

REVIEW OF ENVIRONMENTAL FACTORS

Proposed Seniors Housing Development

at

40-46 Eighteenth Avenue, Sawtell NSW 2452

November 2024





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

First published: November 2024

Department reference number: D24/2886758

On 1 February 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.

Homes NSW

Postal address: Locked Bag 5022, Parramatta NSW 2124

<https://www.nsw.gov.au/departments-and-agencies/homes-nsw>

ABN 24 960 729 253



This document may only be used for the purposes associated with the subject activity to which this Part 5 Review of Environmental Factors relates and to the extent authorised under the provisions of the Environmental Planning and Assessment Act 1979 and Environmental Planning and Assessment Regulation 2021, for the express purposes set out under that legislation, and may not otherwise be copied, reproduced, distributed or used without the written permission of the authors.

DOCUMENT CONTROL REGISTER

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

No	Date	Version	Change since last version	Pages
1	Nov 2023	v1	Not applicable – initial version	
2.	Sept 2024	v2	Updated in response to amended bus stop location and submissions received during notification.	Various
3	October	v3	LAHC edits	Various
4	December	v4	Update following A/ED review	Various

DOCUMENT SIGN-OFF

REF Prepared by	
Having prepared the Review of Environmental Factors: <ul style="list-style-type: none">I have declared any possible conflict of interests (real, potential or perceived) to the A/Executive Director of Portfolio Strategy and Origination, Housing Portfolio, Homes NSW.I do not consider I have any personal interests that would affect my professional judgement.I will inform the A/Executive Director of Portfolio Strategy and Origination, Housing Portfolio, Homes NSW as soon as I become aware of a possible conflict of interest. Name: Explore Planning Solutions Signature:  Date: 17 September 2024	
REF Reviewed by:	
Having reviewed the Review of Environmental Factors: <ul style="list-style-type: none">I have declared any possible conflict of interests (real, potential, or perceived) to the a/Executive Director of Portfolio Strategy and Origination, Housing Portfolio, Homes NSW.I do not consider I have any personal interests that would affect my professional judgement.I will inform the a/Executive Director of Portfolio Strategy and Origination, Housing Portfolio, Homes NSW as soon as I become aware of a possible conflict of interest. Name: Abena Dankwa Designation: Planner, Planning & Assessment, Homes NSW Signature:  Date: 7 November 2024 Name: Frances Beasley	

Designation: Senior Planner, Planning & Assessment, Homes NSW

Signature:



Date: 7 November 2024

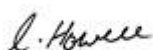
REF reviewed and endorsed by:

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

Name: Carolyn Howell

Designation: Manager, Planning & Assessment, Homes NSW

Signature:



Date: 8 November 2024

REF authorised for issue by:

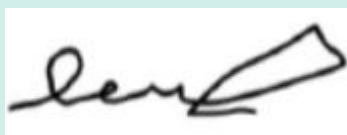
Having authorised the issuing of this Review of Environmental Factors:

- I have declared any possible conflict of interest (real, potential or perceived) to the A/Head of Policy and Innovation, NSW Land and Housing Corporation.
- I do not consider I have any personal interests that would affect my professional judgement.
- I will inform the Executive Director of Portfolio Strategy and Origination, Housing Portfolio, Homes NSW as soon as I become aware of a possible conflict of interest.

Name: Ambrose Marquart

Designation: Acting Director, Portfolio Services, Homes NSW

Signature:



Date: 17.11.2024

Contents

1	Executive Summary	9
2	Introduction.....	11
2.1	Purpose of this Review of Environmental Factors (REF)	11
2.2	Assessment Methodology	11
3	Existing Site & Locality.....	13
3.1	Existing Site and Immediately Adjoining Development.....	13
3.2	Site Description	17
3.3	Neighbouring Development and Locality.....	17
4	Project Description	21
4.1	Demolition.....	21
4.2	Removal of Trees	21
4.3	Proposed Dwellings.....	21
4.4	Supporting Information.....	24
5	Zoning and Permissibility	28
6	Planning and Design Framework.....	30
6.1	Environmental Planning and Assessment Act 1979	30
6.2	Biodiversity Conservation Act 2016 (BC Act)	30
6.3	Other Acts	30
6.4	Environmental Planning and Assessment Regulation 2021.....	31
6.5	State Environmental Planning Policy (Housing) 2021.....	34
6.6	Other State Environmental Planning Policies.....	52
6.7	Coffs Harbour Local Environmental Plan 2013 (CHLEP 2013).....	57
6.8	Coffs Harbour Development Control Plan 2015	59
7	Notification, Consultation and Consideration of Responses	62
7.1	Council Notification	62
7.2	Notification of Occupiers of Adjoining Land and Other Persons.....	65
7.3	Notification of Specified Public Authorities	70
8	Review of Environmental Factors	71
8.1	Neighbourhood Character	71
8.2	Bulk and Density.....	71
8.3	Streetscape	72
8.4	Visual Impact	72
8.5	Privacy	72
8.6	Solar Access	73
8.7	Overshadowing	73
8.8	Traffic & Parking	74
8.9	Flora and Fauna	74
8.10	Heritage (European / Indigenous).....	76
8.11	Soils / Contamination / Acid Sulfate Soils / Salinity.....	77
8.12	Drainage / Flood Prone Land / Hydrology/ Water Quality	78
8.13	Bushfire Prone Land.....	80
8.14	Noise and Vibration.....	80
8.15	Air Quality.....	81

8.16	Waste Minimisation.....	81
8.17	Resource Use & Availability.....	82
8.18	Community / Social Effects	82
8.19	Economic Impact.....	83
8.20	Cumulative Impact Assessment	83
9	Conclusion.....	84
9.1	Summary of Key Issues Raised in Assessment.....	84
9.2	Recommendation	84
10	Appendices.....	85

List of Figures

Figure 1 Location Plan (Source: SIX Maps).....	13
Figure 2 Development site – No. 40 Eighteenth Avenue (Source – Google Street View November 2020)	14
Figure 3 Development site – No. 42 Eighteenth Avenue (Source – Google Street View November 2020)	14
Figure 4 Development Site - No. 44 Eighteenth Avenue (Source – Google Street View November 2020)	15
Figure 5 Development Site - No. 46 Eighteenth Avenue (Source – Google Street View November 2020)	15
Figure 6 Adjoining development – No. 38 Eighteenth Avenue (Source – Google Street View November 2020)	16
Figure 7 Adjoining development – No.48-50 Eighteenth Avenue (Source – Google Street View November 2020)	16
Figure 8 Two-storey dwelling house – directly opposite No. 35 Eighteenth Avenue (Source – Google Street View November 2020)	18
Figure 9 Denser Residential Development – No. 134 First Avenue (Source – Google Street View November 2020)	18
Figure 10 New Infill Two-Storey Development No.5 and 7 Dillon Street (Source – Google Street View November 2020).....	19
Figure 11 Two Storey Dwelling Houses No. 22 and 24 Eighteenth Avenue (Source – Google Street View November 2020)	19
Figure 12 Extract from Architectural Plans – Site Plan (Source: Architectural Plans, Brewster Murray, dated 23/07/2024).....	22
Figure 13 Extract from Architectural Plans – Ground Level (Source: Architectural Plans, Brewster Murray, dated 23/07/2024).....	23
Figure 14 Extract from Architectural Plans – First Floor (Source: Architectural Plans, Brewster Murray, dated 23/07/2024).....	23
Figure 15 Extract from Architectural Plans – Street Elevation (Source: Architectural Plans, Brewster Murray, dated 23/07/2024).....	24
Figure 16 Land zoning map (Source: NSW Planning Portal).....	28
Figure 17 Map of Properties Notified of the Proposed Development (Source: LAHC)	65
Figure 18 Extract Architectural plans – Shadow Diagram.....	74
Figure 19 Extract Architectural Plans– Demolition Plan.....	75
Figure 20 Extract Landscape Plan – Greenland Design	76

List of Tables

Table 1 Supporting information	24
Table 2 Compliance with subsection 3 of Section 5.5 of the EP&A Act 1979	30
Table 3 Environmental Planning and Assessment Regulation 2021 [Section 171].....	31
Table 4 Factors to be taken into account concerning the impact of an activity on the environment ..	31
Table 5 Compliance with relevant provisions under sections Part 5, Division 8 of the SEPP for 'seniors housing development without consent' carried out by LAHC	35
Table 6 Compliance with section 84(2) (c) (iii), 85, 88, 89 of the Housing SEPP 2021.....	37
Table 7 Non-Discretionary standards for Independent Living units (Section 108).....	38
Table 8 Accessibility and useability standards [Schedule 4].....	40
Table 9 Seniors Living Urban Design Guidelines departures	46
Table 10 Response to Design Principles (Part 5, Division 8).....	48
Table 11 Compliance with other applicable State and Environmental Planning Policies	52
Table 12 DRAFT Contaminated Land Planning Guidelines Suggested checklist for initial evaluation	55
Table 13 Coffs Harbour Local Environmental Plan 2013	57
Table 14 Coffs Harbour Development Control Plan 2015.....	60
Table 15 Issues raised in Council submission.....	62
Table 16 Issues raised by adjoining owners/neighbours/community members.....	65

1 Executive Summary

The subject site is located at 40-46 Eighteenth Avenue, Sawtell, and is legally described as Lots 26-29 in Deposited Plan 240215. The proposed seniors housing development is described as follows:

Demolition of existing dwellings and structures, removal of trees, and the construction of 22 independent living seniors housing units comprising 10 x 1-bedroom and 12 x 2-bedroom units, with associated landscaping and fencing, surface parking for 11 cars, and consolidation of land into a single lot.

The proposed activity is 'permitted with consent' in the R2 Low Density Residential zone under the *Coffs Harbour Local Environmental Plan 2013* (CHLEP 2013) and can therefore be carried out by the NSW Land and Housing Corporation (LAHC) without consent under the provisions of Chapter 3, Part 5, Division 8 of the State Environmental Planning Policy (Housing) 2021 (Housing SEPP) as it does not result in more than 40 dwellings on the site and does not exceed 9.5 metres in height.

Demolition has been considered as part of the proposed activity. Demolition is permitted with consent under the provisions of the applicable local environmental planning instrument (CHLEP 2013) and is therefore permitted without consent under the provisions of Section 42(2) of the Housing SEPP.

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

The REF demonstrates the following:

- From an analysis of the potential environmental impacts associated with the proposed activity, it has been concluded that the preparation of an Environmental Impact Statement is not required.
- Based on a review of the potential environmental impacts resulting from the proposed activity it has been determined that, subject to implementation of mitigation measures to be incorporated as identified requirements, the activity will not have any significant adverse impact on the environment.
- The proposed activity will not have any effect on matters of national significance and its approval under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999 is not required.
- The design of the proposed activity has adequately taken into account design principles and better practices set out in the *Seniors Living Policy: Urban Design Guidelines for Infill Development* and taken into consideration Good Design for Social Housing and LAHC's Design Requirements.
- The site planning and design of the proposed activity adequately address the applicable local environmental planning and development controls of City of Coffs Harbour 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; and
- There are no separate approvals, authorisations or notifications required in relation to the proposed activity prior to determination under Part 5 of the EP&A Act or under any other Acts.
- City of Coffs Harbour Council and occupiers of adjoining land were notified of the proposed activity under the provisions of the Housing SEPP. Two responses were received from Council dated 10 November 2023 and 7 February 2024. Comments on the responses are provided in Section 7.1 of this

REF. Six submissions were received from owners or occupiers of adjoining and surrounding land, as well as members of the broader community.

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

Note:

State Environmental Planning Policy Amendment (Housing) 2023

On 14 December 2023, amendments were made to the Housing SEPP. This amending policy is referred to in Schedule 7A Savings and transitional provisions as *State Environmental Planning Policy Amendment (Housing) 2023*.

Section 8 (2) of Schedule 7(A) of the Housing SEPP provides that the amendments made on 14 December 2023 do not apply to an activity by the Land and Housing Corporation where notice of the activity has been provided to Council under section 43(1)(b)(i) before the amending policy was made and further that the activity is determined before 20 December 2024. This activity for seniors housing satisfies both requirements and therefore *State Environmental Planning Policy Amendment (Housing) 2023* does not apply to this activity. The assessment of this activity has been undertaken against the Housing SEPP that was in force immediately before *State Environmental Planning Policy Amendment (Housing) 2023* was made.

2 Introduction

This Review of Environmental Factors (REF) under Part 5 of the Environmental Planning and Assessment Act 1979 (EP&A Act) is for an activity involving the demolition of existing dwellings and structures, removal of trees, and the construction of 22 independent living seniors housing units comprising 10 x 1 bedroom and 12 x 2 bedroom units, with associated landscaping and fencing, surface parking for 11 cars, consolidation of the four lots into a single lot at 40-46 Eighteenth Avenue, Sawtell.

The activity will be carried out by, or on behalf of, NSW Land and Housing Corporation (LAHC) and is considered 'development without consent' under the Housing SEPP.

This REF has been prepared by Explore Planning Solutions on behalf of LAHC in satisfaction of the provisions of Part 5 of the Environmental Planning & Assessment Act 1979 (EP&A Act)¹ and Part 8 of the Environmental Planning & Assessment Regulation (EP&A Regulations) 2021.

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

2.1 Purpose of this Review of Environmental Factors (REF)

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

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

2.2 Assessment Methodology

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

- Section 10.7 Planning Certificates were obtained for each lot comprising the site. The zoning was confirmed against the current applicable environmental planning instrument, which is the *Coffs Harbour Local Environmental Plan* (2013) (CHLEP 2013).

¹ 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 the CHLEP 2013 and can be carried out 'without consent' under the provisions of Chapter 3 Part 5 Division 8 of the Housing SEPP 2021.
- A site inspection was undertaken by LAHC planners on 5 July 2022. A desktop analysis and investigation of the site and surrounds was also undertaken based on site clearance information provided by the Land and Housing Corporation to determine the suitability of the site for the proposed development activity, particularly taking into account the existing site conditions, constraints and local context.
- Relevant local planning controls and State and Commonwealth Government legislation were considered in the environmental assessment of the proposed development activity.
- An environmental impact analysis was undertaken to determine if an Environmental Impact Statement was required.
- Potential environmental impacts identified in the analysis and measures to mitigate these impacts were subsequently discussed in the Review of Environmental Factors.
- 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 Coffs Harbour local government area (LGA) and comprises 4 residential allotments. A location plan is provided at **Figure 1**.



Figure 1 Location Plan (Source: SIX Maps)

The site is currently occupied by 4 single storey fibro clad dwellings with tiled roofs (refer to photographs at **Figure 2** to **Figure 5**).

The property immediately to the east (38 Eighteenth Avenue) contains a single-storey fibro clad dwelling with tile roof (refer photograph at **Figure 6**). The property to the west (48-50 Eighteenth Avenue) contains a newer single storey brick and with tile roofed, multi-dwelling housing development (refer to photograph at **Figure 7**). To the rear of the site is Richardson Park, containing a car park, club house and sports fields.



Figure 2 Development site – No. 40 Eighteenth Avenue (Source – Google Street View November 2020)



Figure 3 Development site – No. 42 Eighteenth Avenue (Source – Google Street View November 2020)



Figure 4 Development Site - No. 44 Eighteenth Avenue (Source – Google Street View November 2020)



Figure 5 Development Site - No. 46 Eighteenth Avenue (Source – Google Street View November 2020)



Figure 6 Adjoining development – No. 38 Eighteenth Avenue (Source – Google Street View November 2020)



Figure 7 Adjoining development – No.48-50 Eighteenth Avenue (Source – Google Street View November 2020)

3.2 Site Description

The site, known as 40-46 Eighteenth Avenue, Sawtell (Lots 26-29 in DP240215) is uniform in shape, has a total area of 3,058.3m², a frontage to Eighteenth Avenue of 76.67m, and side boundaries of 39.88m (east and west), refer to the submitted Survey Plan in *Appendix D*.

Copies of the Section 10.7(2) & (5) Planning Certificates (Nos 1070212/24, 1070213/24, 1070214/24, 1070215/24) dated 09/10/2024 are provided in *Appendix F*. The Section 10.7 Planning Certificates state that all 4 lots are subject to 1% AEP flooding and therefore subject to flood related development controls.

The site falls from the front southeastern boundary down toward the rear northwestern boundary, with a cross fall of approximately 0.9m.

There are 21 trees located within the development site, 2 trees located within the neighbouring property, 38 Eighteenth Avenue, and 6 trees located in the road reserve of Eighteenth Avenue, along the frontage (refer to submitted Arborist Report in *Appendix J*).

Water, sewer, electricity, and telephone facilities are available to the site, running along the road alignment of Eighteenth Avenue (refer to the submitted Survey Plan for the location of available services at *Appendix D*). A sewer main traverses the site, running in a north – south direction, generally following the alignment of the common boundary between No.42 and No.44 Eighteenth Avenue.

There are no encumbrances noted on titles, deposited plan, section 10.7 certificates or indicated on the Survey Plan.

3.3 Neighbouring Development and Locality

The site is located within an established residential area which is characterised by older style single storey detached dwelling houses of brick or fibro construction with tiled roofs interspersed with 2-storey dwelling houses, and dual occupancies. Densities tend to be higher further east, towards the coast – with 2 storey developments dominating, including multi-dwelling housing (refer to photographs at **Figure 8** to **Figure 11**).



Figure 8 Two-storey dwelling house – directly opposite No. 35 Eighteenth Avenue (Source – Google Street View November 2020)



Figure 9 Denser Residential Development – No. 134 First Avenue (Source – Google Street View November 2020)



Figure 10 New Infill Two-Storey Development No.5 and 7 Dillon Street (Source – Google Street View November 2020).



Figure 11 Two Storey Dwelling Houses No. 22 and 24 Eighteenth Avenue (Source – Google Street View November 2020)

Access to Services – Shops and Transport

The subject site is located approximately 950m southeast of Toormina Gardens, a shopping mall containing a range of facilities, including Aldi, Woolworth, Coles, Kmart, Chemist, and newsagency. Immediately to the rear, adjoining the site is Richardson Park, containing a car park, club house and sports fields. Murray's Beach is approximately 600m east of the site.

Train Station

Sawtell Train Station is located approximately 165m to the west of the site, with northbound services to Grafton, Casino and Brisbane and southbound services to Sydney. The station is a request stop and as such, the train stops only if passengers booked to board/alight here.

