Clause	Requirement	Proposed	Complies
7.3 Fill	Any reconstituted ground level on the site within the ground floor perimeter of the multi dwelling housing must not exceed a height of 1m above the ground level (existing). For the purposes of this clause, the ground floor perimeter includes the front porch.	The maximum fill within the building envelope is approximately 710mm, located at the southwest corner of the building.  Generous 3.7m – 6m side setbacks of this portion of the building ensure that any impacts due to the raised building when viewed from adjoining neighbours are appropriately mitigated.	Yes

7.4 Fill	Any reconstituted ground level on the site outside of the ground floor perimeter of the multi dwelling housing must not exceed a height of 600mm above the ground level (existing) of an adjoining site. For the purposes of this clause, the ground floor perimeter includes the front porch.	The proposed development does not incorporate any significant fill as the site's contours do not necessitate any significant earthworks to ensure a level platform for development.  The levels across the site largely remaining unchanged, save for a carpark protrusion at the south-eastern corner of 590mm, which is in within the allowable limits of the DCP.	Yes
7.5 Street Setbacks	The minimum setback for a building wall to the primary and secondary street frontages is 5.5m.	Minimum 6m front setback to the communal waste room. Minimum 10m to building wall otherwise. Balconies and ground floor patios protrude further but do not encroach within 5.5m to the front boundary.	Yes
7.6 Side setbacks	The minimum setback for a building wall to the side boundary is 0.9m except for east-west orientated sites of land where the minimum side setback to the southern boundary is 3m. The intended outcome of the 3m setback is to minimise overshadowing on adjoining sites.	Minimum 3.4m setback to western side boundary and 5.5m to eastern side boundary.	Yes

## 7 Notification, Consultation and Consideration of Responses

### 7.1 Council Notification

In accordance with sections 43A and 108C of the Housing SEPP, Canterbury-Bankstown Council was notified of the development by letter dated 7 November 2024 (refer to **Appendix G**). The notification response period formally closed on 29 November 2024, although Council responded to the notification by letter dated 6 December 2024 which has been extracted in **Table 15** below and is also available at **Appendix G**. A response is provided in relation to the matters raised in Council's letter and where appropriate, these matters have been addressed in the identified requirements in the **Activity Determination**.

Table 15 Issues raised in Council submission

Council Comment	LAHC Response
<b>Waste Management</b>	
<p><b>Bin Carting Route</b></p> <p>Council advises the certifier must not issue a Construction Certificate (CC) unless provided with detailed plans (included in the CC), which identify that the bin carting route from the communal bin storage room to the waste collection point identified on stamped plans complies with the following requirements:</p> <ul style="list-style-type: none"> <li>a. Is direct and less than 10 metres (m) in length,</li> <li>b. Has a minimum width of 2m of hard surface;</li> <li>c. Is of non-slip material and free from obstacles and steps;</li> <li>d. Is not located within a driveway or carpark;</li> <li>e. Has a maximum grade of 1:30 (3%);</li> <li>f. Has a kerbside ramp installed at the collection point; and</li> <li>g. Has compliance with Work, Health and Safety legislation and standards</li> </ul> <p>In addition to the above, requirements outlined in Council's 'Waste Management Guide for New Developments' (see under the 'Supporting guides' heading) must also be complied with to ensure orderly collection of waste from the site.</p>	<p>The development has been designed to comply with Council's 'Waste Management Guide for New Developments', including the design parameters for the 'collect and return' service. Identified Requirement No. 84 is recommended to ensure compliance during the design and construction phase of the development.</p>
<p><b>Communal Bin Storage Room</b></p> <p>Council advises the certifier must not issue a Construction Certificate (CC) unless provided with detailed plans (included in the CC) for the communal bin storage room that comply with the following requirements:</p> <ul style="list-style-type: none"> <li>a. Floors must be constructed of concrete at least 75 millimetres (mm) thick and graded and drained to a Sydney Water approved drainage fitting;</li> <li>b. Floors must be finished to be non-slip with a smooth and even surface;</li> </ul>	<p>The development has been designed to comply with Council's 'Waste Management Guide for New Developments', including the design parameters for the communal waste room and by exceeding the minimum required bin allocations.</p> <p>Identified Requirement No. 84 is recommended to ensure compliance during the design and construction phase of the development.</p>

Council Comment	LAHC Response												
<p>c. A designated room or enclosure with a roof, with a minimum 2.1m unobstructed room height.</p> <p>d. Must be compatible with the overall design of the development;</p> <p>e. Walls must be constructed of solid impervious material;</p> <p>f. Ceilings must be finished with a smooth faced non-absorbent material capable of being cleaned;</p> <p>g. Walls, ceiling and floors must be finished in a light colour;</p> <p>h. An adequate supply of hot and cold water mixed through a centralised mixing valve with hose cock is to service the room;</p> <p>i. A self-closing door openable from within the room;</p> <p>j. Must be constructed to prevent the entry of birds and vermin;</p> <p>k. Be provided with adequate light and ventilation. The light source must be through controlled light switches located both outside and inside;</p> <p>l. Any doorways must be 2m wide and open outwards; and</p> <p>m. Be designed to fit the following bin allocations:</p> <table><tr><th>Number</th><th>Bin Size</th><th>Bin Type</th></tr><tr><td>3</td><td>1,100L</td><td>Garbage (Red)</td></tr><tr><td>4</td><td>1,100L</td><td>Recycling (Yellow)</td></tr><tr><td>2</td><td>240L</td><td>Garden (Green)</td></tr></table>	Number	Bin Size	Bin Type	3	1,100L	Garbage (Red)	4	1,100L	Recycling (Yellow)	2	240L	Garden (Green)	
Number	Bin Size	Bin Type											
3	1,100L	Garbage (Red)											
4	1,100L	Recycling (Yellow)											
2	240L	Garden (Green)											
<p>In addition to the above, requirements outlined in Council’s ‘Waste Management Guide for New Developments’ (see under the ‘Supporting guides’ heading) must also be complied with to protect and enhance the amenity of the future occupants and occupants of adjoining sites.</p>													
<p><b>Bulky Waste Storage Room</b></p> <p>Council advises the certifier must not issue a Construction Certificate (CC) unless provided with detailed plans (included in the CC) for the bulky waste storage room that comply with the following requirements:</p> <p>a. To be a caged or well separated space within the waste room</p> <p>b. To be designed to a minimum size of 4 square metres (m2)</p> <p>c. Any doorways must be 2m wide and open outwards</p>	<p>The development has been designed to comply with Council’s ‘Waste Management Guide for New Developments’, including design parameters for the bulky waste storage area. Identified Requirement No. 85 is recommended to ensure compliance during the design and construction phase of the development.</p>												
<p><b>Stormwater Design</b></p>													
<p>The proposed stormwater design shown in the Stormwater Plan prepared by Homes NSW dated 4 October 2024 is</p>	<p>Noted. A standard Identified Requirement No. 6 has been included to ensure the stormwater design is consistent with Council’s standards and the endorsed plan.</p>												