Bus Stops

The subject site is walking distance, via a safe pedestrian route to the bus stop located adjacent to No. 117 First Avenue, bus stop ID 2452117 - *First Ave After Twentieth Ave*. This bus stop is serviced by bus route 390 '*Toormina Community Centre to Park Beach Plaza via Sawtell*' which is operated by Forrest Coastlines. The distance from the site to this bus stop is approximately 492m, refer to the longitudinal survey of the path of travel in *Appendix T*.

As a result of the Sixteen Cities project led by Transport for NSW, two bus services that previously serviced the locality, specifically running along Eighteenth Ave, were cancelled on 1 November 2023 and the bus stops made redundant.

Homes NSW has therefore reviewed alternative public transport options in the area that would provide a similar level of accessibility for future tenants and as a result, a gap in the 390 route 'return service' bus stops was identified with no 'return stop' being located opposite bus stop ID 2452117 on First Avenue.

The next closest bus stop is approximately 650m to the north, at bus stop ID 2452101 (*First Ave before Boambee St*). There is no footpath or safe crossing point over First Avenue to access this stop and therefore it is not suitable for use by seniors or persons with a disability. The overall gap between 'return service' bus stops is approximately 1.3km between bus stop ID 2452101 (*First Ave before Boambee St*) and bus stop ID 245237 (*Sawtell RSL, First Ave*).

In light of the above, Homes NSW sought support from City of Coffs Harbour Council's Local Traffic Committee for the installation of an additional bus stop on the eastern side of First Avenue at the frontage of 134 First Avenue. On 13 August 2024 the City of Coffs Harbour Local Traffic Committee agreed unanimously to support the installation of this additional bus stop, refer to *Appendix BB*. A copy of the traffic instrument which demonstrates the endorsed bus zone and bus stop location is provided under *Appendix AA*. As at October 2024, the new bus stop was under construction by City of Coffs Harbour Council and an Identified Requirement (No. 80) is recommended to ensure the bus stop is in place and operational prior to occupation of the development.

The new bus stop will be located approximately 373m walking distance from the subject site as demonstrated in the longitudinal survey of the path of travel in *Appendix T*.

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

There are 29 trees considered as part of the Arborist Report, including 6 trees located in the road reserve of Eighteenth Avenue and 2 trees located within the neighbouring property, 38 Eighteenth Avenue (refer to submitted Arborist Report in *Appendix J*). The Report recommends the retention of 4 trees within the site (T1, T2, T16 and T19), 2 neighbouring trees (T1a and 3) and 3 trees within the road reserve (T23, 24 and 25). All other trees are proposed to be removed, totalling 18 trees. They are to be removed as they are either in poor health, dead, not considered important for retention, or noxious and environmental weed species. Some are located within the site in a position where they cannot be retained due to the proposed building footprint and associated infrastructure works, where encroachment will have an adverse impact on roots and crown for viability and stability.

More appropriate tree plantings will be provided as part of the proposed landscaping plan to compensate for the loss of these trees, consisting of 36 trees positioned through the site, some capable of reaching 15m in height (refer to submitted Landscape Plan in *Appendix B*).

4.3 Proposed Dwellings

A total of 22 independent living units are proposed, made up of 12 x 2- bedroom units and 10 x 1-bedroom units. The finished floor levels of the dwellings have been raised (5.96m AHD), with a suspended slab over subfloor areas, to be higher than the minimum Flood Planning Level required by Council (5.80m AHD).

A total of 11 surface car parking spaces will be provided on the site, including 5 accessible spaces, accessed from a single driveway, granting access to the parking area, located to the rear of the site.

The proposed development represents a contemporary, high-quality design that will complement the surrounding residential locality. The development will be constructed from differing materials, including face brick, weatherboard, or pre-finished metal sheeting for external walls and metal sheet roofing. Twelve of the 22 proposed units will address the street, with entry foyers, front doors, windows, and balconies fronting Eighteenth Avenue.

Minor cut and fill are proposed to provide a level development platform, with the majority of cut occurring to the centre of the site, under the OSD, rainwater tanks, and driveway. The majority of fill is positioned between building plates, with retaining walls to a maximum 1.1m high proposed to assist with stability of the site as shown on the Cut and Fill Plan (refer to *Appendix A*).

A variety of new landscape plantings are proposed to offset the proposed tree removal and enhance the appearance of the site. New plantings will consist of a mixture of new trees, shrubs, and groundcovers, which will enhance landscaped setbacks and contribute to the streetscape.

Each unit will be provided with its own enclosed private open space area, in the form of paved alfresco or balcony areas. All these spaces are directly accessible from the living areas.

Stormwater will be collected via a series of stormwater pits and grated drains on the site connected to an underground On-Site Detention tank (OSD) with a capacity of 62.7m³, draining to Eighteenth Avenue with a new outlet in the kerb. Roof water will be collected from downpipes and connected to an underground 4.5m³ rainwater tank for recycling with overflow connected to the underground detention tank.

A new 1.8m high metal sheet fencing is proposed along the side and rear boundaries, with metal fencing to the front boundary and ramp area of varying heights between 1.4m to 1.8m and finished in wood look aluminium.

Private open space (POS) screening consisting of a fence height of 1.6m on top of a face block retaining wall is proposed for each 2-bedroom ground floor unit. On the other hand, private open space (POS) screening consisting of a fence height of 1.1m on top of a face block retaining wall is proposed for each 1-bedroom ground floor unit. Two letterbox areas are proposed within the frontage of the site, to the west of the vehicular driveway servicing units to the west, and a second off the eastern pedestrian pathway servicing the eastern units.

Figure 12 to Figure 15 include extracts from the architectural plans illustrating the proposed development.

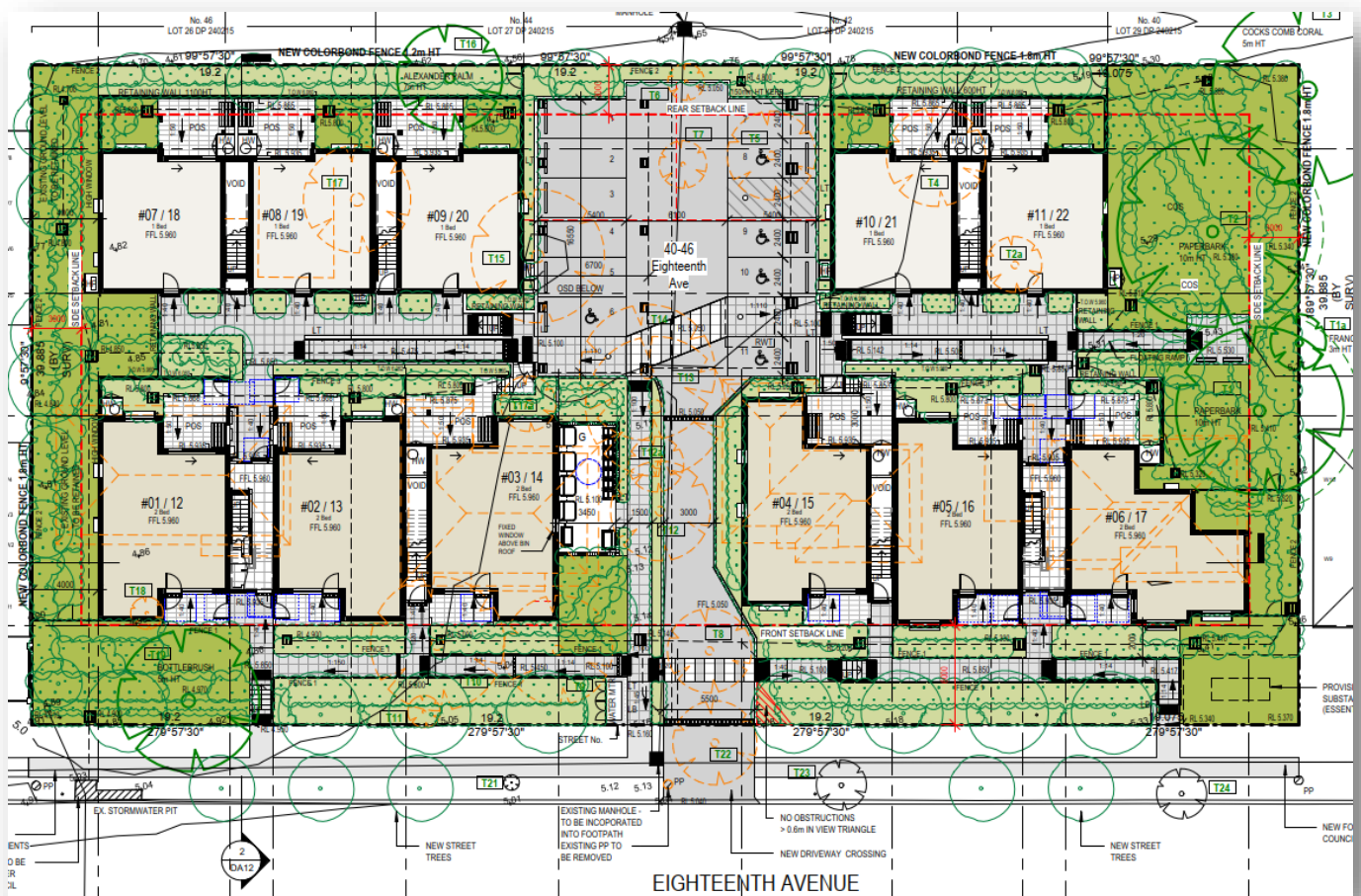


Figure 12 Extract from Architectural Plans – Site Plan (Source: Architectural Plans, Brewster Murray, dated 23/07/2024)

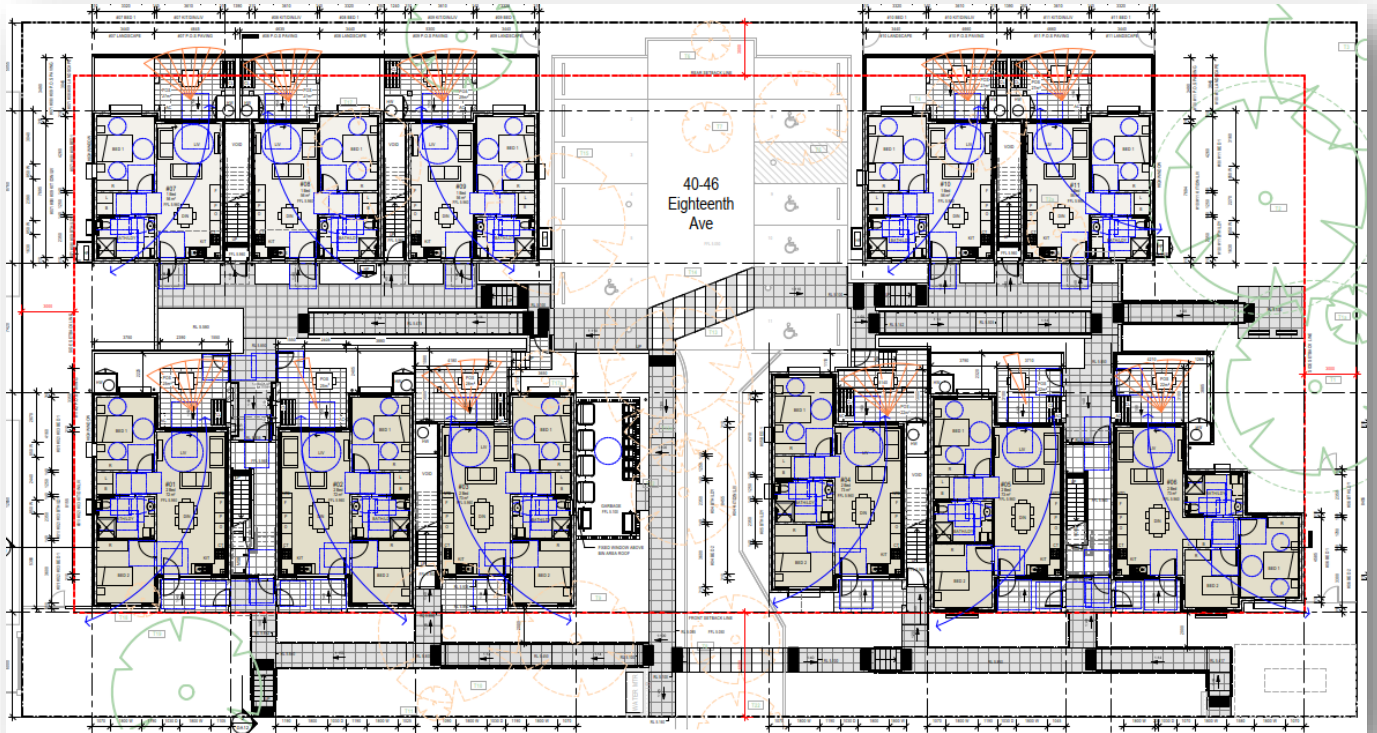


Figure 13 Extract from Architectural Plans – Ground Level (Source: Architectural Plans, Brewster Murray, dated 23/07/2024)

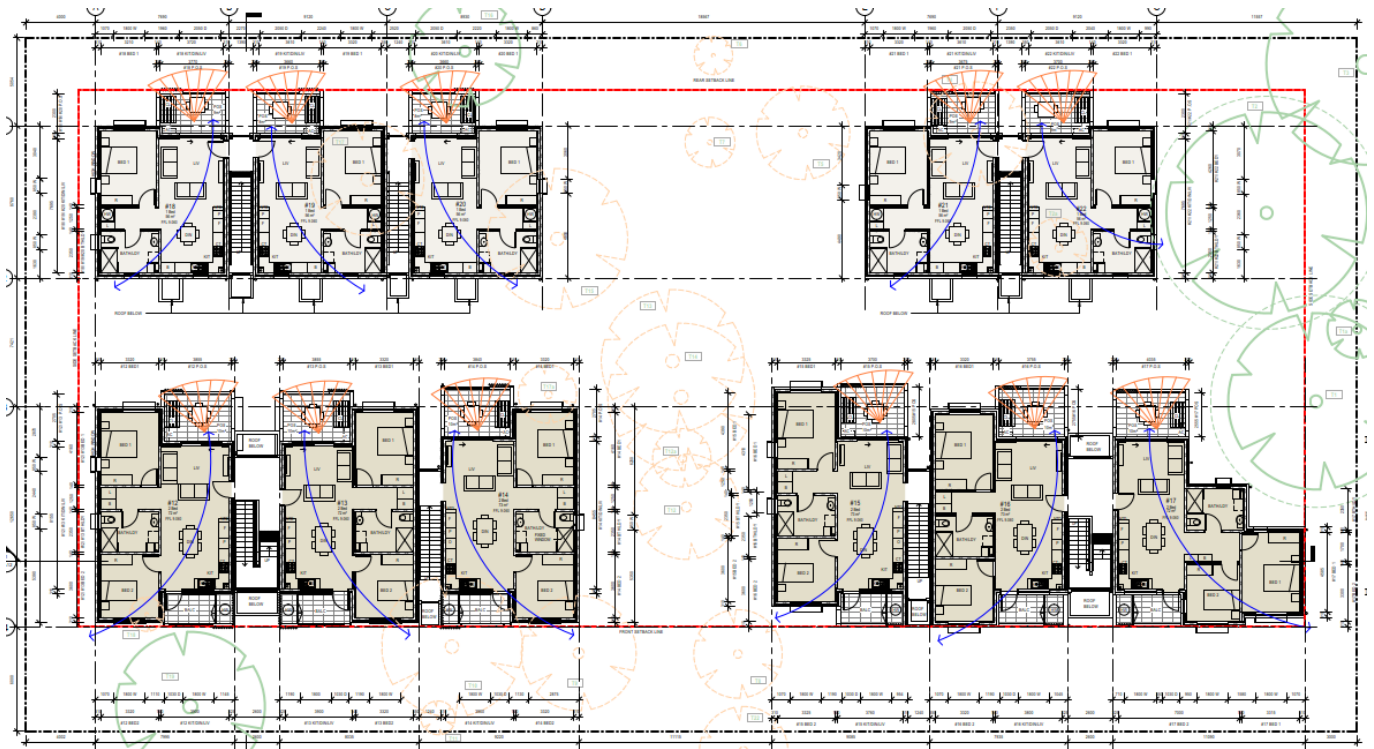


Figure 14 Extract from Architectural Plans – First Floor (Source: Architectural Plans, Brewster Murray, dated 23/07/2024)



Figure 15 Extract from Architectural Plans – Street Elevation (Source: Architectural Plans, Brewster Murray, dated 23/07/2024)

4.4 Supporting Information

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

Table 1 Supporting information

Title / Name:	Drawing No. / Document Ref	Revision / Issue:	Date [dd-mm-yyyy]:	Prepared by:
Architectural				
Cover page	DA-000	H	03-10-2024	Brewster Murray
Block Analysis	DA-01	F	03-10-2024	Brewster Murray
Site Analysis	DA-02	F	03-10-2024	Brewster Murray
Demolition Plan	DA-03	E	21-09-2023	Brewster Murray
Site Plan	DA-04	H	03-10-2024	Brewster Murray
Ground Flood Plan	DA-05	G	23-07-2024	Brewster Murray
First Floor Plan	DA-06	G	23-07-2024	Brewster Murray
Roof Plan	DA-07	G	23-07-2024	Brewster Murray
Elevations 1	DA-08	G	23-07-2024	Brewster Murray
Elevations 2	DA-09	E	21-09-2023	Brewster Murray
Elevations 3	DA-10	E	21-09-2023	Brewster Murray
Elevations 4 and Materials List	DA-11	F	21-06-2024	Brewster Murray
Sections 1	DA-12	G	23-07-2024	Brewster Murray
Cut and Fill Plan	DA-13	E	21-09-2023	Brewster Murray
Shadow Diagrams	DA-14	E	21-09-2023	Brewster Murray

Title / Name:	Drawing No. / Document Ref	Revision / Issue:	Date [dd-mm-yyyy]:	Prepared by:
View from Sun Diagram	DA-15	E	21-09-2023	Brewster Murray
Materials and Finishes	DA-16	E	21-09-2023	Brewster Murray
GFA, Landscape and C.O.S Calcs	DA-17	G	23-07-2024	Brewster Murray
Landscape				
Landscape Plan	LA1/2	E	23-07-2024	Greenland Design
Landscape Details and Specifications	LA2/2	E	23-07-2024	Greenland Design
Civil				
Notes and Legends	C01/5	5	21-06-2024	Greenview Consulting
Ground Floor Drainage Plan	C02/5	5	21-06-2024	Greenview Consulting
Site Stormwater Details Sheet 1	C03/5	5	21-06-2024	Greenview Consulting
Civil Design - Erosion & Sediment Control Plans				
Notes and Legends	ESM1	-	Not dated.	Greenview Consulting
Environmental Site Management Plan	ESM2	-	Not dated.	Greenview Consulting
Survey				
Detail Survey of Lots 26-29 DP240215	Sheet 1 of 2	-	08/04/2022	Hopkins Consultants Pty Ltd
Detail Survey of Lots 26-29 DP240215	Sheet 2 of 2	-	08/04/2022	Hopkins Consultants Pty Ltd
BASIX / NatHERS				
BASIX Certificate	1392510M	-	28-09-2023	Greenview Consulting
NatHERS Certificate	0008958930	-	28-09-2023	Design Matters National
Longitudinal Survey of Path of Travel to Bus Stops				
Footpath Centreline & Overall Key Plan	Sheet 1 of 6	2	25-07-2024	Hopkins Consultants Pty Ltd
Footpath Centreline & Longitudinal Section	Sheet 2 of 6	2	25-07-2024	Hopkins Consultants Pty Ltd
Footpath Centreline & Longitudinal Section	Sheet 3 of 6	2	25-07-2024	Hopkins Consultants Pty Ltd

Title / Name:	Drawing No. / Document Ref	Revision / Issue:	Date [dd-mm-yyyy]:	Prepared by:
Footpath Centreline & Longitudinal Section	Sheet 4 of 6	2	25-07-2024	Hopkins Consultants Pty Ltd
Footpath Centreline & Longitudinal Section	Sheet 5 of 6	2	25-07-2024	Hopkins Consultants Pty Ltd
Footpath Centreline & Longitudinal Section	Sheet 6 of 6	2	25-07-2024	Hopkins Consultants Pty Ltd

Specialist Reports

Arborist Report	6716b	-	25-05-2023	ArbPro Tree Specialist
BCA Compliance Assessment	P230037	3	25-09-2023	BCA Vision
Geotechnical Investigation	22/1570	-	May 2022	STS Geotechnics Pty Ltd
Traffic Impact Assessment	GT22011	3	25-09-2023	Genesis Traffic
Rail Traffic Noise & Vibration Impact Assessment	23-2884-R1	-	July 2023	Reverb Acoustics
Flood Impact Assessment	A12026	01	29-08-2023	BMT
Statement of Compliance - Access for People with a Disability	222132	-	22-09-2023	Accessible Building Solutions
Waste Management Plan	22-6412	3	03-10-2024	Brewster Murray
Safety in Design Report	BGYVU	2	September 2023	Brewster Murray
AHIMS Search	BGYVU	-	27-09-2024	LAHC
Longitudinal Survey Assessment	Letter	-	5-08-2024	Brewster Murray
Traffic Instrument – First Avenue, Sawtell Bus Stop and Zone	T.27 – 2024	-	-	City of Coffs Harbour

Section 10.7 Planning Certificates – Appendix F

Lot 29 DP 240215, Cert no. 1070668/25, dated 09.10.2024 – City of Coffs Harbour

Lot 28 DP 240215, Cert no. 1070669/25, dated 09.10.2024 – City of Coffs Harbour

Lot 27 DP 240215, Cert no. 1070670/25, dated 09.10.2024 – City of Coffs Harbour

Lot 26 DP 240215, Cert no. 1070627/25, dated 09.10.2024 – City of Coffs Harbour

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

Architect's Certificate of Building Design Compliance – 25.07.2024

Certificate of Landscape Documentation Compliance – 21.06.2024

Certificate of Civil Stormwater Design Documentation Compliance – 23.07.2024

Housing for Seniors Checklist – *Appendix O*

Seniors Living Urban Design Guidelines, LAHC Design requirements & Good design for social housing, unauthored and undated.

Titles and Deposited Plans – *Appendix Q*

Title Search, Folio: 26/240215, Search date 08.10.2024, First Schedule: New South Wales Land and Housing Corporation

Title Search, Folio: 27/240215, Search date 08.10.2024, First Schedule: New South Wales Land and Housing Corporation

Title Search, Folio: 28/240215, Search date 08.10.2024, First Schedule: New South Wales Land and Housing Corporation

Title Search, Folio: 29/240215, Search date 08.10.2024, First Schedule: New South Wales Land and Housing Corporation

Deposited Plan 240215, Search Date 23.07.2021

Note: The architectural and civil plans have been updated to include minor changes to the design in response to matters raised during statutory notification. For example, the bin sizing has been adjusted slightly, and windows on the east elevation of the southwest block have been changed to fixed panes to minimise impact from the waste storage area. The concept stormwater plans have also been updated to incorporate additional Water Sensitive Urban Design measures as requested by Council.

The minor changes did not affect the building footprints, proposed finished floor levels, placement of windows or internal car parking arrangement. Given the changes were inconsequential to the advice and outcome of the supporting sub-consultant reports, these reports have not been updated to post-date the amended architectural and civil plans.

5 Zoning and Permissibility

The site is zoned R2 Low Density Residential under *Coffs Harbour Local Environmental Plan 2013* (CHLEP 2013) (**Figure 16**). The proposed development is defined as ‘seniors housing’ under the provisions of CHLEP 2013 and is permitted with consent in the R2 zone, in accordance with the Land Use Table.



Figure 16 Land zoning map (Source: NSW Planning Portal)

Senior's housing is permitted in the R2 zone under CHLEP 2013, and the subject land is not excluded from the provisions of the Housing SEPP set out under section 80(1)(b). That is, notwithstanding the site's flood affectation, the land is not captured by Schedule 3 as being *Environmentally sensitive land*, as CHLEP 2013 has not adopted the Standard Instrument, clause 5.22 *Special flood considerations*. Therefore, seniors housing is permitted on the subject land with consent under the provisions of the SEPP pursuant to Part 5 Division 1.

The relevant objectives of the R2 zone, as set out in CHLEP 2013 are:

- To provide for the housing needs of the community within a low-density residential environment.
- To provide for housing diversity and choice and associated infrastructure that supports the changing housing needs of the population that is consistent with local character.
- To ensure that development reflects design excellence in its presentation to the public realm.

The proposed development provides seniors housing that meets the identified needs of the community and includes a mix of 1 and 2 bedroom units. The proposal is architecturally designed to fit within its context and complement the surrounding area. Twelve of the 22 proposed units address the street, with entry foyers, front doors, windows, and balconies fronting Eighteenth Avenue. The proposal is therefore consistent with the relevant objectives of the R2 zone.

Section 108B of the Housing SEPP permits seniors housing development that may be carried out 'with consent' to be carried out by LAHC as 'development without consent' subject to the provisions set out under that clause. **Table 5** in subsection 6.5.1 of this REF demonstrates compliance with the relevant provisions of section 108B of the SEPP.

6 Planning and Design Framework

6.1 Environmental Planning and Assessment Act 1979

6.1.1 Duty to consider environmental impact [Section 5.5]

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

Table 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.

6.4 Environmental Planning and Assessment Regulation 2021

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

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

Table 3 Environmental Planning and Assessment Regulation 2021 [Section 171]

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

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

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

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

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

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

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

6.4.2 Strategic Planning Framework

North Coast Regional Plan 2041

The North Coast Regional Plan 2041 is a 20-year NSW Government's blueprint for the future of the North Coast.

The NSW Government's vision for the North Coast is to create the best region in Australia to live, work and play thanks to its spectacular environment and vibrant communities.

Development of the subject site for the purposes of seniors rental housing will assist Council in satisfying several of the Plans Directions, including; (22) *Deliver greater housing supply*; (23) *Increase housing diversity and choice*; and (25) *Deliver more opportunities for affordable housing*.

Local Strategic Planning Statement

The Local Strategic Planning Statement ('the Statement') provides a 20-year land use planning vision for the Coffs Harbour Local Government Area (LGA). It identifies 16 Planning Priorities to be delivered in four themes to 2040.

City of Coffs Harbour adopted the Statement on 25 June 2020 for the whole of the Coffs Harbour LGA. The Statement was prepared in accordance with the Environmental Planning and Assessment Act 1979 and Regulations. One of the Planning Priorities is of relevance to the proposed development, being *Planning Priority 5 – Deliver greater housing supply, choice and diversity*. One of the key actions of this Priority includes:

A5.4 *Work with housing providers to investigate renewal opportunities for social housing within the LGA in consultation with key stakeholders.*

The proposed development aligns directly with Planning Priority 5 – being for the renewal of social housing within the LGA, resulting in a net gain of 18 additional social housing dwellings.

MyCoffs Community Strategic Plan 2032

The MyCoffs Community Strategic Plan 2032 is the community's plan for what is important to preserve about the City of Coffs Harbour and how the City should address changing circumstances and challenges. Several objectives and outcomes of the Community Strategic Plan are particularly relevant to the subject development, including the following:

- We explore innovative solutions to affordable housing provision.
- Sustainable design and best practice development provide quality housing options.
- Housing is affordable.
- Development meets the changing needs and expectations of the community.
- We have the ability to access, afford and secure rental or long-term housing.

The proposed development is considered to contribute to the objectives and outcomes of the Community Strategic Plan, as outlined above. That is, the development is for the purpose of affordable housing (long-term), is based on sustainable design practices, and will meet the changing needs and expectations of the community, as the population ages.

Coffs Harbour Affordable Housing Policy

The City of Coffs Harbour Council has recognised that a lack of affordable housing in the Local Government Area is a significant issue that is likely to have adverse, long-term social and economic effects. Consequently, in 2021, the Council resolved to prepare an Affordable Housing Strategy and Policy for the Coffs Harbour Local Government Area. In March 2022 Council adopted an Affordable Housing Policy, which was revised on 13 June 2024 following the endorsement of the City of Coffs Harbour Affordable Housing Strategy.

The Policy recognises that *the supply of affordable and social housing is currently insufficient to meet demand*. The Policy recommends several principles, of most relevant include:

Principle 2.2 *Partnership and advocacy* -

Council will look for opportunities to partner with and/or support Government and the affordable housing sector to assist them to deliver Affordable housing.

Principle 2.3 *Planning* -

Council will encourage and promote development opportunities provided by State and local planning instruments.

Principle 2.4 *Decision making* -

Council will consider the impact of its decisions (including decisions of planning and development matters) will have on the supply of affordable housing.

The proposed development, being wholly developed for the purpose of affordable housing, where all tenants will have subsidised rent, will assist Council to bridge the gap between supply and demand, and is in direct support of Council's Affordable Housing Policy.

City of Coffs Harbour Affordable Housing Strategy

The City of Coffs Harbour Affordable Housing Strategy was adopted by Council in June 2024, and aims to increase the funding and delivery of affordable housing in the Coffs Harbour area. Of relevance to the subject development, the Strategy states there has been a significant decline in the proportion of social housing over

the past 15 years, from 5.2% of all dwellings (in 2007) to 3.7% (in 2022) as well as a loss of social housing stock in absolute terms. At least 464 new social housing dwellings will be needed by 2041 to maintain the current local proportion. However, the very high rates of housing stress among very low-income renters and the aging of the population indicate that this would need to be increased to meet future need. The Strategy proposes a number of actions and initiatives, including:

Action 1a – Seek the following commitments from the NSW Government:

- That the proportion of social housing in the LGA will not fall below current levels.
- Funding and delivery of at least 464 additional social housing dwellings in the LGA by 2041.
- Funding of at least 450 places of crisis, short-term, transitional, and supported accommodation for people at risk of homelessness in the LGA by 2041.

Action 12a –

- Work with Homes NSW to ensure that redevelopment of social housing within the Coffs Harbour LGA achieves a significant net gain in social housing as well as the delivery of affordable housing for 'key workers'.

The proposed development is in direct alignment with the Strategy, in that it will help steady the decline of social housing in the Coffs Harbour LGA and will in fact result in a net gain of 18 additional social housing dwellings.

6.5 State Environmental Planning Policy (Housing) 2021

On 14 December 2023, amendments were made to *State Environmental Planning Policy (Housing) 2021* (Housing SEPP). This amending policy is referred to in Schedule 7A Savings and transitional provisions as *State Environmental Planning Policy Amendment (Housing) 2023*.

Section 8(2) of Schedule 7(A) of Housing SEPP 2021 provides that the amendments made on 14 December 2023 do not apply to an activity by the NSW Land and Housing Corporation where notice of the activity has been provided to Council under sections 43(1)(b)(i) or 108C(1)(b)(i) before the amending policy was made and further that the activity is determined before 20 December 2024. This activity for seniors housing satisfies both requirements and therefore *State Environmental Planning Policy Amendment (Housing) 2023* does not apply to this activity. The assessment of this activity has been undertaken against the Housing SEPP that was in force immediately before *State Environmental Planning Policy Amendment (Housing) 2023* was made.

6.5.1 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 the land the structures are located on is “non-heritage land” and is not “identified in an environmental planning instrument as being within a heritage conservation area”. The subject site contains neither of these heritage 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.

Further, the notification requirements of section 43 of the Housing SEPP mimic those in 108C of the Housing SEPP. Details of compliance with 108C are detailed in **Table 5** below.

Development for Seniors Housing

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

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

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

Provision	Compliance
108A – Development to which Division applies This Division applies to development for purposes of senior housing involving the erection of a building on land -	
(a) on which development for purposes of seniors housing is permitted with consent under another environmental planning instrument, or	The development is permissible with consent within the R2 Low Density Residential zone under the CHLEP 2013.
(b) in a prescribed zone or an equivalent land use zone.	The R2 zone is also a prescribed zone under the SEPP. Chapter 3, Part 5, Division 8 of the SEPP therefore applies.
108B – Seniors housing permitted without development consent (1) Development to which this Division applies may be carried out by or on behalf of a relevant authority without development consent if -	
(a) the relevant authority has considered the applicable development standards specified in sections 84(2)(c)(iii), 85, 88, 89 and 108, and	Consideration of the development standards are provided in Table 6 and Table 7 below.
(b) the development will not result in a building with a height of more than- (i) 9.5m, or (ii) if the roof of the building contains servicing equipment resulting in the building having a height of more than 9.5m and the servicing equipment complies with section 84(3) – 11.5m, and	The maximum building height is 8.0m.
(c) the seniors housing will not contain more than 40 dwellings on the site.	The development is for 22 dwellings on the site.
(2) <i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i> , sections 2.15 and 2.17 apply to the development and, in the application of the clauses –	Sections 2.15 and the exceptions provided under 2.17 of State Environmental Planning Policy (Transport and Infrastructure) 2021 are not applicable to the site or development.
(a) a reference in section 2.15 to “this Chapter” is taken to be a reference to this section, and	Noted.
(b) a reference in the sections to a public authority is taken to be a reference to the relevant authority.	Noted.
108C – Requirements for carrying out seniors housing (1) Before carrying out development to which this Division applies, a relevant authority must –	

Provision	Compliance
(a) request the council to nominate a person or persons who must, in the council's opinion, be notified of the development, and	Advice was sought from Council regarding additional persons or property that should be notified of the development via an email dated 23 January 2023. Council provided an email response on 20 February 2023 advising that the scope of notification was considered by Council to be appropriate. This was re-confirmed by council on 12 October 2023, prior to statutory notification.
(b) give written notice of the intention to carry out the development to — (i) the council, and (ii) the person or persons nominated by the council, and (iii) the occupiers of adjoining land, and	A letter notifying City of Coffs Harbour of the proposed development activity was sent by LAHC on 13 October 2023. Letters notifying occupiers of adjoining and nearby land of the proposed development activity were sent by LAHC on the 17 October 2023.
(c) take into account the responses to the notice that are received within 21 days after the notice is given, and	Council responded to LAHC's notification by email dated 10 November 2023 and 7 February 2024, refer to Appendix G . Comments on the response are provided in Section 7.1 of this REF. There were 6 submissions received from adjoining and nearby property owners or occupiers. Comments on these submissions are provided in Section 7.2 of this REF.
(d) take into account the relevant provisions of the <i>Seniors Living Policy: Urban Design Guidelines for Infill Development</i> , published by the Department in March 2004, and	Refer to checklist in Appendix O and subsection 6.5.3 of this REF. These conclude that the development complies with all relevant development standards relating to the <i>Seniors Living Policy: Urban Design Guidelines for Infill Development</i> with the exception of the minor variations discussed in subsection 6.5.3 of this report. In these cases, suitable alternatives are proposed which are necessary due to site specific constraints, site, and locality characteristics and specific LAHC design requirements and policies.
(d1) if the relevant authority is the Aboriginal Housing Office— consider the relevant provisions of the <i>Aboriginal Housing Design Guidelines</i> , published by the Aboriginal Housing Office in January 2020, and	Not applicable.
(e) if the relevant authority is the Land and Housing Corporation— consider the relevant provisions of — (i) <i>Good Design for Social Housing</i> , published by the Land and Housing Corporation in September 2020, and (ii) the <i>NSW Land and Housing Corporation Design Requirements</i> , published by the Land and Housing Corporation in February 2023, and	Refer to subsections 6.5.4 and 6.5.5 of this REF and the Architect's Statement and Certificate of Building Design Compliance in Appendix N which indicate that the design and dwelling requirements have been considered.
(f) consider the design principles set out in Division 6	Consideration of these principles is discussed in Table 10 .
(2) In this section, a reference to the council is a reference to the council for the land on which the development is proposed to be located.	Noted.

Provision	Compliance
108D - Exempt development Development for purposes of landscaping and gardening is exempt development if it is carried out by or on behalf of a relevant authority in relation to seniors housing	Noted
108E - Subdivision of seniors housing not permitted Development consent must not be granted for subdivision of seniors housing.	No subdivision proposed.