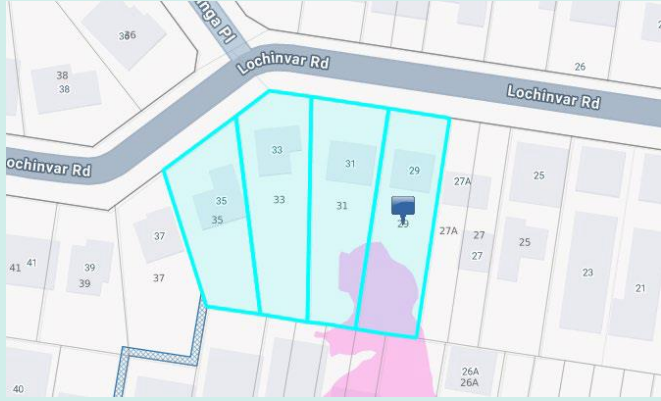
Council Comment	LAHC Response
supported by Council in-principle, as it has been found to be consistent with Council's controls and standards.	

### Tree Management

Council confirms the trees recommended for retention and protection in Table 4 (p15) of Arboricultural Impact Assessment prepared by Creative Planning Solutions dated 30 October 2024 is supported.	Noted.
Council notes the abovementioned document includes the statement 'Prior to the issue of Construction Certificate, detailed root mapping investigation using non-destructive methodology such as air spade or hand digging, are required within the TPZ of Trees 7 & 15.' (p19). Council advises this will need to be submitted for comment once prepared.	<p>It is noted that Tree 7 is now proposed to be removed and replaced with suitable canopy trees in the front setback area, to compensate for its loss (refer to recommended Identified Requirement No. 86).</p> <p>Tree 15 is proposed for retention. Notwithstanding, investigative root mapping is recommended as part of the Arboricultural Impact Assessment (<b>Appendix J</b>) to ensure that the construction does not impact upon the health and viability of these trees. This information will be utilised to inform the construction documentation prior to works commencing.</p> <p>The root mapping investigation will be required to be submitted to LAHC. Should retention of this tree not be viable as a result of the investigation, suitable canopy replacement trees shall be planted as part of the development at a 3:1 replacement ratio. Identified Requirement No. 87 is recommended in this regard.</p>
Council's Tree Management Manual (TMM) requires that trees removed must be replaced at a 3:1 ratio (three trees planted for every one tree removed). This is to be complied with pertaining to this proposal.	Noted. The landscape plan has been designed to ensure a replacement ratio of 3:1 is achieved for removed trees that are not exempt (7 trees). The proposed landscaping plan incorporates approximately 20 new trees as part of the development, such that the development will contribute positively to the landscape context of the locality. Additional tree replanting is recommended as per Identified Requirement No. 86 to offset the removal of T7.

### Flooding

Council confirms and notes the subject site is not impacted by 100YR flooding; however, the southern portion of 29 and 31 Lochinvar Road are affected by minor inundation in the Probable Maximum Flood (PMF) event.	Noted. The development has been designed noting the PMF affection located at the rear of the site, and accordingly there is not considered to be any impact on the development from any flood waters.
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Council Comment	LAHC Response
 <p>Council notes the Flood Report prepared by MSL Consulting Engineers Pty Ltd dated 25 July 2024 states ‘all proposed floor levels will be above the highest PMF level on-site; therefore the proposed dwellings will function as safe refuges during a large flood event, and there is no specific requirement for offsite evacuation.’ Council has no objection to this statement.</p>	
<p><b>Car Park</b></p> <p>Council raises the following concerns with the proposed at-grade carpark module design:</p>	
<p>The aisle should be extended a minimum of 1m beyond the last parking space (number 1 and 4) in accordance with Clause 2.4.2 (c) of Australian Standards AS2890.1 (blind aisle)</p>	<p>The proposal has been reviewed and is supported by a Traffic Impact Assessment (TIA) by ParkTransit Australia Pty Ltd at <b>Appendix S</b>.</p> <p>The proposal has been found to comply with AS2890.1 and swept path analysis provided within the TIA confirms that the manoeuvrability in and around the car parking area is satisfactory. Notwithstanding, the end parking bays have been increased to a width of 3m to improve manoeuvring for cars entering and exiting the spaces.</p>
<p>There is insufficient room within the parking module for drivers to manoeuvre safely and exit in a forward direction in the event the carpark is fully occupied.</p>	<p>The proposal has been reviewed and is supported by a Traffic Impact Assessment (TIA) by ParkTransit Australia Pty Ltd at <b>Appendix S</b>, which has found that the development is consistent with the provisions of AS2890.1.</p>
<p><b>Traffic, Vehicular Access &amp; Footpaths</b></p>	
<p>Council notes the driveway width is stated to 3m in the Traffic and Parking Impact Assessment (TPIA) prepared by ParkTransit Australia Pty Ltd dated 11 October 2024. This may be an error and is to be corrected, as the plans show two vehicles being able to pass each other and this cannot occur with a width of 3m.</p>	<p>The driveway located at the frontage of Lochinvar Road is 6m wide to facilitate a passing bay for cars entering and exiting the site, which then tapers to 3m for the driveway along the side boundary.</p> <p>An update to the TIA is not considered warranted in this instance.</p>
<p>Council advises the waiting bay and/or stop line is to be shown on the Architectural Plans prepared by DTA Architects.</p>	<p>This has been shown on the Site Plan prepared by DTA Architects, refer to Sheet 6 of 18 in <b>Appendix A</b>.</p>
<p>Council advises the proposed access driveway on Wenke Crescent must comply with Council’s Vehicular Footway Crossing (VFC) Policy and Council’s Standard Drawings as</p>	<p>Identified Requirements Nos. 10 and 11 are recommended to ensure that the Vehicular Access Driveway and</p>

Council Comment	LAHC Response
<p>per 'S-004 Standard Location for VFCs and Property Drainage', in particular:</p> <ul style="list-style-type: none"> <li>- 'Provide 2000 millimetre (mm) minimum clearance for multi-dwellings, commercial and industrial properties; and</li> <li>- 'Provide separation between adjoining wing of VFC of 300-1000 millimetres (mm) or greater than 5500mm separations. Separations of 1000-5500mm are not permitted'</li> </ul>	<p>Footpaths are constructed in accordance with Council's Standard Drawings.</p> <p>Although it is noted that the clearance for the vehicle access driveway to the property boundary is less than 2000mm (approximately 1200mm as proposed), the current configuration is considered acceptable as the proposed access arrangement has been assessed as part of the Traffic Impact Assessment prepared by ParkTransit Australia Pty Ltd, as complying with AS2890.1 in relation to vehicular sightlines and manoeuvrability.</p> <p>A separation of 982mm is provided between the adjoining wing of the VFC at 27 Lochinvar Road.</p>
<p>Council advises that a splay extending 2m from the driveway edge along the front boundary, and 2.5m from the boundary along the driveway shall be provided to give clear sight lines of pedestrians from vehicles exiting the site and should be kept clear of any permanent obstacles. This is in accordance with 'Figure 3.3 – Minimum sight lines for pedestrian safety' (below) in Australian Standards AS2890.1:2004. The sight triangles shown on the plan must be updated to show their dimensions.</p>	<p>This has been shown on the Site Plan prepared by DTA Architects, refer to Sheet 6 of 18 in Appendix A.</p>
<p>Council advises that redundant driveways, if any, along Lochinvar Road fronting the development site are to be removed and reinstated with kerb and gutter and verge to match with remaining.</p>	<p>Redundant driveways will be reinstated to kerb and gutter and verge in accordance with Council's specifications. Standard Identified Requirement No 11 is recommended to this effect.</p>
<p>Council advises that should this development be approved; a footpath is to be constructed along the Wenke Crescent frontage of the site at the cost of the applicant.</p>	<p>Noted. The footpath along the Lochinvar Road frontage to the bus stops in Ferndale Road will be upgraded to be accessible, as specified in the Access Report prepared by Ai Consultancy (<b>Appendix H</b>), as part of the works and to Council's standards. Identified Requirement No. 77 is recommended to this effect.</p>
<p>Council advises that a Construction Traffic Management Plan (CTMP) shall be required to be submitted six months prior to the commencement of works on the site, for both demolition and construction phases of the development / project.</p>	<p>Identified Requirement No. 89 is recommended to address this requirement. A copy of the CTMP shall be submitted to Council for their records prior to works commencing.</p>
<p>If required and to facilitate construction works, a Works Zone may be considered to be installed across the site frontage in Lochinvar Street, subject to the approval of the Canterbury Bankstown Council Traffic Committee. The Applicant must apply for the Works Zone in accordance with Council's requirements, three months prior to the commencement of the works on the site.</p>	<p>Noted. Identified Requirement No. 90 is recommended to ensure compliance.</p>
<p><b>Building Services</b></p>	
<p>Council recommends that the substation be relocated to the east, adjacent to the driveway entrance, to be consolidated with other services and minimise its impact on the public domain.</p>	<p>The substation has been located closer to the western boundary of the site as it allows for easier connection to the network at Kennedy Street.</p>

Council Comment	LAHC Response
<p>Councils notes the proposed waste room is currently located in a central location adjoining the main entry point of the building and adjacent to Unit 5's bedroom, which may compromise its amenity. Given the large site area, it is more suitable to provide an onsite waste collection to minimize any impacts on the streetscape and building entrance. Therefore, it is recommended that an onsite dedicated area for waste collection is considered at the rear of the property, integrated into the carparking area. The driveway should also be designed to allow access and manoeuvring by Council's heavy rigid vehicles (HRVs).</p>	<p>The substation is also sited to meet minimum setback requirements to the hydrant booster and other services.</p> <p>The waste room has been located centrally within the site such that it is easily accessible to all residents while also conveniently allowing for Council's 'collect and return' service to collect waste from the site. The waste room has been integrated into the building using curves within the facade, batten screening and face brick that is a consistent architectural theme across the development.</p> <p>A waste room located at the rear of the site in an outdoor location would likely create excessive travel distances for the residents, and requiring a heavy rigid vehicle to manoeuvre in and out of the site would significantly increase the extent of hardstand required, reduce availability of landscaped and deep soil areas on the site contrary to the R2 zone objectives, and may create vehicular safety issues with passenger cars and HRVs sharing common access.</p>
<p>Council recommends a consistent approach to the placement and maintenance of Hot Water Units, as the current arrangement is inconsistent. Council finds units are consolidated at the rear or side of the building, while others are located within private open spaces. Additionally, some units are accessible externally, while others require access through individual units. Council therefore advises Homes SNW to explore a centralised water heating system to simplify maintenance and management, avoiding the need for multiple segregated units across the property.</p>	<p>The hot water strategy has been developed in accordance with LAHC Design Manager recommendations and LAHC Design Requirements and is consistent with the organisation's strategy for apartment servicing and considering long term asset maintenance.</p>
<b>Building Design</b>	
<p>Council advises relocating the waste room would allow the central space to be reconfigured as a vibrant indoor social and communal area. This location, with its proximity to the main entry, northern aspect, and views of a wide landscaped area, is ideally suited for fostering social interaction and gatherings. Therefore, it is recommended to repurpose this space as a social gathering area, seamlessly integrating the indoor and outdoor areas next the foyer and adjacent landscaping. The redesigned space should include adequate separation or buffering to protect visual and acoustic privacy of the adjoining units.</p>	<p>As noted above, the waste room is proposed in the most ideal location for the amenity of residents and ease of servicing, utilising Council's 'collect and return' service.</p> <p>High quality outdoor communal open space have been provided at the rear of the development that will provide opportunities for social gathering.</p> <p>Communal rooms and internal social gathering areas are not typical for LAHC developments for maintenance and security reasons.</p>