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

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

Provision	Compliance
<p>84 Development standards—general</p> <p>(2) Development consent must not be granted for development to which this section applies unless—</p> <p>(c) for development on land in a residential zone where residential flat buildings are not permitted—</p> <p>(i) the development will not result in a building with a height of more than 9.5m, excluding servicing equipment on the roof of the building, and</p> <p>(ii) if the roof of the building contains servicing equipment resulting in the building having a height of more than 9.5m—the servicing equipment complies with subsection (3), and</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>(c) Proposed development is in R2 zone where residential flat buildings are not permitted.</p> <p>(iii) Not applicable in this instance as the proposed development is 2 storey only.</p>
<p>85 Development standards for hostels and independent living units</p> <p>(1) Development consent must not be granted for development for the purposes of a hostel or an independent living unit unless the hostel or independent living unit complies with the relevant standards specified in Schedule 4.</p> <p>(2) An independent living unit, or part of an independent living unit, located above the ground floor in a multi-storey building need not comply with the requirements in Schedule 4, sections 2, 7–13 and 15–20 if the development application is made by, or by a person jointly with, a social housing provider.</p> <p>Note— Development standards concerning accessibility and usability for residential care facilities are not specified in this Policy. For relevant standards, see the Building Code of Australia.</p>	<p>The proposed development complies with relevant standards specified in Schedule 4 as demonstrated in Table 8 below.</p> <p>Noted.</p>

Provision	Compliance
<p>88 Restrictions on occupation of seniors housing</p> <p>(1) Development permitted under this Part may be carried out for the accommodation of only the following —</p> <ul style="list-style-type: none"> (a) seniors or people who have a disability, (b) people who live in the same household with seniors or people who have a disability, (c) staff employed to assist in the administration and provision of services to housing provided under this Part. <p>(2) Development consent must not be granted under this Part unless the consent authority is satisfied that only the kinds of people referred to in subsection (1) will occupy accommodation to which the development relates.</p>	Complies. An identified requirement, No. 75, is recommended to achieve compliance.
89 Use of ground floor of seniors housing in business zones	Not applicable, site not within a business zone.

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

Development Standard	Required	Comment
Building Height:	9.5m or less	Maximum height 8.0m
Density and Scale:	Floor Space Ratio 0.5:1 or less	0.53:1, however non-compliance does not result in any adverse impacts on adjoining properties or the streetscape (refer to variation discussion below).
Landscaped Area:	Minimum 35m ² per dwelling (22 x 35m ² = 770m ²)	1121.18m ²
Deep Soil Zone:	Minimum 15% of area of site (15% x 3,058.22m ² = 458.8m ²)	635m ² or 20.8%
	Minimum 65% to be preferably located at rear of site (298.21 m ²)	367m ² or 80% provided at rear of site
	Minimum dimension 3m	Minimum dimension 3m
Solar Access:	70% of living areas & main private open space to receive minimum 2 hrs direct solar access between 9 am and 3 pm at mid-winter	100% of living areas and private open space achieve 2 hours of direct solar access to private open space and living areas between 9am and 3pm mid-winter
Private Open Space:	Ground level:	
	Minimum 15m ² per dwelling	Minimum 22m ²
	One area minimum 3m x 3m, accessible from living area	Minimum 3m x 3.7m

Development Standard	Required	Comment
	Upper level/s:	
	1 bedroom: Minimum 6m ² Minimum dimensions 2m	Minimum 8m ² Minimum 2.3m
	2 or more bedrooms: Minimum 10m ² Minimum dimensions 2m	Minimum 10m ² Minimum 2.55m
Car parking:	Minimum 1 car parking space for each 5 dwellings (LAHC concession) – 4.4 car parking spaces required	11 car parking spaces for 22 dwellings, including 5 accessible parking spaces.

Non-Compliance with FSR Standard

The development proposes a total gross floor area (GFA) of 1,626.41m² calculated in accordance with the Housing SEPP definition. This translates to an FSR of 0.53:1 and represents an exceedance of 97.3m² to the 0.5:1 FSR development standard provided in clause 108(2)(c) which LAHC must consider.

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

The variation is acceptable as the proposed development is not incongruous in its' surroundings. This has been achieved through the implementation of a range of design measures, such as:

- separation of building form to reflect the nature of existing detached development within the locality,
- significant landscaping within the site, along perimeters with adjoining properties and between buildings to break up hard surfaces and building bulk,
- provision of considered dwelling layouts, including the careful placement and sizes of window/door openings, the treatment of windows and balconies with privacy screens and substantial buffer landscaping along boundaries to ensure no overlooking of adjoining residential private open space areas or living areas occurs.
- ensuring dwellings could be provided with a high level of amenity demonstrated through compliance with the Seniors Housing design standards prescribed by the HSEPP, e.g. high levels of solar access, natural ventilation, accessibility,
- materials and finishes including brick walls and sheet metal roofing are similar to the materials and finishes of recent developments in the street with a variety of materials used for wall sheeting, balcony balustrades and external privacy screens to add visual interest to the development, and
- the development has been stepped along the frontage, with a break between buildings created by the central driveway, to minimise the bulk and scale of the development.

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

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

The proposed development will also not generate any significant adverse amenity impacts on surrounding properties in terms of overlooking or overshadowing. Shadows to neighbouring development to the west (48 Eighteenth Avenue) will be confined to the morning period only, to a small section of the front yard. Minimal solar impact will be generated to neighbouring development to the east (38 Eighteenth Avenue), confined to the afternoon period only, to a small section of the front yard. The proposal therefore generates no unacceptable solar impacts to surrounding development and the minor numerical non-compliance in relation to FSR is supportable.

The proposed development accommodates the variation to FSR without impacting side setback and building separation between adjacent development. Adequate side setbacks are provided to mitigate overlooking and privacy impacts with perimeter landscaping to be implemented to further soften the built form.

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

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

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

6.5.2 Development standards for Accessibility

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

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

Table 8 Accessibility and useability standards [Schedule 4]

Development Standard (Sch 4)	Required	Comment
Siting Standards:		
Wheelchair access		
'Non-sloping' sites i.e. with gradients entirely <1:10	100% of ground floor dwellings to have wheelchair access by a continuous accessible path of travel as per AS 1428.1 to an adjoining public road	Complies. Access has been provided to all ground floor dwellings by pathway from adjoining street, as confirmed by the submitted Accessibility Report prepared by Accessible Building Solutions (<i>Appendix H</i>).
'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),	Not applicable, as the site does not have a gradient of more than 1 in 10.

Development Standard (Sch 4)	Required	Comment
	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	
Common areas	All common areas and facilities to have wheelchair accessibility as per AS1428.1	Complies. Access has been provided to the common areas by pathway, as confirmed by the submitted Accessibility Report prepared by Accessible Building Solutions (<i>Appendix H</i>).
Security:		
Pathway lighting	Pathway lighting to be designed and located to avoid glare for pedestrians and adjacent dwellings and to provide min 20 lux at ground level	All lighting will be designed as per requirements at tender stage (subject to Identified Requirement No. 76). Compliance indicated as per the submitted Accessibility Report (<i>Appendix H</i>)
Letterboxes:	To be lockable, located in central location adjacent to street entry or in one or more central locations on a hard standing area and have wheelchair access and circulation by a continuous path of travel (as per AS1428.1)	Two letterboxes are provided, one to the west of the driveway and a second to the east of the site. Accessibility Report prepared by Accessible Building Solutions (<i>Appendix H</i>), indicates the development is capable of compliance, with details to be verified at construction documentation stage.
Private car accommodation:		
Disabled car parking	Car parking spaces must comply with the requirements for parking for persons with a disability set out in AS2890.6 and at least 10% of the total number of car parking spaces (or at least 1 space if there are fewer than 10 spaces) must be designed to enable the width of the spaces to be increased to 3.8m	5 accessible car parking spaces are provided, where the width of the spaces can be increased to 3.8m, using neighbouring shared space. Accessibility Report prepared by Accessible Building Solutions (<i>Appendix H</i>), indicates the development is capable of compliance.
Garages	Must have power-operated door or there must be a power point and an area for motor or control rods to enable a power-operated door to be installed at a later date	Not applicable, as the proposal does not incorporate garages.
Accessible entry (every entry, whether front entry or not):	Must comply with clauses 4.3.1 and 4.3.2 of AS4299	Accessibility Report prepared by Accessible Building Solutions (<i>Appendix H</i>), indicates the development is capable of compliance. Details will be required to be reviewed at Construction

Development Standard (Sch 4)	Required	Comment
		Documentation Stage (subject to Identified Requirements No. 74).
Garbage:	To be provided in accessible location	Single bin storage area has been provided towards the front of the site, behind the building line, accessed by a 1500mm wide concrete pathway, with a grade of 1:100. Accessibility Report prepared by Accessible Building Solutions (<i>Appendix H</i>), indicates the development is capable of compliance.
Interior: general	Internal doorways must have a minimum clear opening that complies with AS1428.1 Internal corridors must have a minimum unobstructed width of 1,000mm Circulation space at approaches to internal doorways must comply with AS1428.1	Accessibility Report prepared by Accessible Building Solutions (<i>Appendix H</i>), indicates the development is capable of compliance, with details to be provided at construction documentation stage. Compliance to be provided by Identified Requirement No. 74.
Bedroom:	At least one bedroom within each dwelling must have: (a) an area sufficient to accommodate a wardrobe and a bed sized as follows: (i) in the case of a dwelling in a hostel-a single - size bed, (ii) in the case of a self-contained dwelling - a queen size bed, and (b) a clear area for the bed of at least: (i) 1,200mm wide at the foot of the bed, and (ii) 1,000mm wide beside the bed between it and the wall, wardrobe or any other obstruction, and (c) 2 double general power outlets on the wall where the head of the bed is likely to be, and (d) at least 1 general power outlet on the wall opposite the wall where the head of the bed is likely to be, and (e) a telephone outlet next to the bed on the side closest to the	Circulation spaces within bedrooms included to each unit, to the foot and side of the bed, and in front of wardrobe. Accessibility Report prepared by Accessible Building Solutions (<i>Appendix H</i>), indicates the development is capable of compliance, with details to be provided at construction documentation stage. Further details to be provided at construction documentation stage, (refer to Identified Requirement No. 74).

Development Standard (Sch 4)	Required	Comment
	door and a general power outlet beside the telephone outlet, and (f) wiring to allow a potential illumination level of at least 300 lux	
Bathroom:	<p>At least 1 bathroom within a dwelling must be on the ground (or main) floor and have the following facilities arranged within an area that provides for circulation space for sanitary facilities in accordance with AS1428.1:</p> <ul style="list-style-type: none"> (a) a slip-resistant floor surface, (b) a washbasin with plumbing that would allow, either immediately or in the future, clearances that comply with AS1428.1, (c) a shower that complies with AS1428.1, except that the following must be accommodated either immediately or in the future: <ul style="list-style-type: none"> (i) a grab rail, (ii) portable shower head, (iii) folding seat, (d) a wall cabinet that is sufficiently illuminated to be able to read the labels of items stored in it, (e) a double general power outlet beside the mirror <p>The requirement under item (c) does not prevent the installation of a shower screen that can easily be removed to facilitate future accessibility</p>	<p>Accessibility Report prepared by Accessible Building Solutions (Appendix H), indicates the development is capable of compliance, with details to be provided at construction documentation stage.</p> <p>Further detailed information relating to fixtures and fittings will be required to be assessed at construction documentation stage (refer to Identified Requirement No. 74).</p>
Toilet:	A dwelling must have at least 1 toilet on the ground (or main) floor and be a visitable toilet that complies with the requirements for sanitary facilities of AS4299	<p>Accessibility Report prepared by Accessible Building Solutions (Appendix H), indicates the development is capable of compliance, with details to be provided at construction documentation stage.</p> <p>Architectural Plans (Appendix A), show ground floor toilets with circulation space to front of pan, and handrails to side wall.</p>
Surface finishes:	Balconies and external paved areas must have slip-resistant surfaces	Accessibility Report prepared by Accessible Building Solutions (Appendix H), indicates the development is capable of

Development Standard (Sch 4)	Required	Comment
		compliance, with details to be provided at construction documentation stage (refer to Identified Requirement No. 74).
Door hardware:	Door handles and hardware for all doors (including entry doors and other external doors) must be provided in accordance with AS4299	Accessibility Report prepared by Accessible Building Solutions (<i>Appendix H</i>), indicates the development is capable of compliance, with details to be provided at construction documentation stage (refer to Identified Requirement No. 74).
Ancillary items:	Switches and power points must be provided in accordance with AS4299	Accessibility Report prepared by Accessible Building Solutions (<i>Appendix H</i>), indicates the development is capable of compliance, with details to be provided at construction documentation stage (refer to Identified Requirement No. 74).
Living room and dining room:	<p>A living room in a self-contained dwelling must have:</p> <p>(a) a circulation space in accordance with clause 4.7.1 of AS4299, and</p> <p>(b) a telephone adjacent to a general power outlet.</p> <p>A living room and dining room must have wiring to allow a potential illumination level of at least 300 lux</p>	Accessibility Report prepared by Accessible Building Solutions (<i>Appendix H</i>), indicates the development is capable of compliance. Details to be provided at construction documentation stage (refer to Identified Requirement No. 74).
Kitchen:	<p>A kitchen in a self-contained dwelling must have:</p> <p>(a) a circulation space in accordance with clause 4.5.2 of AS4299, and</p> <p>(b) a width at door approaches complying with clause 7 of this Schedule, and</p> <p>(c) the following fittings in accordance with the relevant subclauses of clause 4.5 of AS4299:</p> <p>(i) benches that include at least one work surface at least 800mm in length that comply with clause 4.5.5 (a),</p> <p>(ii) a tap set (see clause 4.5.6),</p>	<p>Accessibility Report prepared by Accessible Building Solutions (<i>Appendix H</i>), indicates the development is capable of compliance.</p> <p>Detailed kitchen layout and electrical drawings are to be reviewed at construction documentation stage (refer to Identified Requirement No. 74).</p>

Development Standard (Sch 4)	Required	Comment
	<ul style="list-style-type: none"> (iii) cooktops (see clause 4.5.7), except that an isolating switch must be included, (iv) an oven (see clause 4.5.8), and (d) “D” pull cupboard handles that are located towards the top of below-bench cupboards and towards the bottom of overhead cupboards, and (e) general power outlets: <ul style="list-style-type: none"> (i) at least one of which is a double general power outlet within 300mm of the front of a work surface, and (ii) one of which is provided for a refrigerator in such a position as to be easily accessible after the refrigerator is installed 	
Access to kitchen, main bedroom, bathroom and toilet:	In a multi-storey self-contained dwelling, the kitchen, main bedroom, bathroom and toilet must be located on the entry level	Not applicable, as dwellings are not multi-storey.
Laundry:	<p>A self-contained dwelling must have a laundry that has:</p> <ul style="list-style-type: none"> (a) width at door approaches that complies with cl.7 of this Schedule, and (b) provision for the installation of an automatic washing machine and a clothes dryer, and (c) a clear space in front of appliances of at least 1,300mm, and (d) a slip-resistant floor surface, and (e) an accessible path of travel to any clothes line provided in relation to the dwelling 	<p>Laundries are located within bathrooms.</p> <p>Accessibility Report prepared by Accessible Building Solutions (<i>Appendix H</i>), indicates the development is capable of compliance. Details to be provided at construction documentation stage (refer to Identified Requirement No. 74).</p>
Storage for linen:	A self-contained dwelling must be provided with a linen storage in accordance with Clause 4.11.5 of AS 4299	<p>Linen storage (min 600mm wide) is shown to be provided to each unit, refer to Architectural Plans (<i>Appendix A</i>),</p> <p>Accessibility Report prepared by Accessible Building Solutions (<i>Appendix H</i>), indicates the development is capable of compliance. Details to be provided at construction documentation stage (refer to Identified Requirement No. 74).</p>

6.5.3 Seniors Living Policy: Urban Design Guidelines for Infill Development

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

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

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

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

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

Table 9 Seniors Living Urban Design Guidelines departures

Guideline Requirement	Response
5.29 Provide private open space areas that use pervious pavers where private open space is predominantly hard surfaced to allow for water percolation and reduced run-off?	Sufficient deep soil/landscape areas have been proposed within common and private open spaces. The size of hard paved areas is balanced against soft planting areas. No requirement for permeable surfaces for hard stand private open area is necessary.

6.5.4 Good Design for Social Housing

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

Clause 108C(1)(e)(i) of the Housing SEPP requires the relevant authority to consider the relevant provisions of the *Good Design for Social Housing policy* (September 2020) when assessing a proposed seniors housing development under Part 5, Division 8 of the Housing SEPP.

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

Wellbeing

The proposed development supports the wellbeing of future tenants by providing safe and accessible housing where residents have privacy and feel safe. The floor plan design allows for future adaptation to accommodate the changing needs of tenants over time, and allowing them to age in place, with 11 (ground floor) units having been designed with step free access.

The development incorporates passive and active sustainable design, durable and low maintenance materials, and appropriately sized units to reduce running costs. The proposal achieves a high NatHERS rating with an average of 8 stars which exceeds the minimum targets set by LAHC, of 7 stars. Each unit is provided with air conditioning, and a photovoltaic (PV) system has been incorporated to offset energy use in the development and reduce cost to tenants. PV solar panels are positioned where they will get good solar access throughout the day.

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

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

Belonging

The form and materiality of the proposed development has been selected to respond to the style and character of the local area and will make a high-quality contribution to the streetscape. The use of predominantly exposed brickwork, weatherboard cladding and a neutral colour palette will ensure the visual appeal of the development is maintained over time.

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

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

Value

The development exceeds sustainability targets, with 2 of the dwellings achieving a NatHERS score of 9 or above, 5 achieving between 8-9 stars and the remaining achieving greater than 7 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 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.

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

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 proposal is of a scale and character that assists with place making, by ensuring integration with the surrounding development.

6.5.5 Land and Housing Corporation Design Requirements

The *Land and Housing Corporation Design Requirements* (LAHC Design Requirements) (February 2023) are used to inform the design and development of the LAHC social housing portfolio. These requirements apply to all

new LAHC developments and are driven by tenant wellbeing, design quality, environmental performance, and operational effectiveness within cost parameters.

Clause 108C(1)(e)(ii) of the Housing SEPP requires the relevant authority to consider the relevant provisions of the *Land and Housing Corporation Design Requirements* when assessing a proposed seniors housing development under 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 full, refer to Certificate of Compliance from the Architect in *Appendix N*. Further detail will be incorporated in the construction documentation.

6.5.6 Housing SEPP Design Principles

The proposed activity is in an established urban area and there are no known natural environmental considerations affecting the subject land (including known significant environmental values, resources or hazards), excepting flooding, which has been considered when developing the design, siting and construction methodologies of the subject activity, and is further discussed in Section 6.7 and 6.8. 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 or not to proceed with a proposed seniors housing activity. **Table 10** below demonstrates how the principles have been considered in the design of the proposal.