Council Comment	LAHC Response
<p>Council finds there is an opportunity to better utilise the available height and enhance the roof design, given that the building is well below the 9.5-metre(m) height limit. It is recommended to explore more efficient use of the building's height and roof area, as the proposed design currently presents opportunities for improvement. Therefore, Council makes the following recommendations:</p> <ul style="list-style-type: none"> <li>- Consider increasing the floor to ceiling heights on all levels to improve the internal amenity for the residents.</li> <li>- Consider using the roof space to centralise and conceal some of the building's services.</li> <li>- Consider using the remaining height to create a well-articulated roof design that complements the surrounding context, which is predominantly characterised by pitched roofs.</li> </ul>	<p>The proposed maximum height of building for the development is approximately 8.3m. It is noted that the site is located within the R2 Low Density Residential zone and adjoining the site to the west is a single storey dwelling. Additional building height in this instance is not considered warranted.</p> <p>The floor to ceiling height of 2.7m is considered sufficient for occupant amenity, noting that 72% of units achieve a minimum of 3 hours solar access during the winter solstice. Furthermore, the floor to ceiling heights are consistent with the LAHC Design Requirements.</p> <p>The roof and façade design is of a contemporary nature that is in keeping with the emerging character of the wider area, including recent developments within the visual catchment of the site, including but not limited to, 16 and 18 Lochinvar Road.</p>
Façade Design	
<p>Council supports the double height on the balconies as it adds to the character of the building, however the uniform height of the roof level is considered monotonous. Therefore, recommending variation in the roof room and articulation should be provided to break the uniformity of the façade shape.</p>	<p>Whilst the roof has a continuous pitch, the balcony projections provide varying height points and articulation in the façade. The façade is considered to be well articulated with a balance of materials and a sense of rhythm to the street.</p>
<p>Council suggests the incorporation of pitched roofs to better align with the character of the surrounding area.</p>	<p>A site inspection on 4 March 2025 revealed that the emerging character of newer residential development in the area is of varied architectural styles that exhibit roof forms of different configurations. Accordingly, it is considered that the proposed roof form is consistent with the emerging character of the area and replacement with the suggested pitched roof form is not warranted.</p>
<p>Council suggests incorporating a variety of brickwork techniques to add visual interest and depth to the façade, rather than relying solely on standard face brick.</p>	<p>It is considered the facade is well articulated with a combination of materials including brickwork, render, batten cladding as well as balcony projections that address the street and provide visual interest when viewed from the public domain.</p>
Amenity	
<p>Council recommends consideration to enhance natural ventilation in units that currently lack cross-ventilation, thereby improving their amenity and reducing reliance on mechanical ventilation systems. The following can be incorporated to facilitate this:</p> <ul style="list-style-type: none"> <li>- Install openable skylights or highlight windows in Units 5, 11, 12, and 14 to achieve cross-ventilation. These windows should be carefully positioned to maintain visual and acoustic privacy.</li> </ul>	<p>12/19 units (63%) achieve cross ventilation, including Units 2 and 14.</p> <p>Openable skylights are not preferred by LAHC to prevent ongoing maintenance burdens with potential for rainwater ingress. Additional highlight windows for units 5, 11 and 12 are not considered feasible as these apartments are between other sole occupancy units.</p>



Council Comment	LAHC Response
<p>- Following the relocation of the waste room, reconfigure Units 2 and 6 to provide dual aspects and cross-ventilation. Ensure that the entrance layout is adjusted to maintain adequate visual and acoustic privacy for adjacent windows.</p> <p>- In units where cross-ventilation cannot be achieved, consider installing ceiling fans to improve cooling and heat distribution.</p>	<p>The waste room is not proposed to be relocated.</p> <p>Ceiling fans will be provided to all bedrooms and living rooms for each apartment. In addition, air conditioning is being provided to all living rooms within the development as an alternate ventilation sources.</p>
<b>Access &amp; Circulation</b>	
Council recommends furniture (such as benches) on corridors and internal communal areas to function as rest points and opportunities to socialise.	Seating opportunities have been provided in the rear communal open space in the proposed yarning circle. The proposal has also been amended to include additional seating opportunities in the form of sandstone blocks along pathways within the COS. A bench seat is also proposed in the first floor foyer.
Council recommends including direct access to Communal Open Space (COS)/carpark from Private Open Spaces (POS) where possible.	It is not considered feasible to include direct access to the COS and carpark from the private open spaces due to the level differences between the internal and external levels, which is approximately 700-800mm across the rear façade.
Council notes main corridors are long; therefore, it is suggested that a secondary emergency exit is added on the main foyer. In addition, the proposed emergency exit on the eastern side of the development should be step free. Stairs should be also replaced with a ramp.	A Building Code of Australia Compatibility Report ( <b>Appendix L</b> ) and an Access Report ( <b>Appendix H</b> ) have been prepared and have determined that the proposed development complies with the relevant performance requirements and accessibility standards.
Council advises all main paved/concrete paths should comply with the Australian Standards for Access and Mobility (AS1428.1 2021) and allow for 2 wheelchairs to pass each other (1.5-1.8m wide minimum path). Secondary paths, such as the ones connecting POS with COS, should also be a minimum of 1.2m wide.	A Building Code of Australia Compatibility Report ( <b>Appendix L</b> ) and an Access Report ( <b>Appendix H</b> ) have been prepared and have determined that the proposed development complies with the relevant performance requirements and accessibility standards.
Council recommends that the driveway and carpark be designed to accommodate ambulance access in case of emergencies, due to this development is intended for senior's housing.	The development provides parking in accordance with the requirements of s108 of the Housing SEPP. Dedicated ambulance parking is not considered warranted for independent living units. In the event of an emergency, NSW Ambulance personnel will be able to access the site.
<b>Landscaping</b>	
<p>Council notes the Communal Open Space (COS) surrounding the building is expansive, however it is currently fragmented by pedestrian paths and other structures, creating small, unfunctional spaces. The following are several opportunities to better integrate these areas into usable spaces that function cohesively and are well-utilised:</p> <p>- Integrate the COS by offering a range of recreational uses and opportunities for socialising and interaction across the entire space, rather than centralising them in one area. Include elements that work alongside other uses, such as the carpark.</p>	Various opportunities for social gathering have been provided within the COS through the provision of linked pathways, seating and yarning circle. These pathways already provide an accessible means for residents to navigate the COS.

Council Comment	LAHC Response
<ul style="list-style-type: none"> <li>- Connect these spaces with pathways designed for exercise and recreation, ensuring they are accessible, barrier-free, and include rest points for seniors and people with limited mobility.</li> <li>- For units with large private open spaces, include planters with low-maintenance plant species to enhance the area's usability and appearance.</li> </ul>	<p>The architectural and landscape plans have been amended to include additional seating opportunities and rest points along the pathways, in the form of sandstone blocks.</p> <p>Planter beds with low maintenance species have been incorporated into the private open spaces of 2-bedroom units on the ground floor.</p>
<b>Sustainability</b>	
Council notes the solar panels are currently oriented towards the south, which reduces their efficiency. It is advised they be repositioned to face north to maximise their effectiveness.	Photovoltaic solar panels have been provided on the rooftop to improve the development's sustainability and reduce electrical demand. The solar panels are proposed to be angled to capture the northern sun. The detailed design of the solar panels will be undertaken in conjunction with the electrical consultant prior to construction.
Council advises installation of skylights in internal corridors to increase natural daylight and reduce reliance on artificial lighting.	Windows have already been provided at corridor ends and within the central lobby area on the ground and first floors, as well as along the southern corridor facade. In combination, there will be sufficient light in common areas during the daylight hours.
Council advises additional sustainability measures, such as water-sensitive urban design, rainwater tanks, and the use of permeable materials, should be incorporated into the development.	<p>The development already provides various sustainability measures, including:</p> <ul style="list-style-type: none"> <li>- A 5500L rainwater tank to provide water for landscape irrigation across the site,</li> <li>- Photovoltaic solar system to reduce reliance on the grid for electricity supply,</li> <li>- Planting of native vegetation and low water use species, and</li> <li>- Water saving fixtures for bathrooms and kitchens for all dwellings.</li> </ul>

## 7.2 Notification of Occupiers of Adjoining Land and Other Persons

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

Advice was sought from Council regarding additional persons that should be notified of the development. Council provided an email response on 6 September 2024 confirming the scope of notification; however, owner details of properties were not forthcoming. **Figure 22** illustrates the properties indicated by red stars, in which the occupiers were notified of the development.

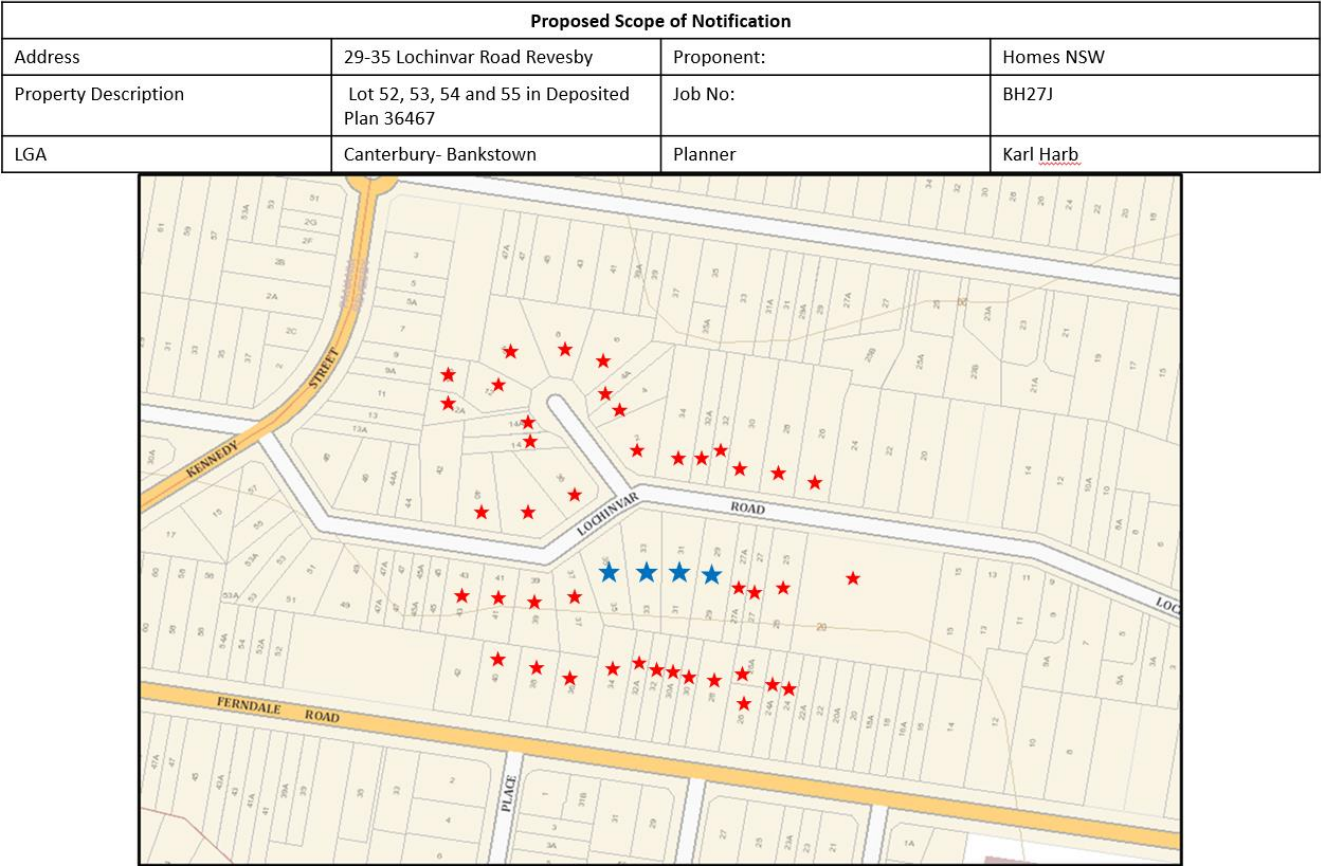


Figure 22 Map of Properties Notified of the Proposed Development (Source: LAHC)

Under section 108C(1)(b) of the Housing SEPP, occupiers of adjoining land, as identified in the above map, were notified of the proposed development activity by letter dated 5 November 2024. A sample of the notification letter is provided at **Appendix G**. The notification response period formally closed on 29 November 2024 and 2 submissions were received.

A response to the key issues raised in the submissions are discussed in **Table 16**.

Table 16 Key issues raised by adjoining owners / residents

Issues raised	LAHC Response
Traffic and Parking <ul style="list-style-type: none"><li>Insufficient parking provided to service the development.</li></ul>	<p>The proposal provides 9 on-site car parking spaces which exceeds the minimum requirements of the <i>State Environmental Planning Policy (Housing) 2021</i> (Housing SEPP) for seniors housing developments, where the minimum requirement is for only 4 parking spaces.</p> <p>The Traffic Impact Assessment (<b>Appendix S</b>) prepared by ParkTransit Australia Pty Ltd was provided to assess the impacts of the development upon the local road network. The report findings indicate that the proposed development would generate up to 4 additional weekday vehicle trips during the respective peak periods, which is not expected to have any significant impacts on the existing local street network.</p> <p>Notwithstanding this, social housing tenants typically have lower car ownership rates than the general community. ABS data for the Canterbury-Bankstown LGA in 2021 shows that 37.5% of social housing households have no cars, which is substantially higher than the general population</p>