Table 10 Response to Design Principles (Part 5, Division 8)

Neighbourhood amenity and streetscape [section 99]
Seniors housing should be designed to –
(a) recognise the operational, functional and economic requirements of residential care facilities, which typically require a different building shape from other residential accommodation, and
N/A no residential care facility proposed.
(b) recognise the desirable elements of –
(i) the location's current character, or
(ii) for precincts undergoing a transition – the future character of the location so new buildings contribute to the quality and identity of the area, and
The existing character is predominantly single storey, interspersed with two storey residential development of varying age and architectural style. Fibro clad dwellings, with pitched tile or sheet roofs are a prominent feature of housing in the immediate area, particularly within Eighteenth Avenue. Dispersed throughout the neighbourhood are larger, contemporary dwellings with flat roofs. The local development controls reflect a future character of residential development with an 8.5m height limit and density of 0.50:1. The proposed development reflects the existing character of the local area, with a building height of 8m, and FSR of 0.53:1.
The development has been designed as two distinct, but compatible building modules when viewed from the street, with each module articulated by recessed foyer areas, with distinct roof profiles. The development also responds to the character and scale of development in the area through the use of light hue face bricks, and light grey and 'timber look' metal cladding to all external elevations, with low front fencing integrated with a diverse landscape scheme.
(c) complement heritage conservation areas and heritage items in the area, and
The site is not located within a heritage conservation area nor are there any heritage items that adjoin, or within proximity, to the site.
(d) maintain reasonable neighbourhood amenity and appropriate residential character by –
(i) providing building setbacks to reduce bulk and overshadowing, and

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

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

The proposed building setbacks are compatible with the streetscape character of the locality and are consistent with Council's DCP requirements. The front setbacks are equal to that of the adjoining dwelling located to the east, being 38 Eighteenth Avenue, and greater than the adjoining development to the west at 48 Eighteenth Avenue.

Greater side and rear setbacks have been provided where possible, creating separation to the development to the west at 48 Eighteenth Avenue, which is built to the boundary, and to reduce any potential overlooking to 38 Eighteenth Avenue, from the rear first floor balcony of unit No. 17, which has been setback approximately 9.5m from the boundary.

The development is below the height limit permitted under the Housing SEPP and CHLEP 2013 and retains more than 2 hours solar access to the living areas and private open spaces of neighbouring dwellings in mid-winter.

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

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

The building line is consistent with the setbacks of dwelling houses in the locality. For example, the front setbacks are equal to that of the adjoining dwelling located to the east, being 38 Eighteenth Avenue, and greater than the adjoining development to the west at 48 Eighteenth Avenue.

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

The proposed landscape design incorporates substantial plantings at the front and rear of the development which will enhance the streetscape and provide a quiet space for residents to enjoy at the rear, particularly in the communal area located in the northeast corner of the site.

The scheme incorporates a mix of plants, all native and typical to a coastal environment – including ground covers (Kangaroo Grass, Flax Liy and Fan Flower), native shrubs (Bottlebrush and Grevillea, Lily Pilly and Banksia) and feature trees including a Cheese Tree – which has a mature height of up to 15m.

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

The Arborist Report (*Appendix J*) recommends the retention of 4 trees within the site (T1, T2, T16 and T19), 2 neighbouring trees (T1a and T3) and 3 trees within the road reserve (T23, T24 and T25). All other trees are proposed to be removed, totalling 20 trees. They are to be removed as they are either in poor health, dead, not considered important for retention, or noxious and environmental weed species.

Some are located within the site in a position where they cannot be retained due to the proposed building footprint and associated infrastructure works, where encroachment will have an adverse impact on roots and crown for viability and stability. One tree, T22 is a council street tree which is in the position of the proposed new driveway crossover. Council's support for the removal of this tree has been provided (*Appendix M*).

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

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

Visual and acoustic privacy [section 100]

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

- (a) using appropriate site planning, including considering the location and design of windows and balconies, the use of screening devices and landscaping, and
- (b) ensuring acceptable noise levels in bedrooms of new dwellings by locating them away from driveways, parking areas and paths.

The proposed development has been designed to maintain visual and acoustic privacy to adjoining properties and within the development. Design solutions include appropriate building setbacks and heights, dwelling layouts, placement and

sizing of window openings, treatment of window glazing and location of landscaping, particularly at the side boundaries. Hedge planting is provided at the rear of each of the unit blocks to create a visual buffer between the private open space areas and the adjacent units or the private open space areas and the adjoining sports field.

Internal amenity has been achieved, with buildings generally designed and orientated so that high use areas such as living rooms and private open space areas, including balconies are oriented to the north. Windows on the southern elevations of units 7-11 (ground floor) and 18-22 (first floor) are limited to the kitchen and bathrooms only to minimise opportunity for overlooking into the living and POS areas of the adjacent units. Windows to bathrooms and front doors will be treated with opaque glazing, and no private open space areas are provided on the southern elevation of those units.

Visual privacy to adjoining development has been achieved through large side setbacks, careful placement of windows and balconies. There are no private open space areas, such as balconies, located on the side elevations, with openings minimised, and windows having high sill levels, or treated with opaque glazing.

New boundary fencing to a height of 1800mm will assist with mitigation of visual and acoustic impacts associated with the internal hard stand car parking area. Perimeter landscaping and large side setbacks between the internal car park and adjacent development located to the east and west will act as a visual and acoustic buffer. There is minimal impact expected upon the adjoining Richardson Park Reserve, comprising large open playing fields. The generous side setback to the east of the site accommodates a large deep soil area which will provide shade trees, dense landscape plantings and seating - creating a pleasant outlook when viewed from neighbouring properties.

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

The site is located approximately 150m west of the North Coast Rail Line, and as such a Rail Traffic Noise and Vibration Impact Assessment Report (*Appendix X*), was undertaken in accordance with the NSW Department of Planning and Environment's (DPE's) Guideline, Development near Rail Corridors and Busy Roads – Interim Guidelines. The report has demonstrated that the site is suitable for the intended purpose and confirmed that *no special acoustic features need to be incorporated into the design to comply with the requirements of the RMS, EPA, AS/NZS2107-2000 and DPE.*

Solar access and design for climate [section 101]

The design of seniors housing should –

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

Owing to the orientation of the site, and design of the development, 100% of units achieve at least 3 hours of direct solar access to living areas in mid-winter, with all receiving a minimum of 4 hours, and some achieving up to 6 hours. Similarly, 100% of units achieve at least 2 hours of direct solar access to private open space areas in mid-winter, with most receiving up to 6 hours. Overall, the development exceeds the sustainability targets and achieves an average NatHERS rating of 8, with no individual unit achieving less than 7.2 stars.

The site is well orientated - located on the northern side of Eighteenth Avenue, and results in minimal overshadowing to neighbouring properties. As demonstrated on the shadow diagrams (*Appendix A*), overshadowing to neighbouring properties is limited to either the morning or afternoon periods, to the front yard areas only. More than 3 hours solar access is maintained to living spaces and private open space areas of neighbouring dwellings in mid-winter.

Stormwater [section 102]

The design of seniors housing should aim to –

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

The impact of stormwater runoff onto adjoining properties will be minimised, through the provision of a large On-Site Detention tank (OSD). As per the Civil Stormwater Management Plans (*Appendix C*), stormwater will be collected via a series of stormwater pits and grated drains on the site connected to an underground OSD with a capacity of 62.7m³,

draining to Eighteenth Avenue with a new outlet in the kerb. Roof water will be collected from downpipes and connected to an underground 4.5m³ rainwater tank with overflow connected to the underground detention tank.

Re-use for second quality water uses has been provisioned through the provision of a pump to the rainwater tank, where water will be recycled to toilets, laundry and outdoor irrigation taps in accordance with BASIC requirements.

Crime prevention [section 103]

Seniors housing should –

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

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

Site planning enforces territorial reinforcement by establishing clear entry points and boundaries through the provisioning of pathways, fencing and landscaping. The entry points, each serving a small number of dwellings (maximum of 2), provide a secure progression from public to private spaces and will create a safe environment for residents. Twelve out of the 22 units address Eighteenth Avenue and provide passive surveillance of public areas as well as the pedestrian and vehicle entry points.

Fencing will be constructed along the side and rear boundaries, and all areas of private open space are fenced to create security and delineate between public and private spaces. The design of the proposed development will allow for general surveillance of the rear common space and parking area, particularly units 14 and 15 which have first floor bedroom windows, and balconies providing casual surveillance of the car parking area. Peep-holes 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, this will be required through the imposition of an Identified Requirement (No. 79).

Accessibility [section 104]

Seniors housing should –

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

The subject site is walking distance, via a safe pedestrian route to the bus stop located adjacent to 117 First Avenue, bus stop ID 2452117 - *First Ave After Twentieth Ave*. This bus stop is serviced by bus route 390 '*Toormina Community Centre to Park Beach Plaza via Sawtell*' which is operated by Forrest Coastlines. The distance from the site to this bus stop is approximately 492m, refer to the longitudinal survey of the path of travel in **Appendix T**.

As a result of the Sixteen Cities project led by Transport for NSW, two bus services that previously serviced the locality, specifically running along Eighteenth Ave, were cancelled on 1 November 2023 and the bus stops made redundant.

Homes NSW has therefore reviewed alternative public transport options in the area that would provide a similar level of accessibility for future tenants and as a result, a gap in the 390 route 'return service' bus stops was identified with no 'return stop' being located opposite bus stop ID 2452117 on First Avenue.

The next closest bus stop is approximately 650m to the north, at bus stop ID 2452101 (*First Ave before Boambee St*). There is no footpath or safe crossing point over First Avenue to access this stop and therefore it is not suitable for use by seniors or persons with a disability. The overall gap between 'return service' bus stops is approximately 1.3km between bus stop ID 2452101 (*First Ave before Boambee St*) and bus stop ID 245237 (*Sawtell RSL, First Ave*).

In light of the above, Homes NSW sought support from City of Coffs Harbour (Council's) traffic committee for the installation of an additional bus stop on the eastern side of First Avenue at the frontage of 134 First Avenue. On 13

August 2024 the City of Coffs Harbour Local Traffic Committee agreed unanimously to support the installation of this additional bus stop, refer to **Appendix BB**. A copy of the traffic instrument which demonstrates the endorsed bus zone and bus stop location is provided under **Appendix AA**.

The new bus stop will be located approximately 373m walking distance from the subject site as demonstrated in the longitudinal survey of the path of travel in **Appendix T**.

Footpaths, kerb ramps and pedestrian median crossings facilitate safe and obvious pedestrian access to the bus stops along First Avenue however no formal footpath exists along Eighteenth Avenue. Therefore, Identified Requirement No. 78 is recommended which will require construction of a footpath along Eighteenth Avenue between the subject site and the existing footpath on First Avenue. The bus stops themselves also have no hardstand landings connected to the footpath to allow ease of access on and off the buses as such Identified Requirement No. 78 requires the construction of these elements also.

The proposed development will provide an attractive and safe environment for pedestrians and motorists with convenient access to car parking areas for residents. Car parking is provided for residents within the site, including 5 accessible parking spaces. Accessible pathways are provided between the car parking area and individual dwelling entries, and lobbies. There is ample street parking available on Eighteenth Avenue and in the surrounding street network to accommodate visitor parking.

Waste management [section 105]

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

A waste storage area is provided behind the building line, adjacent the driveway and will accommodate general waste and recycling, in accordance with Coffs Harbour DCP requirements – see Waste Management Plan (**Appendix R**). The storage area has been appropriately screened to minimise visual impact but still retain good visibility to avoid the creation of entrapment spaces. The site will be serviced by Council's standard kerb-side pickup service, with bins taken to the kerb by a LAHC contractor.

6.6 Other State Environmental Planning Policies

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

Table 11 Compliance with other applicable State and Environmental Planning Policies

SEPP (Sustainable Buildings) 2022
A BASIX Certificate has been obtained for the development proposal, as required under the SEPP (refer to Appendix K).
SEPP (Transport and Infrastructure) 2021
In accordance with the <i>Schedule of Classified Roads and Unclassified Regional Roads</i> , published by Transport Roads and Maritime Services, Eighteenth Avenue is a local unclassified road.
2.100 Impact of rail noise or vibration on non-rail development - The site is located approximately 150m west of the North Coast Rail Line, and as such a Rail Traffic Noise and Vibration Impact Assessment Report (Appendix W), was undertaken in accordance with the NSW Department of Planning and Environment's (DPE's) Guideline, <i>Development near Rail Corridors and Busy Roads – Interim Guidelines</i> , to ensure the development is not adversely affected by rail noise or vibration. The report has demonstrated that the site is suitable for the intended purpose and confirmed that <i>no special acoustic features need to be incorporated into the design to comply with the requirements of the RMS, EPA, AS/NZS2107-2000 and DPE</i> .
2.119 Development with frontage to a classified road – Not applicable, as the site does not have frontage to any State or Regional Classified Road.
2.120 Impact of road noise or vibration on non-road development – Not applicable, as the development is not on land in or adjacent to road that has an annual average daily traffic volume of more than 20,000.

2.122 Traffic-generating development – Not applicable, as the development is not of a type specified in Column 1 of Schedule 3, in that the development does not propose access to a classified road; is not within 90m of connection to a classified road; and does not propose 300 or more dwellings.

SEPP (Biodiversity and Conservation) 2021

This Biodiversity and Conservation SEPP provides planning controls related to conservation and management, to ensure the protection of the natural environment.

Chapter 2 – Vegetation in non-rural areas, Clause 2.6(1) requires a permit from Council for clearing of vegetation required under the policy. The proposed development proposes the removal of 18 trees in total (refer to Arborist Report at *Appendix J*).

Notwithstanding, Section 6 of Housing SEPP specifies that development permitted without consent may be carried out without another consent or a licence, permission, approval, or authorisation otherwise required under another environmental planning instrument. This means the proposed removal of trees within the site can be included within the REF scope and does not require a permit from Council.

Chapter 3 – Koala habitat protection 2020, is not applicable as the land is not within a prescribed zone, or equivalent land use zone – section 3.3.

Chapter 4 – Koala habitat protection 2021, is applicable pursuant to section 4.4, as Coffs Harbour LGA is listed in Schedule 2. The corresponding koala management area for the Coffs Harbour LGA is North Coast Koala Management Area, as specified in Schedule 2.

Section 4.8 requires that *Council's determination of the development application must be consistent with the approved koala plan of management that applies to the land*. In this regard, the subject land is not categorised, and does not adjoin any land forming part of any koala habitat (Primary, Secondary or Tertiary), as per *Coffs Harbour Comprehensive Koala Plan of Management* Koala Habitat Planning Map. Furthermore, as the land is not located in a *Habitat Link*, the provisions of the Koala Plan of Management do not apply.

Chapter 5 – River Murray Lands is not applicable, the land is not shown on the map, and not located in the riverine land of the River Murray, pursuant to section 5.3.

Chapter 6 – Water Catchments, is not applicable as the land is not located within any of the regulated catchments specified in section 6.1, as defined in Schedule 6.

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.

Chapter 2: Coastal Management – The site is located within the coastal zone, specifically the *coastal environment area* – section 2.4(4). Accordingly, the controls for development set out in Division 3 *Coastal environmental area* Section 2.10 apply and must be considered before development consent is granted.

In considering Section 2.10, it is pertinent to note; the site is located approximately 550m from coastal waters; 285m from closest headland vegetation; has been used for residential purposes for a significant period of time; where all remnant vegetation has been removed, with only planned gardens, lawns and exotic plantings present. As such, it is argued development of the site will not have an adverse impact on; biophysical, hydrological, or ecological environment; any coastal processes, or environmental values; water quality of the marine estate (with no sensitive coastal lakes within proximity); vegetation along undeveloped headlands or rock platforms; public access to coastal areas; or the use of the surf zone.

An Aboriginal Heritage Information Management System (AHIMS) search, dated 27 September 2024 (*Appendix I*) did not find any record of Aboriginal Sites or Places on the site or in the surrounding locality and the site is considered to be disturbed land.

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.

Chapter 4: Remediation of land - In considering Chapter 4, the Section 10.7 Planning Certificates (*Appendix F*) do not identify the site as being subject to any matters arising from the Contaminated Land Management Act or is listed on the loose fill asbestos register. Furthermore, given the long-term continuous use of the land for residential purposes (since the 1970's refer to historical imagery below) and the highly disturbed nature of the site, it is unlikely that the subject land is affected by contamination.

The residential use of the land is not proposed to be changed, and therefore section 4.6 (2) of the SEPP is not applicable, and a preliminary investigation report, prepared in accordance with the contaminated land planning guidelines, is not required.

If any contaminated material or suspected contaminated material is unearthed during the construction process, then actions consistent with the legislative requirements and guideline document will be undertaken. A recommended Identified Requirement (No. 17) requires implementation of management measures in the unlikely event of contamination prior or during construction works.

Notwithstanding, the draft Contaminated Land Planning Guidelines (draft Guidelines) prepared by the Department of Planning and Environment and the Environment Protection Authority provides a checklist of matters to be considered in an initial evaluation of land in relation to potential for contamination. These matters are considered in **Table 12** below.

Historical Imagery of Site:



1964 Imagery



1979 Imagery



1980 Imagery



1994 Imagery



Table 12 DRAFT Contaminated Land Planning Guidelines Suggested checklist for initial evaluation

DRAFT Contaminated Land Planning Guidelines Suggested checklist for initial evaluation		
Aspect being evaluated	Yes/No	Response
1. Previous evidence of contamination:		
(a) Was the subject land at any time zoned for industrial, agricultural or defence purposes?	No	A historical search of available records indicates that the land has been used continuously for residential purposes since the 1970s.
(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	A historical search of available records indicates that the land has been used for residential purposes since the 1970s and has not been used for any potentially contaminating activity as noted in Appendix 1.
(c) Is the subject land currently used for a potentially contaminating activity listed in Table 1 in Appendix 1?	No	The land is currently occupied by 4 x single storey dwelling houses and associated structures and is used for residential purposes.
(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	The land is not known to have been regulated through licensing or other mechanisms in relation to a potentially contaminating activity.
(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	The 10.7 Planning Certificates confirm there are no land use restrictions relating to contamination under the CLM Act.