Issues raised	LAHC Response
<p>Vehicular manoeuvrability in and around the site and sight lines, including visibility on the bend.</p> <p>Also suggest 'no parking' zone along the site street frontage, along bend of the street.</p>	<p>households at 10%. Further, only 18% of social housing households have 2 or more cars compared to 41.9% of general population households.</p> <p>It is therefore considered that the parking and traffic impacts are minor and duly mitigated by the proximity to, and availability of the nearby public transport, and typically lower car ownership rates of social housing tenants.</p> <p>The Traffic Impact Assessment (<b>Appendix S</b>) prepared by ParkTransit Australia Pty Ltd assesses the site access arrangement from Lochinvar Road and vehicular manoeuvrability in and around the site. The report concludes that:</p> <ul style="list-style-type: none"> <li>• The proposal does not generate any increase in safety risk to pedestrians or drivers as a result of the access and parking configuration,</li> <li>• The proposed development will not negatively impact current traffic conditions including local intersection capacity, and</li> <li>• An assessment of the car park layout, including the parking spaces and associated aisle width, indicates the car park layout is compliant with the relevant applicable Standards (AS2890.1, &amp;AS2890.6).</li> </ul> <p>The provision of a 'no parking zone' along the street frontage is a matter for Council and beyond the scope of the proposed development.</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

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

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### 8.1 Neighbourhood Character

The site is located within Revesby, an established residential area generally consisting of a mix of housing typologies with single dwelling houses, dual occupancies and multi dwelling housing within the immediate visual catchment of the site. Most residential developments within the local area are of brick or fibre cement construction. Currently, there is a gradual transition from low density housing to medium density development within the locality, with the proposed development promoting more contemporary development in the Revesby local area.

The bulk and scale of the proposed development will be compatible with the existing character of the neighbourhood and will deliver a built form outcome consistent with the planning controls for the locality. The two-storey design, siting, layout, brick external façades, parapet roofing and landscape setting of the proposed development aligns with that of newer developments 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 developments and an overall scale that is compatible with existing built form in the street. Suitable design treatments, including fencing, landscaping and a considered planting mix ensure the proposal will generate benefits to neighbourhood character.

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### 8.2 Bulk and Density

The proposed development is of a bulk and scale that is sympathetic to the surrounding development in the locality of Revesby. The 2-storey building incorporates appropriate setbacks distinguished by a variety of articulation features, external finishes and materials to reduce the visual bulk of the development. The development is designed with suitable façade articulation and roof form to minimise bulk and scale.

The proposal incorporates a floor space ratio of 0.50:1 and a maximum height of 8.3m which is generally consistent with a low-density residential area. The FSR and 2-storey built form is compatible with existing development in the street and is sympathetic to the surrounding context. The design provides an appropriate response to the desired future character envisaged for the R2 Low Density Residential zone, which encourages a variety of housing types.

The compliant floor space ratio in conjunction with landscaped deep soil areas along allotment boundaries confirms the proposal does not constitute an overdevelopment of the site. The proposal will suitably increase housing density which is consistent with State and regional strategies and the development controls applying to the site.

#### Mitigation Measures

No mitigation measures are required.



## 8.3 Streetscape

The architectural style of the proposed development activity is compatible with the form of contemporary dual occupancies and medium density development in the surrounding locality. The street façade is divided into a number of distinct elements, separated with landscaped areas resulting in a finer grained streetscape appearance, consistent with existing development in the area. In addition, the hard stand car parking area has been positioned towards the rear of the site and will be obscured from street view which will ensure the development provides a positive streetscape presence.

Given the strong articulation and modulation along the front façade and proposed landscaping within the street setback area, the proposed development will make a positive contribution to the streetscape of Lochinvar Road. 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 frontage through incorporation of street facing windows and doors, as well as courtyards and balconies within the front setbacks, improving casual surveillance of the public domain.

### Mitigation Measures

No mitigation measures are required.

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## 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 residential context.

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

The proposal will retain 1 mature high retention value tree within the front setback of the site, given that T7 is recommended for removal and replacement. In addition, new landscaping proposed within the front setback includes the planting of 1 x Cedar Wattle (*Acacia elata*) with a mature height of 12m, and 1 x Ironbark (*Eucalyptus sideroxylon* 'rosea') with a mature height of 10m. Identified Requirement No. 86 requires the Landscape Plan to be updated to show the removal of T7 and replacement of all front setback Flame Trees (*Brachychiton acerfolium*) and *Melaleuca decora* (Paperbark) with *Corymbia maculata* (Spotted Gum) which can exceed a mature height of approximately 15m. As well as this, 5 x red flowering gum (*eucalyptus ficifolia*) trees are proposed within the street setback on Lochinvar Road, and together with considerable tree and shrub planting along the side and rear boundaries of the site, the development will add to the long-term visual amenity of the surrounding properties and improve 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 placement of windows and screening, site landscaping, and setbacks so as to avoid direct overlooking of neighbouring properties. In particular:

- A minimum 3.6m setback is provided from side boundaries to all apartments, to provide sufficient visual separation to adjoining properties. Further, first floor apartments generally do not have any windows or balconies to high-frequency use rooms that face directly toward adjoining private open spaces.
- Dwellings generally are orientated toward the street frontage of Lochinvar Road, to ensure that living areas and high frequency used rooms facing adjoining properties are minimised.
- Window openings on side elevations have been limited where possible and are generally to bedrooms and bathrooms. Living area windows are either screened, high sill or oriented to the front and rear elevations where setbacks are increased.
- Solid balcony balustrades are proposed which will assist in providing privacy to residents for dwellings facing the street.
- Privacy screens are provided to first floor balconies at the rear of the development to restrict potential overlooking of neighbouring properties.
- Proposed 1.8m side and rear boundary fencing, and 1.5m palisade front boundary fencing with landscaping, will mitigate unacceptable overlooking into the ground level units from the public domain.

### Mitigation Measures

- No mitigation measures are required.

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## 8.6 Solar Access

The design and siting of the proposed development will provide adequate daylight access to the proposed dwellings' living areas and private open spaces. The submitted Architectural Plans (**Appendix A**) indicate that 15 out of 19 dwellings (78%) receive at least 2 hours direct solar access to the living and POS areas on June 21, which meets the requirements of the LAHC Design Requirements. Skylights have been provided to the living rooms of south facing first floor units to maximise access to natural light.

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

### Mitigation Measures

No mitigation measures are required.

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## 8.7 Overshadowing

Shadow Diagrams (**Appendix A**) illustrate that all adjoining properties receive at least 3 hours of solar access between 9am and 3pm on 21 June (mid-winter) to living areas and private open spaces. The proposed development incorporates generous side and rear setbacks, which ensures that no unreasonable overshadowing will occur to any adjoining properties.

Overall, the shadow diagrams demonstrate there will be acceptable overshadowing impacts by the proposed development to the adjoining properties.

### Mitigation Measures

No mitigation measures are required.

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## 8.8 Traffic & Parking

A total of 9 car parking spaces, including 4 accessible spaces, will be available on site to serve residents of the proposed development. The provision of on-site car parking exceeds the parking requirements set out in the Housing SEPP for seniors housing developments carried out by LAHC by 5 additional spaces. Unrestricted street parking is available on Lochinvar Road to accommodate any potential overflow parking demand generated by the proposed development. The proposal also includes the removal of 3 redundant vehicle crossovers on Lochinvar Road, which will assist with additional on-street parking.