DRAFT Contaminated Land Planning Guidelines Suggested checklist for initial evaluation

(f) Has a site inspection indicated that the site may have been associated with any potentially contaminating activities listed in Table 1?	No	No evidence of any potential contaminating activities has been identified on the site.
(g) Are there any contamination impacts on immediately adjacent land which could affect the subject land?	No	Immediate adjoining development is residential.
(h) Are there any human or environmental receptors that could be affected by contamination?	Yes	The proposed development is to be for residential purposes.
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.
2. Previous investigations		
(j) Have there been any previous contamination investigations on the land?	No	No previous contamination investigations are known to have been undertaken on the land.
(k) Did the results of any of the investigations show possible or actual contamination?	NA	
3. Previous remediation		
(l) Has the land already been remediated and verification provided that the remediation results in the land being suitable for the proposed used?	No	
(m) Is there an environmental management plan (e.g. on-site containment of contamination or an ongoing monitoring of contamination) within the site?	No	
4. Other		
(m) Are there known to be ambient background levels of substances that present a risk of harm to human health or to any other aspect of the environment?	No	

6.7 Coffs Harbour Local Environmental Plan 2013 (CHLEP 2013)

Compliance with the relevant provisions / development standards set out in the CHLEP 2013 is demonstrated in **Table 13** below.

Table 13 Coffs Harbour Local Environmental Plan 2013

Relevant Provisions / Development Standards for Seniors Housing			
Clause	Provision / Development Standard	Required	Provided
4.3	Height of Buildings	(2) The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map (8.5 metres)	Complies - Maximum building height (measured in accordance with the LEP definition) is 8 metres.
4.4	Floor Space Ratio	(2) The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the Floor Space Ratio Map. (Not adopted)	No applicable standard - proposed FSR is 0.53:1.
5.21	Flood planning		
	(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 –	(a) is compatible with the flood function and behaviour on the land, and	Complies - Section 3.2 of the Flood Impact Assessment (FIA) (<i>Appendix Y</i>) report has demonstrated that the proposed development is compatible with the flood function and behaviour on the land. The FIA recommendations will form an Identified Requirement (No.81), that the proposed buildings must demonstrate structural stability up to the PMF so as to withstand the hydrostatic, hydrodynamic, buoyancy and debris loads of PMF conditions.
		(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	Complies - Section 3.3.3 of the FIA has demonstrated that the proposed development will not cause an adverse flood impact to adjoining properties.

Relevant Provisions / Development Standards for Seniors Housing

		(c) will not adversely affect the safe occupation and efficient evacuation of people or exceed the capacity of existing evacuation routes for the surrounding area in the event of a flood, and	<p>Complies - The FIA report finds that the proposed development will not adversely affect existing evacuation routes.</p> <p>That is, during the 1:20 and 1:50 AEP events, offsite afflux of up to 49mm and 30mm respectively is predicted within the road reserve of Eighteenth Avenue. Notwithstanding the small level of afflux, the flood hazard remains at H1 – which is deemed generally safe for people and vehicles – trying to evacuate the site.</p> <p>For the remainder of the design flood events (i.e., 1 in 100, 1 in 200, 1 in 500 AEP and PMF events), no adverse offsite flood impact is predicted.</p>
		(d) incorporates appropriate measures to manage risk to life in the event of a flood, and	<p>Complies - The finished floor level of the seniors housing is such that it is flood-free up to and including the 1 in 500 AEP event, and the maximum flood hazard is H1 during a PMF event. H1 is deemed generally safe for people. Hence, there is no risk to life.</p> <p>Appropriate and detailed Flood Emergency Response Plan (FERP) should be prepared and implemented to manage residual flood risk to avoid exposure to high flood hazard outside of the building. This forms an Identified Requirement (No. 81).</p>
		(e) will not adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses.	<p>Complies - The FIA report finds the proposed development is not expected to cause environmental damages. That is, there are no known riparian vegetation, riverbanks, or water courses within proximity to the site.</p>
(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,		<p>Complies - The FIA report notes, the finished floor level of the building has 0.57m freeboard above the 1% AEP + 2100 climate change.</p>

Relevant Provisions / Development Standards for Seniors Housing			
		(b) the intended design and scale of buildings resulting from the development,	Complies - The intended design and scale of the buildings are provided in the Architectural Plans (<i>Appendix A</i>) which have been considered in the preparation of the FIA and forms the basis of the assessment.
		(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,	Complies - The finished floor level of the seniors housing is such that it is flood-free up to and including the 1 in 500 AEP event, and the maximum flood depth and hazard during a PMF event is 190mm and H1 respectively. H1 is deemed generally safe for people. Hence, there is no risk to life. Appropriate and detailed FERP should be prepared and implemented to manage residual flood risk to avoid exposure to high flood hazard outside of the building. This forms an Identified Requirement (No. 81).
		(d) the potential to modify, relocate or remove buildings resulting from development if the surrounding area is impacted by flooding or coastal erosion.	Complies - The proposed buildings are located 0.57m above the 1 in 500 AEP peak flood level. During the PMF event, the flood hazard within the ground flood building is H1 which is deemed generally safe for people. Therefore, the potential to modify, relocate or remove buildings due to impact of catchment flooding is unlikely, and unnecessary.
5.22	Special flood considerations		Not applicable, as the land is within the flood planning area and is therefore subject to clause 5.21 as discussed above.

6.8 Coffs Harbour Development Control Plan 2015

Coffs Harbour Development Control Plan 2015 (CHSDCP 2015) does not contain specific development controls for seniors housing. As such, the building setbacks for developments undertaken in the R3 zone – which permits multi-unit housing, have been used for comparative purposes to demonstrate the suitability of the site for the proposed scale of the development as shown in **Table 14** below.

The general controls for all development set out in CHDCP 2015 have generally been addressed in the various sections of this REF that address compliance with the provisions of the Housing SEPP.

It is noted, pursuant to CHDCP2015, A6 *Definitions* ‘seniors housing’ is grouped under the generic term of *Residential accommodation*. ‘Senior’s housing’ is also categorised as a *sensitive facility*, along with group homes and educational establishments. For the purposes of assessment, the application has been considered against

the General Flood Planning Requirements (E4.1) and those applicable to Sensitive Facilities (E4.7) - which are more onerous than those applying to Residential and Tourist Facilities (E4.2).

Table 14 Coffs Harbour Development Control Plan 2015

Compliance with setback controls		
Part D - Built Form Controls		
Clause	Requirement	Proposed
D3.1 Density Requirements	<p>R3 zone – 200m² per dwelling, where buildings <8.5m in height.</p> <p>(3,058m²/ 200 = 15.29 dwellings)</p> <p>* Exceptions, note that density controls may be specified in an EPI for certain types of residential accommodation – in these instances EPI prevails.</p>	<p>Complies with intent.</p> <p>The development standard provided in clause 108(2)(c) of the Housing SEPP is required to be considered by LAHC. This clause allows an FSR 0.5:1.</p> <p>FSR - 0.53:1 proposed, represents a minor exceedance of 97.3m² to clause 108(2)(c), with justification provided in section 6.5.1.</p>
D3.2 Front Setbacks	R3 – 6m	Complies - 6m
D3.3 Side and Rear Setbacks	R3 zone where buildings are <8.5m in height, 3m side and rear setbacks are required.	Complies - 3m
Part E – Environmental Controls		
E4.1 Flood Planning Requirements – General	(1) Development is to be designed and located so that it is free from any land that is at or below the 100-year Average Recurrence Interval flood level.	Complies, the 100-year AEP Design flood level (DFL) is 5.30m AHD, with the development is designed to have a FFL of 5.96m AHD.
	(2) Development is to be designed and located so that it is free from any floodway's.	Complies, The FIA (<i>Appendix Y</i>) finds that during the 1% AEP design flood event, the majority of the Site is predicted to contain areas of flood fringe, and no areas of floodway and flood storage exist within the site.
	(3) Development is not to comprise the external storage of any materials below the 100-year Average Recurrence Interval flood level that are potentially hazardous or that may cause pollution.	Complies, the development is residential in nature, and there will be no materials stored onsite that are potentially hazardous or that may cause pollution.
	(4) Development is not to result in an increase in flood levels on adjoining or surround land.	<p>Complies with intent.</p> <p>During the 1 in 20 AEP event, a localised offsite afflux up to 39mm is predicted at the southeast boundary of a private lot west of the site. The increased flood levels on adjoining land are considered acceptable, given the extent of the affected area is very small and there is no change in the flood hazard.</p>

Compliance with setback controls		
		<p>There is also a localised afflux up to 49mm within the road reserve of Eighteenth Avenue. The increased flood levels in Eighteenth Avenue are considered acceptable, as the predicted afflux in the road reserve will not cause an adverse impact on the trafficability of the road and does not change in the flood hazard.</p> <p>During the 1 in 50 AEP event, a localised offsite afflux up to 30mm is predicted within the road reserve of Eighteenth Avenue. The increased flood levels in Eighteenth Avenue are considered acceptable, as the predicted afflux in the road reserve will not cause an adverse impact on the trafficability of the road and does not change in the flood hazard.</p>
	(5) Operational access to the development is to provide a level of service commensurate with the zoning and proposed use with consideration to both on site and off site access	Complies, H1 flood hazard – which is deemed generally safe for people and vehicles and would allow good operational access, is predicted for both the on-site car park, driveway, concrete paths and off-site Eighteenth Avenue.
E4.7 Flood Planning Requirements – Sensitive Facilities	(1) The minimum floor level for all buildings is to be at a height of the 500 -year ARI plus 500mm freeboard.	Complies, the proposed buildings are located 570mm above the 1 in 500 AEP peak flood level.
	(2) Approval may be conditions upon a Flood Safe Evacuation Plan being prepared in accordance with State Emergency Services (SES) Guidelines and implemented during the operation phase of the development	Complies, Identified Requirement (No. 81) requires the preparation of a Flood Safe Evacuation Plan, prepared in accordance with State Emergency Services (SES) Guidelines, and implemented during the operation phase of the development

7 Notification, Consultation and Consideration of Responses

Copies of the notification letters sent to the local council and to the adjoining and nearby occupiers are provided in **Appendix G**, together with copies of all responses received from council.

7.1 Council Notification

In accordance with section 43 and 108C of the Housing SEPP, City of Coffs Harbour was notified of the development by letter dated 13 October 2023 (refer to **Appendix G**). The notification response period formally closed on 10 November 2023 and Council responded to the notification by emails dated 10 November 2023 and 7 February 2024 with matters raised outlined in **Table 15** below. A response is provided in relation to the matters raised in Council's letter and where appropriate, these matters have been addressed in the Identified Requirements (IRs) in the **Activity Determination**.

Table 15 Issues raised in Council submission

Issues raised	Response
Development Engineer <ul style="list-style-type: none"> The public footpath is to be 1.5m wide. The existing (redundant) driveways are to be removed, and the kerb reinstated. Without dimensions it is hard to determine if car parking is compliant with AS2890. 	<p>Noted. Plans indicate "New Footpath to Council Requirements" however to ensure compliance Identified Requirement No. 78 has been included to address this issue.</p> <p>The Demolition Plan (Appendix A) indicates all existing driveways will be removed and Identified Requirement No.11 has been imposed to ensure that obsolete gutter laybacks will be reconstructed as kerb in accordance with City of Coffs Harbour standards.</p> <p>The Traffic Impact Assessment in Appendix S confirms that a detailed review was undertaken, and the proposed access, internal circulation and parking arrangements comply with AS2890.1 design criteria.</p>
Water Sensitive Urban Design A development of this size would trigger Council's WSUD Guidelines: https://www.coffsharbour.nsw.gov.au/Building-and-planning/Planning-controls-and-guidelines/Water-sensitive-urban-design On-Site Detention has been provided in terms of water quantity, however for water quality purposes, if this was a DA, a design which incorporates measures to achieve the objectives of the City's WSUD Guidelines (2018) would be required.	<p>The concept stormwater plan has subsequently been amended in response to Council comments to include appropriate WSUD measures. Updated stormwater plans are provided under Appendix C.</p>
Flood Engineer The development is partially within the 1 in 100 AEP flood extent and the flood planning area. Council has controls within its DCP in relation to flooding in section E4, of particular note to this development is E4.1 – general	<p>Noted.</p> <p>Identified Requirement No. 81 has been imposed to ensure compliance with the recommendations of the Flood Impact Assessment report (Appendix Y). The Architectural Plans confirm the FFL of the ground</p>

Issues raised	Response
<p>flooding and E4.7 – sensitive facilities which seniors housing is assessed against.</p> <p>The proposal has included a flood impact assessment, which has provided some updates to councils existing flood study for Middle Creek. The flood impact assessment is consistent with the adopted flood study.</p> <p>The land is located within the low hazard flood fringe. In regard to minimum finished floor levels the development proposes a floor level of 5.96m AHD, which provides over 500mm of freeboard to the 1 in 500 AEP flood level which adequately addresses the floor level requirement in E4.7 of the DCP. This floor level is also 500mm above the 1 in 100 AEP climate change level.</p> <p>The impact assessment indicates that flood behaviour is not significantly impacted by the development and afflux levels are generally all contained within the development site. Where afflux is outside of the site, the increase is deemed insignificant.</p> <p>The parking areas of the development are at around 5.05m AHD, which is around 100mm below the 1 in 20 AEP flood level. While we usually assess parking areas on merit, we usually recommend parking areas to be above the 1 in 20 AEP flood level. However, as flood hazard is considered low, with depth around 100mm, the parking area is acceptable at this level, with low hazard also expected in the 1 in 100 AEP, meaning that the area is still likely to be trafficable by all vehicles.</p> <p>The proposed emergency response strategy is deemed adequate, with evacuation off site recommended if possible, however in the event of an extreme flood event this may not be possible. As isolation would be less than 6 hours, shelter in place is available with a second floor available. The proposal recommends a detailed emergency response plan is to be prepared prior to occupation. It also recommends that a standalone generator be installed above PMF level to minimise secondary flood risks.</p> <p>The development meets Councils Development Control Plan objectives and requirements provided the following are met:</p> <ul style="list-style-type: none"> The finished floor level of the ground floor of the building is to be a minimum of 5.96 m AHD. An accredited surveyor's certificate certifying such level is to be submitted to the Principal Certifying Authority. 	<p>floor of the building will be 5.96 m AHD. Identified Requirement No. 82 has been imposed to ensure the FFL certification is obtained.</p> <p>Identified Requirement No. 83 has been imposed to ensure all electrical infrastructure and equipment is located at a minimum of 6.15m AHD.</p> <p>Identified Requirement No. 81 includes a requirement for a standalone generator to be installed above the highest PMF.</p> <p>Identified Requirement No. 81 includes a requirement for a detailed flood emergency response plan to be prepared in accordance with this requirement.</p>

Issues raised	Response
<ul style="list-style-type: none"> • All new electrical infrastructure and equipment (wiring, power outlets, switches etc.) to the maximum extent possible must be located at a minimum of 6.15 m AHD or suitably waterproofed. • A standalone generator is required to be installed above 6.15 m AHD. • A detailed flood emergency response plan (FERP) should be prepared in consultation with Council and SES including provisions for accessibility of shelter-in-place refuge, consideration of flood warning systems, serviceability requirements, roles and responsibilities and what actions are required before, during and after a flood prior to occupation. 	
<p>Waste Services</p> <ul style="list-style-type: none"> • Location of proposed waste store is appropriate, as is bin route and presentation area. • The City will not support 240l General Waste or Recycling bins for this development – these will need to be bulk bins of either 660l or 1100l capacity. • 240l Organics bin are acceptable. • Volumes calculated for weekly waste generation is correct, however, rating of the property will be charged at a volume of 2,640l per week as opposed to the suggested 1,600l per week. Waste suggests allowing for 2 x 1100l of each stream, plus 1 x 660l of each stream (total 6 bulk bins) serviced weekly OR 2 x 660l of each stream (total 4 bins) serviced twice weekly. • Waste area must meet DCP guidelines, including adequate screening, roofed, bunded, tap fitted, and drained to sewer via a dry basket arrestor. Whilst mentioned in the Waste Management Plan, this is not shown in the architectural drawings. • Note that the ground floor plans show a window to Unit 3 bathroom directly above the waste storage area. Window openings are not accepted on areas surrounding waste enclosures for odour reasons - fixed windows for lighting purposes are acceptable. • Same note as above for Unit 14. • There is no mention of a demolition or construction waste management plan – this must list potential materials, and their appropriate disposal option, including correct locations and prioritising recycling opportunities 	<p>The proposed waste bin provision has been updated in response to Council's comments and the proposal now incorporates 4 x 1100L bins and 2 x 660L bins as demonstrated in <i>Appendix A</i>.</p> <p>The Architectural and Landscape Plans (<i>Appendix A & B</i>) show the bin storage area to be setback from the road frontage, screened by fencing and landscaping. The bin storage area will be constructed with solid brick walls, to a height of 1.4m, and topped with min. 900mm high slatted fencing and covered with metal roofing. The Civil Plans in <i>Appendix C</i> indicate that the bin area's drainage is to be designed by a Hydraulic Engineer, Identified Requirement No. 84 has been imposed also in response.</p> <p>The proposed design has been amended in response and the Architectural Plans (<i>Appendix A</i>) updated to note that these windows are fixed windows.</p> <p>The Waste Management Plan (WMP) incorporates consideration of demolition waste refer to <i>Appendix R</i>. Furthermore, Identified Requirement No. 37 requires a final WMP be prepared and submitted prior to the commencement of work.</p>

7.2 Notification of Occupiers of Adjoining Land and Other Persons

Under section 43(1)(a) and 108C(1)(a) of the Housing SEPP, the City of Coffs Harbour Council was requested to nominate any other persons who should, in the Council's opinion, be notified of the development.

Advice was sought from Council regarding additional persons or property that should be notified of the development via an email dated 23 January 2023. Council provided an email response on 20 February 2023 advising that the scope of notification was considered by Council to be appropriate, and this was reconfirmed along with an updated list of owner details on 12 October 2023 prior to statutory notification occurring. **Figure 17** illustrates the properties in which the occupiers and landowners were notified of the development.



Figure 17 Map of Properties Notified of the Proposed Development (Source: LAHC)

Under section 43(1)(b) and 108C(1)(b) of Housing SEPP, owners, and occupiers of adjoining and nearby land, as identified in the above map, were notified of the proposed development activity by letter dated 17 October 2023. A sample notification letter is provided at **Appendix G**.

The notification response period formally closed on 10 November 2023 and six submissions were received with responses to the issues raised discussed in **Table 16** below.

Table 16 Issues raised by adjoining owners/neighbours/community members

Issues raised	Response
Building design and accessibility <ul style="list-style-type: none"> Sizing of units too small for comfortable living. 	Each unit exceeds the minimum internal area required under the LAHC Design Requirements,

Issues raised	Response
<ul style="list-style-type: none"> • 2-storey scale not appropriate for seniors due to accessibility issues with accessing a unit on the second floor without a lift. • Will there be ramps both internal and externally to facilitate easy access for residents? • Are internal fixtures and fittings appropriate for seniors? 	<p>being 50m² for a 1-bed unit and 70m² for a 2-bed unit. Each unit is provided with an area of private open space (POS) which is larger than the minimum area required. Each POS is provided with a paved terrace or balcony which will extend the internal living and dining areas and is of sufficient size to accommodate an outdoor clothesline and services (e.g., A/C condenser).</p> <p>As verified in the Access Report (<i>Appendix H</i>) the development has been designed in accordance with the applicable accessibility standards for seniors housing and includes equitable access and a high level of adaptability for all ground floor units which will allow residents to age in place. Ramping is provided at the site boundary to building entrances, across the carpark and between units and communal areas for ease of access.</p>
<p>Seniors housing not the best use of the land</p> <ul style="list-style-type: none"> • Development for seniors is not considered the best use of land given the number of young families in the area. 	<p>LAHC have identified that there is a high demand for seniors housing in the Coffs Harbour local area, therefore this has been determined as the most suited development type for the site.</p> <p>In addition to the above, the Coffs Harbour Local Strategic Planning Statement 2020 highlights the growth of the regional city with around a third of its population increase to be people aged over 65. As such, the proposed development is considered to meet the needs of the Coffs Harbour community.</p>
<p>Density and character</p> <ul style="list-style-type: none"> • Concerns with proposed density being incongruous with the existing character of the local area. • A suggestion was made to reduce the number of units down to 8 villas. 	<p>The proposed development is permitted with consent within the R2 Low Density Residential Zone and meets the objectives of the R2 zone as it:</p> <ul style="list-style-type: none"> • Provides for the housing needs of the community within a low-density residential environment. • Provides for housing diversity and choice and associated infrastructure that supports the changing housing needs of the population that is consistent with local character. • Ensures that development reflects design excellence in its presentation to the public realm. <p>The proposal provides seniors housing that meets the identified needs of the community and includes a mix of 1- and 2-bedroom units.</p> <p>The Housing SEPP sets out a maximum FSR for seniors housing development of 0.5:1, which LAHC must consider. The proposed development includes</p>

Issues raised	Response
	<p>a minor exceedance of this control at 0.53:1. As discussed, in section 6.5.1, the proposal is compatible with, and complementary to the scale and character of the local area despite the minor FSR exceedance.</p> <p>The proposal is in accordance with the maximum height limit set under the CLEP 2013 and incorporates generous setbacks from side and rear boundaries which will assist in preserving the amenity of adjoining properties and provide an opportunity for dense landscaping.</p> <p>The architectural style of the development has been informed by the coastal aesthetic of development in the local area, and the materials and finishes have been carefully designed to reflect this. The landscape scheme incorporates native plantings that are compatible with local conditions and will make a positive contribution to the streetscape as well as local biodiversity.</p>
<p>Impacts from flooding</p> <ul style="list-style-type: none"> Concerns with flooding impacts due to alleged lack of stormwater infrastructure and drainage issues. 	<p>The development has been designed in consultation with a qualified flood engineer and a detailed Flood Impact Assessment (<i>Appendix Y</i>) was prepared as part of the proposed activity submission package. The development incorporates minimum floor levels that comply with Coffs Harbour Council's requirements for seniors housing development on flood prone land, and a Flood Emergency Response Plan will be prepared prior to the development being occupied to ensure adequate flood response measures are in place. Further discussion on flood impacts and how the risks associated with this constraint have been addressed is provided in sections 6.7 and 8.12.</p> <p>The concept stormwater management plan has been prepared in response to site conditions and in accordance with council requirements, and wastewater will be appropriately designed and constructed in accordance with industry standards.</p>
<p>Access to outdoor space and amenity</p> <ul style="list-style-type: none"> Concerns with lack of gardens and communal gathering spaces, thereby lessening the quality of life for future occupants. A suggestion was made to include a lap pool, communal vegetable garden, and picnic tables. 	<p>There is no requirement for a communal landscaped area to be provided for this development under the Housing SEPP. Despite this, a communal seating area is provided on a raised deck area towards the east of the site. The area will have a pleasant outlook to denser landscaped areas towards the rear of the site and is sufficiently separated from other units so as not to impact on acoustic amenity.</p> <p>The area is accessible for all residents via common pathways and will receive solar access during the winter months and pleasant shade during summer</p>

Issues raised	Response
	<p>due to the retention of established trees in this location.</p> <p>Each unit is provided with an area of private open space that meets the minimum area requirements under the Housing SEPP and accommodates a paved area for outdoor dining and attractive gardens planted with low maintenance species at ground floor level.</p> <p>All units will benefit from the extensive landscaped areas along the front, side and rear boundaries which will provide a green and leafy setting. The landscape scheme has been informed by native and draught tolerant species to ensure compatibility with local climatic conditions and to minimise ongoing maintenance. Residents of the northern units will also benefit from an open and sunny aspect overlooking the adjoining reserve.</p> <p>LAHC's priority is to deliver more social housing to ensure more people have access to a home and due to this, there is limited budget for facilities such as private swimming pools.</p>
<p>Energy efficiency</p> <ul style="list-style-type: none"> Concerns with the carpark being uncovered which will result in heat retention and increase reliance on the use of A/C in units which is costly. Will units be solar powered? 	<p>As verified in the NatHERS certificates (<i>Appendix L</i>), the development exceeds the sustainability targets with regards to heating and cooling and has been designed to ensure a high level of comfort for residents.</p> <p>Solar panels have been incorporated into the proposal to offset power usage in each unit.</p> <p>The proposal exceeds the minimum deep soil requirements amounting to 20.8% in lieu of the required 15% as stipulated by the Housing SEPP. Appropriate tree plantings are proposed as part of the landscape scheme to compensate for the loss of trees impacted by the development and to increase the extent of canopy cover across the site.</p> <p>Additional plantings include 36 canopy trees with the potential to reach up to 15m in height thereby providing shade and amenity for residents.</p>
<p>Privacy and amenity impact from adjoining reserve</p> <ul style="list-style-type: none"> Concerns with proximity of rear apartments to adjacent sports field and impact on amenity. 	<p>The north facing apartments will achieve a high level of amenity as a result of the north orientation and expansive outlook across the adjoining Richardson Park Reserve and associated playing fields. Privacy for these units is maintained through appropriate fencing, adequate setbacks from the northern boundary and well considered landscaping, which will act as a visual and acoustic buffer.</p>

Issues raised	Response
	<p>The sites proximity to the Reserve is considered to add amenity for future tenants and create a sense of connection to the local community.</p>
<p>Overshadowing</p> <ul style="list-style-type: none"> Concerns with overshadowing impacts to neighbouring properties. 	<p>The proposed development is not anticipated to generate any significant overshadowing impacts to adjoining properties.</p> <p>As demonstrated in the architectural plans (<i>Appendix A</i>) overshadowing to neighbouring development will be limited to a small period (less than 3 hours) during the morning or afternoon in mid-winter. Overshadowing is limited to the front garden areas, with a small portion of shadow falling across the east elevation of 48 Eighteenth Avenue during the morning period.</p> <p>The adjoining dwellings will continue to receive a minimum 3 hours of midwinter solar access to primary living rooms, and private open space areas in accordance with Council requirements.</p> <p>Due to the orientation of the site, the bulk of shadow cast by the proposed development will fall across the road reserve which is located to the south.</p>
<p>Parking</p> <ul style="list-style-type: none"> The number of parking spaces is insufficient for the proposed development. The development should incorporate visitor parking. A suggestion was made to provide garages to protect cars from hail. 	<p>In accordance with the requirements set out under the Housing SEPP, at least 1 parking space must be provided for every 5 dwellings which results in 5 parking spaces being required for the proposed development.</p> <p>Eleven (11) parking spaces are provided, which represents an additional 6 spaces to that required under the Housing SEPP. Of the 11 parking spaces provided on site, 5 have been designed as accessible spaces, allowing residents with mobility needs to use the carpark safely and comfortably. It is noted that the Housing SEPP does not stipulate a requirement for visitor parking.</p> <p>Furthermore, social housing tenants typically have lower car ownership rates than the general community. For instance, ABS data for the Coffs Harbour LGA in 2021 shows that 32.6% of social housing households have no cars, which is relatively higher in comparison to general population households at 5.5%. Additionally, only 20.3% of social housing households have 2 or more cars compared to 56.2% for general population households.</p>
<p>Lack of communication regarding proposed re-development</p>	<p>The property is managed by Community Housing Ltd who are responsible for tenancy management</p>

Issues raised	Response
Concern was raised by the carer of a current tenant of one of the properties comprising the site that they were not notified of the development. Further information was requested regarding when relocations would occur, the timeline for the proposed development and who is responsible for managing the other LAHC properties on Eighteenth Avenue.	and for providing information about the relocation of existing tenants. The tenant's feedback regarding communication was provided to Community Housing Ltd who confirmed they would speak directly with the tenant regarding their options. As the tenant resides in one of the properties that forms the subject site, they were not notified as LAHC does not send notification letters to the properties that form part of the development site.
Request for copy of proposed architectural plans	This submission came from the Aboriginal Housing Office, an adjoining landowner, who requested a copy of the architectural plans. No further comments were made in the submission.
Request for registration for pre-qualification to tender for the construction works	One submission was from a local builder who requested to register their interest in LAHC construction projects in the area. This was noted and their details provided to the Development Manager.

7.3 Notification of Specified Public Authorities

The development is "seniors housing" under section 108A of the Housing SEPP. As required by section 108B(2) of the Housing SEPP, consideration has been given to the need to notify the "specified public authorities" identified in *State Environmental Planning Policy (Transport and Infrastructure) 2021*, sections 2.15 and 2.17. The development is not located in an area that triggers the requirement to notify public authorities other than Council.

8 Review of Environmental Factors

Environmental factors associated with the proposed activity in terms of location, character, bulk and density, privacy, solar access, and overshadowing have been considered in accordance with the provisions of the Housing SEPP and discussed in Section 6.5 of this REF. A review of other environmental factors associated with the proposed activity, and the measures required to mitigate any adverse impacts to the environment, are provided below.

8.1 Neighbourhood Character

The site is located within an established residential area which is characterised by older style single storey detached dwelling houses of brick or fibro construction with tiled roofs interspersed with contemporary 2-storey dwelling houses, and dual occupancies. Densities tend to be higher further east, towards the coast – with 2 storey developments being the predominant scale and include dual occupancy and multi-dwelling housing.

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 and character statement. The 2-storey design, siting, layout, and landscape setting of the proposed development aligns with that of emerging development in the locality.

Mitigation Measures

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

8.2 Bulk and Density

The proposed development is compatible with the bulk and scale of surrounding development.

The proposal incorporates a FSR of 0.53:1 and a maximum height of 8m which is generally consistent with a low-density residential area. The FSR and 2-storey height of the proposed development, combined with the division of the development into multiple separate buildings to reflect the nature of existing detached housing within the locality, has resulted in a design that is sympathetic to the surrounding context. The development represents an appropriate response to the need for additional affordable housing in the locality and the desired future character envisaged for the R2 zone, which encourages a variety of housing types.

The bulk and scale of the proposed development is compatible with the emerging character of the locality, maintains appropriate visual relationships with the existing area, will not adversely affect the streetscape, skyline, or landscape, and does not result in adverse environmental effects on adjoining lands, as demonstrated in Section 6.5.1.

The proposal is compliant with the relevant development standards and exceeds the minimum landscaped area, private open space, and deep soil requirements, which ensures the development makes a positive contribution to the streetscape and general locality and further demonstrates that the bulk and density proposed is appropriate to the site and does not constitute overdevelopment.

Mitigation Measures

No mitigation measures are required.

8.3 Streetscape

The proposed development activity will make a positive contribution to the streetscape of Eighteenth Avenue, by virtue of the following:

- The proposed development will replace ageing housing stock that has reached the end of its economic life with a new contemporary, architecturally designed residential development.
- Living rooms and balconies address and provide an active frontage to Eighteenth Avenue.
- The front façade is modulated by projecting and recessed elements and further articulated through the use of different materials and textures including light grey (with natural variation) face brick, and contrasting light and dark grey vertical and horizontal metal cladding. The architecture is reflective of a coastal development aesthetic.
- Significant landscaping is provided throughout the development, which will help soften the development and benefit the streetscape interactions.

Mitigation Measures

No mitigation measures are required.

8.4 Visual Impact

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

The proposed development will make a positive contribution to the residential streetscape through construction of new contemporary dwellings that respond to the site context and neighbourhood character. Articulation, diverse mix of materials and a neutral colour palette will assist with the overall aesthetic of the site. New landscape plantings within the setbacks and along the boundaries of the site will add to the long-term visual amenity of the surroundings.

Mitigation Measures

No mitigation measures are required.

8.5 Privacy

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

- Front and rear facing balconies are strategically located within each building platform, so as not to give rise to any overlooking of adjacent neighbours.
- Windows on side elevations, facing neighbouring properties have been minimised, and when necessary have been fitted with opaque glazing, or high sill levels.
- New boundary fencing to a height of 1800mm, and proposed landscaping will assist with mitigation of visual impacts associated with the internal hard stand car parking area and will mitigate unacceptable overlooking from ground level units into properties to the east and west.

- Patios within the development have been appropriately separated by location or fencing and/or landscape treatments.
- Internal privacy has been achieved, with buildings generally designed and orientated so that high use areas such as living rooms and private open space areas, including balconies are oriented to the north, rear boundary. On the southern elevations of adjacent buildings, facing these high use areas, openings have been minimised, with windows and doors treated with opaque glazing. No balconies, or private open space areas are provided on the southern side of these buildings.
- Further screening between the proposed development and adjoining neighbours is achieved through the planting of extensive landscaping along common boundaries.

Mitigation Measures

No mitigation measures are required.

8.6 Solar Access

The design and siting of the proposed development will provide excellent daylight access to the proposed dwellings living areas, and private open spaces, achieving the requirements of the *Seniors Living Policy: Urban Design Guidelines for Infill Development*. For example, the submitted Architectural Plans, *View from Sun Diagram (Appendix A)* indicate that all units in the development will achieve 3hrs solar access between 9am-3pm on 21 June to living areas, and 95% (21 units) will achieve 2hrs solar access between 9am-3pm 21 June to primary open space areas.

Shadow diagrams submitted as part of the application, titled *Winter Solstice 1*, forming part of the Architectural Plans (*Appendix A*) confirm the proposed development will not negatively impact access of sunlight to living areas and private open space of the dwellings on adjoining sites.

Mitigation Measures

No mitigation measures are required.

8.7 Overshadowing

The site is well orientated - located on the northern side of Eighteenth Avenue, with the side boundaries generally aligned on a north-south axis. This results in minimal overshadowing to neighbouring properties, with most of the shadow falling over the road.

In accordance with the *Seniors Living Policy: Urban Design Guidelines for Infill Development*, and as displayed in the shadow diagrams in *Appendix A*, the adjoining dwellings will continue to receive a minimum 3 hours of midwinter solar access to primary living rooms, and solar access to the private open space of neighbouring dwellings will not be unreasonably reduced, see **Figure 18**. Overshadowing to neighbouring properties is limited to either the morning or afternoon periods, to the front yard areas only.



Figure 18 Extract Architectural plans – Shadow Diagram

Mitigation Measures

No mitigation measures are required.

8.8 Traffic & Parking

Eleven surface car parking spaces for residents, including 5 accessible spaces are proposed. The provision of on-site car parking meets the non-discretionary parking requirements set out in the Housing SEPP for developments carried out by LAHC, Section 108(2)(j). Unrestricted street parking is available on Eighteenth Avenue to accommodate any overflow parking demand generated by the proposed development.

A Traffic and Parking Assessment Report was prepared (*Appendix S*), which carried out a detailed review of the parking access and arrangements. The Report found that access and internal circulation to be of an adequate arrangement with provisions meeting the AS2890.1 2004 criteria. A swept path analysis was also undertaken, which demonstrated satisfactory vehicle access and manoeuvring within the car parking area. It was separately noted that space 11 is suitably located and can accommodate entry and exit manoeuvres without difficulty.

As part of the Traffic and Parking Assessment Report, traffic surveys were completed to record the AM peak and PM peak traffic flows at the intersections of First Avenue / Eighteenth Avenue, and Toormina Road / Hulberts Road. The assessment found the existing road network to be operating with ample spare capacity under existing traffic demand (including the existing traffic movements).

The Traffic Report calculated that the development would have a projected nett increase of 5 additional vehicle movements per hour during PM peak period. No trip generation was recorded for AM peak (8am-9am), this is because of an RMS commissioned study of Seniors Housing in 2009, which found that the peak generation for seniors housing generally started at noon. In accordance with Austroads Guide to Traffic Management Part 12: Integrated Transport, as the proposed development will have less than 10 vehicle movements in the peak hour periods, the development is therefore likely to result in a low impact. The Report concludes that the *traffic generation of the proposed development will not present any adverse traffic implications.*

Mitigation Measures

No mitigation measures are required.

8.9 Flora and Fauna

An Arboricultural Impact Assessment and Tree Management Plan has been prepared for the site by ArbPro Tree Specialists (*Appendix J*). The Report considers 29 trees, including 6 trees located in the road reserve of

Eighteenth Avenue, within the frontage of the site. The Report recommends the retention of 4 trees within the site (T1, T2, T16 and T19), 2 neighbouring trees (T1a and 3) and 3 trees within the road reserve (T23, 24 and 25). All other trees are proposed to be removed, totalling 18 trees. They are to be removed as they are either in poor health, dead, not considered important for retention, or noxious and environmental weed species. Some are located within the site in a position where they cannot be retained due to the proposed building footprint and associated infrastructure works, where encroachment will have an adverse impact on roots and crown for viability and stability.