The Traffic Impact Assessment Report prepared by ParkTransit Australia Pty Ltd (**Appendix S**) indicates that there will be a minor projected net increase in traffic activity as a consequence of the development. However, this was determined to not have any unacceptable implications in terms of road network capacity.

The Traffic Impact Assessment Report examined the adequacy of the proposed internal driveway and parking arrangement. The assessment confirmed that the design including the car parking layout and associated aisle width, is compliant with applicable standards, AS2890.1:2004 and AS2890.6-2009.

To ensure new fencing forward of the front building line does not obscure vehicular sightlines, an identified requirement has been applied.

### Mitigation Measures

Identified Requirement (81) has been applied to require new fencing forward of the building to be designed to comply with vehicular sightlines in accordance with AS2890.1.

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## 8.9 Flora and Fauna

The Arboricultural Impact Assessment undertaken for the site (**Appendix J**) considers 28 existing trees in relation to the proposed development. Of these trees, 20 are located within the site (Trees, 1-3, 5-15, & 19-24), 2 trees are located within the road reserve in front of adjoining properties (trees 27 & 28), and 6 trees are located on adjoining properties (trees 4, 16, 17, 18, 25, & 26).

15 trees located on the site are proposed to be removed, with reasons for removal detailed below:

- Tree Nos. 5 & 12 - located within the proposed stormwater infrastructure footprint and cannot be viably retained.
- Tree Nos. 3, 6, 8, 9, 10, 14, 22 & 23 - located within the footprint of the proposed building, car parking area and driveway, and cannot be viably retained.
- Tree Nos. 1 & 21 - the proposed building and hardstand footprint results in major and unsustainable encroachments. Therefore, these trees cannot be viably retained.
- Tree Nos. 19 & 24 - located within the proposed stormwater infrastructure alignment and subject to major encroachment. Therefore, these trees cannot be viably retained.

- Tree 7 – subject to major encroachments into its TPZ and SRZ as a result of the building footprint, paving and stormwater infrastructure. Given concerns regarding its viability, the potential mature height and spread of the species, and likelihood of causing maintenance issues, this tree is proposed to be removed.

Tree 15 (Jacaranda) is identified as having a high retention value and is proposed for retention, however it will be subject to major but likely sustainable encroachments as a result of the building footprint, paving and stormwater infrastructure. The arborist notes this species is known to tolerate moderate amounts of root damage. Root mapping investigation is recommended to be undertaken prior to works commencing to determine the extent of potential root loss and confirm the structural viability of this tree. In the event that Tree 15 is required to be removed to facilitate the proposed works, a suitable replacement canopy tree is to be planted within the front setback to offset its loss. Identified Requirement No. 87 is recommended in this regard.

Tree removal is recommended primarily to accommodate the proposed development especially where encroachment will have an adverse impact on the viability and stability of the individual species recommended for removal (refer to submitted Arboricultural Impact Assessment in **Appendix J**).

Appropriate replacement planting, including trees capable of reaching a mature height of up to 15m, will be provided as part of the proposed landscaping plan and as amended by recommended Identified Requirement No. 86 to compensate for the loss of these trees, as demonstrated in the Landscape Plan in **Appendix B**.

Along the downstream stormwater easement, a group of 3 x trees located in the rear corner of 38 Ferndale Road (LAHC owned) are specimens of *Musa* sp. (Banana tree). This species is listed as an exempt species under Canterbury-Bankstown Tree Management Policy 2023 and can be removed without further consideration. It is also noted that the Survey Plan (**Appendix D**) indicates that 2 of these trees are <5m in height and 1 is 5m in height. On this basis 2 are also exempt from protection due to size per Canterbury-Bankstown Tree Management Policy 2023.

Furthermore, along the rear boundary and western side boundary of the property at No.36 Ferndale Road are likely specimens of *Dypsis lutescens* (Golden Cane Palms) or a similar palm / clumping palm species. Proposed works for the stormwater infrastructure are unlikely to result in any long-term impacts to the health and condition of these neighbouring palm trees given the species small Tree Protection Zones, clumping form and known tolerance to root disturbance. 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's. 1, 18 – 20 are included in the **Activity Determination** and require the implementation of the Landscape Plan; and the tree protection measures as recommended in the Arboricultural Impact Assessment.

Identified Requirement No. 86 is recommended to permit the removal of Tree 7 and require the substitution of species *Brachychiton acerfolium* (Flame Trees) and *Melaleuca decora* (Paperbark) with *Corymbia maculata* (Spotted Gum) within the front setback area on the final landscape plan, to provide adequate compensatory canopy tree planting.

Identified Requirement No. 87 is recommended to require root mapping investigation in the vicinity of Tree 15 to determine its potential viability and to require adequate replacement canopy planting if the tree is unable to be retained.

Implementation of root sensitive excavation within the stormwater alignment adjacent to neighbouring trees is recommended by Identified Requirement No. 36, as well as protection in accordance with AS4970-2009 - Protection of trees on development sites.

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## 8.10 Heritage (European / Indigenous)

Canterbury-Bankstown Council's Section 10.7(2) & (5) Planning Certificates did not identify any heritage items on, or in vicinity of the site and the site is not within a conservation area (refer **Appendix F**).

### Aboriginal Heritage

An Aboriginal Heritage Information Management System (AHIMS) search, dated 12 February 2025 (**Appendix I**) did not find any record of Aboriginal Sites or Places on the site or in the surrounding locality and the site is considered to be disturbed land. Consideration of the *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales*, determined that no additional investigation was warranted. Discovery of cultural material during development activities cannot be ruled out, however, an identified requirement has been applied should any Aboriginal relics be discovered on the site during excavation/construction.

### Other Cultural Heritage

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

### **Mitigation Measures**

Identified Requirements (No. 46 & 47) have been applied should any cultural heritage relics be discovered on the site during excavation / construction.

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

### Geotechnical

A Geotechnical Site Investigation has been prepared by STS Geotechnics (**Appendix P**) and indicates the following:

- The subsurface conditions generally consist of topsoil and natural silty clays overlying weathered shale. Topsoil is present from the surface to a depth of 0.1 metres. Stiff, becoming very stiff with depth, natural silty clays underlie the topsoil to the depths of hand auger refusal 0.9 and 1.1 metres in BH4 and BH6, and to depths of 1.2 and 1.5 metres in the remaining boreholes. Weathered shale underlies the soils to the depths of auger refusal, 1.8 and 2.5 metres.
- No groundwater was observed during the fieldwork.

The report classifies the site as a *problem site (P)* due to the presence of existing dwellings and trees on site. However, provided that the recommendations of the report are adopted, the site can be classified as *highly reactive (H1)*.

The report provides recommendations on how excavation and foundation design are to be carried out on the site to limit risk of damage to adjoining properties and ensuring the structural integrity of the proposed development.

### Contamination

According to Council's Section 10.7(2) & (5) Planning Certificates, Council is not aware of the land being affected by any matters as prescribed by Section 59 (2) of the *Contaminated Land Management Act 1997*. As detailed above in **Section 6.6** of this REF, the site is unlikely to be contaminated.

### Acid Sulfate Soils



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

#### Salinity

According to Council's Section 10.7(2) & (5) Planning Certificates, the land is not affected by a policy restriction relating to salinity. Furthermore, the Geotechnical Investigation report prepared by STS Geotechnics Pty Ltd (**Appendix P**) highlights the electrical conductivity values of 0.1 and 0.3 dS/m for the site as consistent with the presence of non-saline soils.

#### **Mitigation Measures**

Standard Identified Requirement (No.1) is recommended to require compliance with the recommendations of the Geotechnical Investigation prepared by STS Geotechnics Pty Ltd. Standard Identified Requirement (No.17) is also recommended to address any potential soil contamination occurrence.

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

Stormwater will be collected via a series of stormwater pits and gutters on the site connected to a 43.69m<sup>3</sup> underground on-site detention tank (OSD) draining via an existing 2m wide inter-allotment drainage easement to the proposed new gully pit located on Ferndale Road, to be constructed in accordance with Council standards. Roof water from the development will be collected from downpipes and connected to a 5500L underground rainwater tank for re-use, with overflow connected to the OSD located under the driveway and car parking area.

The Section 10.7(2) & (5) Planning Certificates issued by Canterbury-Bankstown Council for the subject site indicates that the land is within the Probable Maximum Flood (PMF) area and is subject to flood related development controls. Notwithstanding, the level of flood risk does not impact upon the proposal and the development maintains compliance with the applicable flood development controls (refer to the Flood Report at **Appendix T**).

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) have been recommended to ensure that stormwater drainage is managed in accordance with legislative requirements.

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## 8.13 Bushfire Prone Land

The Section 10.7(2) & (5) Planning Certificates issued by Canterbury-Bankstown Council for the subject site indicate that the land is not bushfire prone.

#### **Mitigation Measures**

No mitigation measures are required.

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## 8.14 Noise and Vibration

#### During Demolition / Construction

During demolition/construction typical noise levels associated with 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 unit. 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 by 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 that the air conditioning units are appropriately designed and installed. Their operation is also subject to an ongoing use Identified Requirement.

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

### **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-satisfy provisions of the *Building Code of Australia* and EPA criteria with respect to noise transmission.

Appropriate Identified Requirements (Nos. 2, 58, 60, 79) have been applied to ensure compliance with the above mitigation measures.

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## 8.15 Air Quality

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

### **Mitigation Measures**

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

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## 8.16 Waste Minimisation

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

### During 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 the commencement of demolition works.

#### During Construction

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

- Excavation Material – All excavation material is intended for reuse as fill on site. Any excavation material deemed not acceptable will be disposed of.
- Green waste – Mulched, composted in landscape.
- Concrete - Excess material removed by contractor to nominated waste transfer/recycle centre.
- Timber - Reuse for formwork, remainder removed from site and recycled off site at nominated waste transfer/recycle centre.
- Plasterboard (offcuts) - Removal for recycling or return to supplier.
- Metal (roof sheet) - Recycled by appropriate sub-contractor.
- Floor covering - Any leftovers to be disposed of or recycled at nominated waste transfer/recycle centre.
- Other Waste - Recycled by appropriate sub-contractor.

#### During Occupation

General and non-recyclable waste will be disposed of in Council's standard waste storage bins in the garbage storage enclosure located centrally within the building and within 10m to the kerb line. The waste bins will be serviced by Council's Waste Department in line with the 'collect and return' service.

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

Green waste will be disposed of in Council's standard waste storage bins in the communal garbage storage enclosure for fortnightly collection by Council's waste services.

#### **Mitigation Measures**

Standard Identified Requirements (Nos. 34, 48-56, & 66) are recommended to ensure construction/demolition waste is appropriately managed and disposed of.

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

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## 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. Further, a photovoltaic solar system and rainwater tank for water re-use will contribute to the project's sustainability.

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

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

**Mitigation Measures**

No additional mitigation measures are required.

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## 8.18 Community / Social Effects

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

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

**Mitigation Measures**

No mitigation measures are required.

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## 8.19 Economic Impact

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

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

**Mitigation Measures**

No mitigation measures are required.

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## 8.20 Cumulative Impact Assessment

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

- the proposed activity will not result in any adverse cumulative impact when considered in conjunction with any other proposals or developments in the area;

- there will be no synergistic effects of individual project impacts from the proposed activity when considered in combination; and
- there are no known environmental stresses in the area of the proposed activity that would be increased.

#### **Mitigation Measures**

No mitigation measures are required.



## 9 Conclusion

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### 9.1 Summary of Key Issues Raised in Assessment

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

The proposed activity has been considered in terms of the provisions of Section 5.5 of the EP&A Act and Section 171-171A 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, CBLEP 2023, and the design principles and better practices set out in the relevant guidelines.

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

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

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### 9.2 Recommendation

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

## 10 Appendices

APPENDIX A – ARCHITECTURAL PLANS

APPENDIX B – LANDSCAPE PLAN

APPENDIX C – CIVIL & STRUCTURAL PLANS

APPENDIX D – SURVEY PLAN

APPENDIX E – NOTIFICATION PLANS

APPENDIX F – SECTION 10.7 CERTIFICATES

APPENDIX G – NOTIFICATION LETTERS & COUNCIL COMMENTS

APPENDIX H – ACCESS REPORT

APPENDIX I – AHIMS SEARCH

APPENDIX J – ARBORICULTURAL IMPACT ASSESSMENT

APPENDIX K – BASIX CERTIFICATE

APPENDIX L – BCA REPORT

APPENDIX M – DESIGN COMPLIANCE CERTIFICATES

APPENDIX N – NatHERS CERTIFICATE

APPENDIX O – SENIORS HOUSING DESIGN CHECKLIST

APPENDIX P – GEOTECHNICAL INVESTIGATION

APPENDIX Q – TITLE SEARCH AND DP

APPENDIX R – WASTE MANAGEMENT PLAN

APPENDIX S – TRAFFIC IMPACT ASSESSMENT

APPENDIX T – FLOOD REPORT