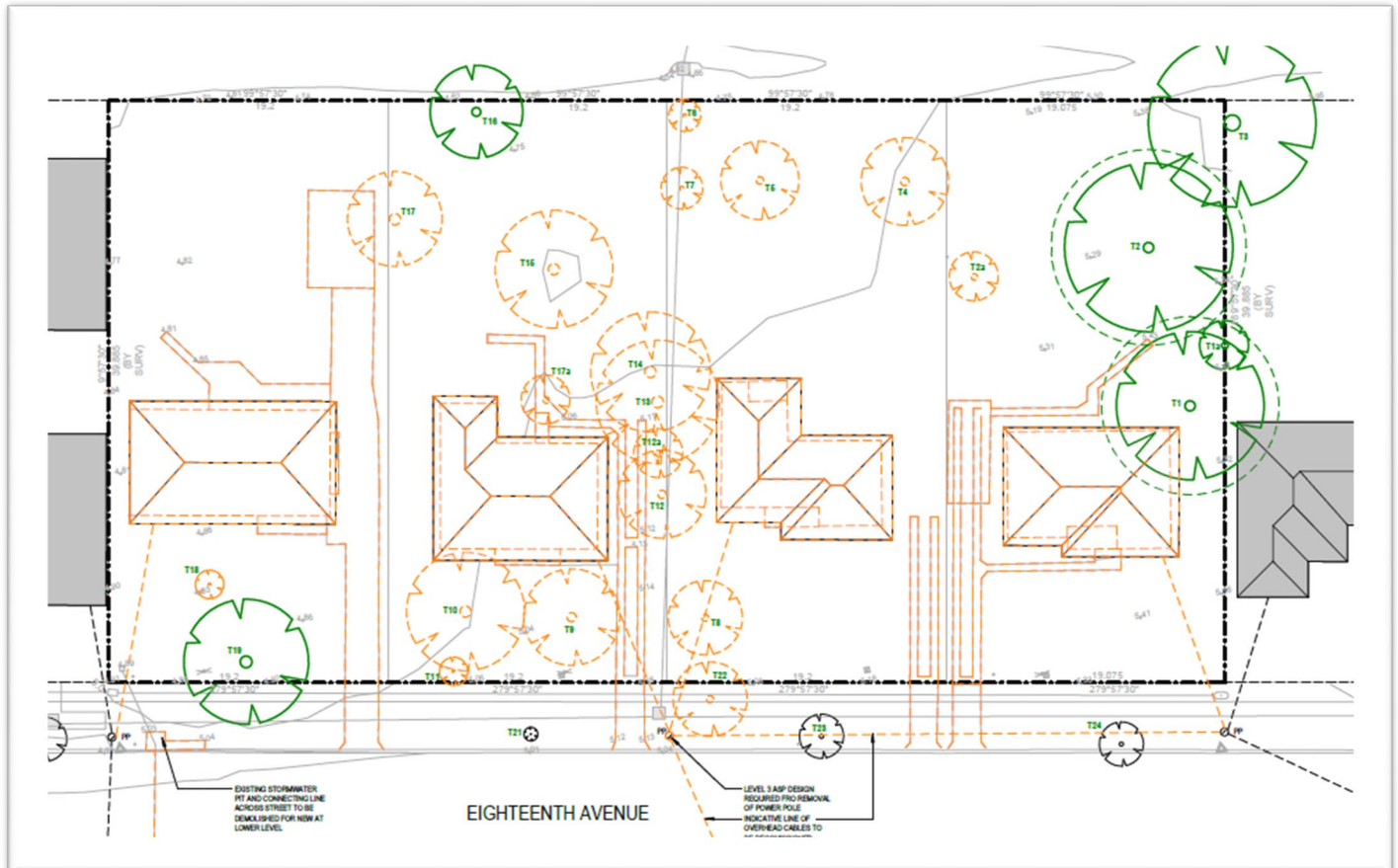


Figure 19 Extract Architectural Plans- Demolition Plan

The Landscape Plan (*Appendix B*) shows 36 replacement trees (excerpt in **Figure 20**), including mature/advanced sized plants, to be planted to offset the loss of trees proposed for removal. Suitable species, including Grey Myrtle, Coastal Banksia, and a Cheese Tree with mature heights ranging from 5m to 15m have been selected, along with a range of shrubs, hedges and ground covers. As such, the development will result in a net gain in tree canopy and habitat for the area and will improve the landscaping and biodiversity values as appropriate compensatory trees and shrubs are proposed.

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

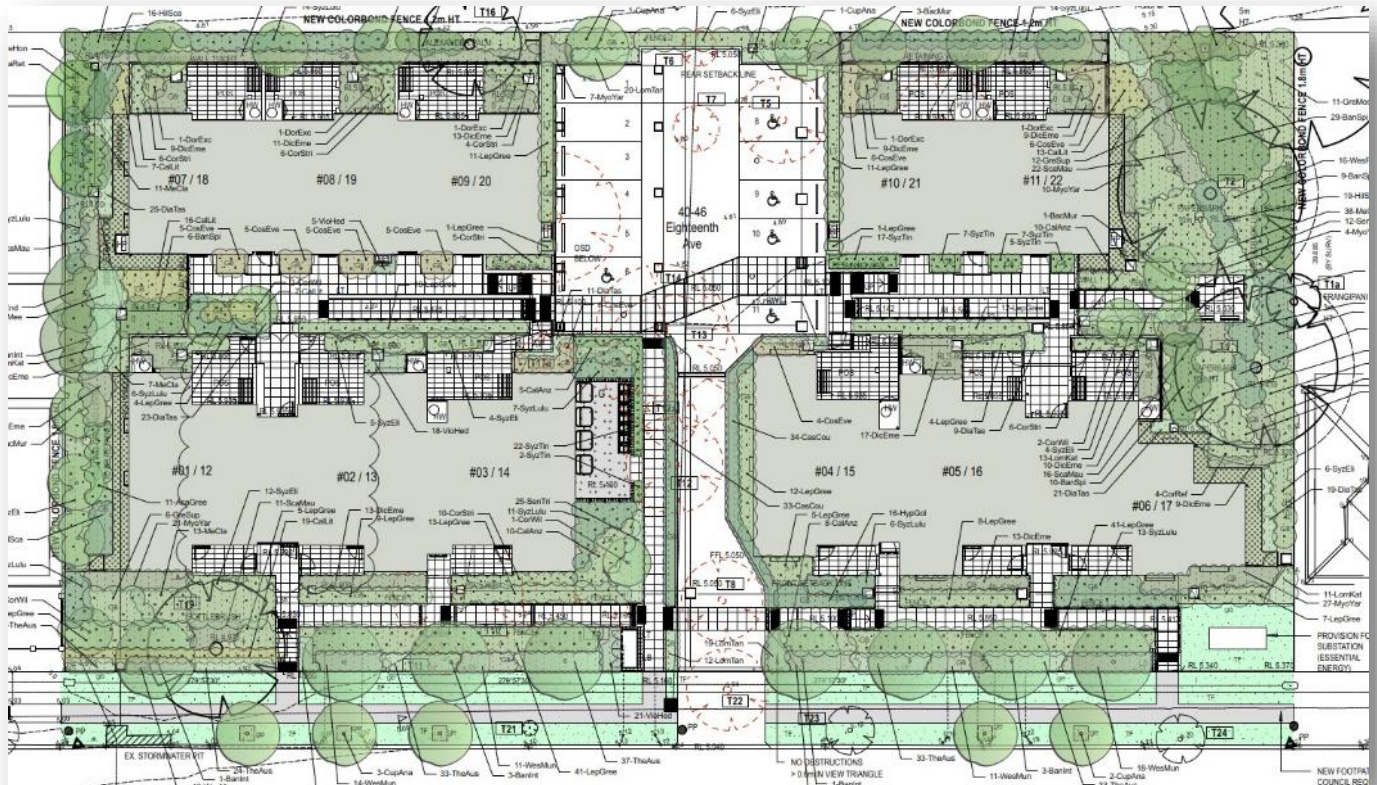


Figure 20 Extract Landscape Plan – Greenland Design

Mitigation Measures

Identified Requirement No.36 is recommended to protect trees prior to commencement of works, in accordance with the details provided in the arborist report. This includes installation of tree protection fencing and requiring the Project Arborist (minimum AQF Level 5) to oversee works within the TPZ.

8.10 Heritage (European / Indigenous)

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

Aboriginal Heritage

An Aboriginal Heritage Information Management System (AHIMS) search, dated 27 September 2024 (*Appendix A*) 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 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.

Furthermore, a search of the Department of Agricultural, Water and the Environment's Australian Heritage Database and the Department of Premier and Cabinet's Heritage NSW Inventory revealed the site does not contain any Commonwealth, Local or State Heritage Items nor is it located within a heritage conservation area.

Mitigation Measures

Identified Requirements No. 45 and 46 have been applied should any cultural heritage relics be discovered on the site during excavation / construction.

8.11 Soils / Contamination / Acid Sulfate Soils / Salinity

Geotechnical

A Geotechnical Site Investigation Report has been prepared by STS Geotechnics (*Appendix P*). The report indicates that because there were buildings and trees present, abnormal moisture conditions (AMC) prevail at the site. As a result of the AMC, the site is classified a *Problem Site (P)*.

The report also indicates the subsurface conditions generally consist of concrete, topsoil, and fill, overlying natural silty clays. Fill was encountered in several boreholes (BH1, BH2 & BH6) to a maximum depth of 1.0m. In BH2 and BH6, hand auger refusal occurred at a depth of 0.6 metres. The fill is not considered to be engineered material. In the other boreholes, topsoil is present to depths of 0.3 to 0.6 metres. Natural silty clays underlie the topsoil and fill to the depth of drilling, 3.0 metres. The clays were assessed to be firm becoming very stiff with depth.

Groundwater was not observed during drilling works; however wet soils were noted at some locations.

As noted above, the report described the presence of fill in several boreholes. It is understood that the term 'fill' is used in this context to describe soil conditions that were not 'naturally occurring' and were relevant to determining the appropriate foundation type for new construction and does not necessarily indicate that the fill comprised dumped materials or man-made compounds with potentially contaminating properties.

The components of sample BH1, BH2 & BH6, as described under Appendix A of the Geotechnical Report, included silty sandy clay and silty clay only. There were no findings of engineered material. As detailed above in section 6.6 of this REF the site and adjoining land has been used for residential purposes since at least the 1970's, and there were no desktop findings which indicated a higher level of risk for contamination at the site.

Based on the above, it is considered that there is a relatively low risk of the 'fill' being contaminated and the site being deemed inappropriate for residential use. However, out of an abundance of caution an Identified Requirement is recommended if site contamination is found during demolition and or construction works to ensure appropriate steps are taken to mitigate the risk.

According to Council's Section 10.7(2) & (5) Planning Certificates, the land is not affected by a policy restriction relating to contaminated land. Similarly, the land is not identified as being potentially contaminated land associated with a current or past contaminating activity.

Furthermore, given the residential use of the land is not proposed to be changed, section 4.6 (2) of the SEPP (Resilience and Hazards) 2021 is not applicable, and a preliminary investigation report, prepared in accordance with the contaminated land planning guidelines, is not required.

Mitigation Measures

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

Acid Sulfate Soils

According to Council's Section 10.7(2) & (5) Planning Certificates, the land is not affected by a policy restriction relating to acid sulphate soils. Furthermore, the land is not categorised as being affected by ASS, as indicated on Council's ASS Map Sheet ASS_006B.

Mitigation Measures

No mitigation measures are required.

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 Site Investigation, prepared by STS Geotechnics notes with reference to DLWC (2002) "Site Investigations for Urban Salinity" that E_{Ce} values found on the site of 0.2 to 0.7 dS/m are consistent with the presence of non-saline soils.

Mitigation Measures

No mitigation measures are required.

8.12 Drainage / Flood Prone Land / Hydrology/ Water Quality

Drainage

As per the Civil Stormwater Management Plans (*Appendix C*), stormwater will be collected via a series of stormwater pits and grated drains on the site connected to an underground On-Site Detention tank (OSD) with a capacity of 62.7m³, draining to Eighteenth Avenue with a new outlet in the kerb. Roof water will be collected from downpipes and connected to an underground 4.5m³ rainwater tank for recycling with overflow connected to the underground detention tank.

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

Flooding

The 10.7 Certificates stipulate that the land is subject to 1% AEP (1 in 100 year) flooding and therefore subject to a 'Flood Planning Level' (FPL) and flood related development controls. These have been addressed in Sections 6.7 and 6.8.

A Flood Impact Assessment (FIA) (*Appendix Y*) was prepared to ensure the proposed development is compatible with the flood behaviour occurring at the site and shall not result in an adverse flood impact beyond the boundaries of the site.

The FIA notes that the development Site is located within the Middle Creek catchment and is affected by overland flow flooding. The FIA provides, based on existing Council flood studies, namely *Middle Creek Flood Study* (Volume 1) (BMT, 2021a); and *Middle Creek Floodplain Risk Management Study & Plan* (Volume 2) the following parameters in relation to flooding:

- 1% AEP Design Flood Level (DFL) of 5.30m AHD;
- Flood Planning Level (FPL) of 5.80m AHD; and
- 1% AEP + 2100 Climate Change peak flood level of 5.39m AHD.
- During the 1% AEP design flood event, the majority of the Site is predicted to contain areas of flood fringe, and no areas of floodway and flood storage exist within the Site.

- The 1% AEP flood hazard within Eighteenth Avenue is 'H1'. It is noted that 'H1' flood hazard is deemed generally safe for people and vehicles in accordance with the Australian Institute for Disaster Resilience (AIDR, 2017).
- The 1% AEP flood hazard within the Site ranges between 'H1' to 'H2'

The outcomes of the FIA, which was based on XP-RAFTS hydrologic and TUFLOW models are noted below:

- The proposed buildings are predicted to be flood-free up to and including the 1 in 500 AEP event, and have a freeboard of 570mm, exceeding Councils DCP controls for Sensitive Facilities (E4.7) which require 500mm freeboard.
- The finished floor levels of the proposed buildings (5.96m AHD) is higher than the minimum FPL required by Council's DCP planning controls relating to Residential Development (E4.2), which requires 500mm freeboard above the 1% AEP Design Flood Level (DFL) of 5.30m AHD (5.80m AHD).
- The proposed carpark bay, driveway and concrete pathways are predicted to be inundated with 'H1' flood hazard for the 1 in 20 to 1 in 500 AEP inclusive. 'H1' flood hazard is deemed generally safe for people and vehicles.
- The proposed buildings are predicted to be inundated during the PMF event with a maximum flood depth of 0.19m or 'H1' flood hazard. Given the extreme (low probability) nature of PMF event, the predicted flood hazard ('H1') is deemed acceptable.
- The PMF flood hazard within the proposed carpark bay, driveway and concrete pathways is predicted to be 'H3' which is deemed unsafe for people and vehicles.
- During the 1 in 20 AEP event, a localised offsite afflux up to 39mm is predicted at the southeast boundary of a private lot west of the site. The extent of the affected area is very small and there is no change in the flood hazard (i.e., H1). There is also a localised afflux up to 49mm within the road reserve of Eighteenth Avenue, but there is no change in the flood hazard level (i.e., 'H1'). The predicted afflux in the road reserve will not cause an adverse impact on the trafficability of the road.
- During the 1 in 50 AEP event, a localised offsite afflux up to 30mm is predicted within the road reserve of Eighteenth Avenue, but there is no change in the flood hazard (i.e., 'H1'). This impact will not cause an adverse impact on the trafficability of the road.
- For the remainder of the design flood events (i.e., 1 in 100, 1 in 200, 1 in 500 AEP and PMF events), no adverse offsite flood impact is predicted.
- A high-level Shelter-in-Place (SIP) plan is recommended for a primary flood emergency response strategy. It is recommended that a detailed FERP should be prepared in consultation with Council and SES to provide details of the SIP plan prior to occupation of the proposed senior housing. This is a requirement of Councils Development Controls, found in Councils DCP controls for Sensitive Facilities (E4.7) and has been required through an Identified Requirement (No.81).

It is considered, following the review of the FIA, that the development is compatible with the flood behaviour occurring at the site and shall not result in an adverse flood impact beyond the boundaries. This is attributed to the fact the proposed buildings will be flood-free up to and including the 1 in 500 AEP event, and have a freeboard of 570mm; the proposed carpark bay, driveway and concrete pathways when inundated for the 1 in 20 to 1 in 500 AEP will have a hazard rating of H1, with 'H1' flood hazard being deemed generally safe for people and vehicles; the predicted level of afflux to neighbouring properties and Eighteenth Avenue is small during the 1:20 and 1:50 AEP event, and does not result in a change in flood hazard (H1), and for the remainder of the design flood events (i.e., 1 in 100, 1 in 200, 1 in 500 AEP and PMF events), no adverse offsite flood impact is predicted. Furthermore, the development complies with City of Coffs Harbour flood related development controls, found in CHLEP2013 and CHDCP2015.

The FIA in Section 4.2 *Proposed Flood Emergency Response Strategy*, recommends a flood emergency response strategy of SIP, being the movement of occupants to a suitable flood-free location to shelter during a flood event (e.g., vertical refuge on the site, or near the site at an elevation above the PMF level). This strategy is recommended, as opposed to evacuation off-site, owing to the H3 hazard classification and above, during a PMF event, within and surrounding the site, and owing to the rapid onset of flooding and unsafe flood hazard for egress along adjoining roadways during a PMF event. The FIA recommends a number of considerations and design principles to ensure an effective SIP strategy. These recommendations will form an Identified Requirement (No. 81), and include, among others, the installation of appropriate flood signs, standalone generators, and locating food, water, and medical emergency supplies above the PMF.

Mitigation Measures

Identified Requirement (No. 81) specifies the recommendations of the FIA, to ensure an effective SIP strategy.

8.13 Bushfire Prone Land

The Section 10.7(2) & (5) Planning Certificates issued by the City of Coffs Harbour for the subject site advise that the land is not bushfire prone.

Mitigation Measures

No mitigation measures are required.

8.14 Noise and Vibration

During Demolition / Construction

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

During Occupation

The site is located approximately 150m west of the North Coast Rail Line, and as such a Rail Traffic Noise and Vibration Impact Assessment Report (*Appendix X*), was undertaken in accordance with the NSW Department of Planning and Environment's (DPE's) Guideline, *Development near Rail Corridors and Busy Roads – Interim Guidelines*, to ensure the development is not adversely affected by rail noise or vibration.

The Report notes that *attended vibration monitoring revealed that no perceptible vibration was recorded from train passing at a distance greater than 60 metres from the rail line*. The Report further states that standard construction is adequate to achieve all necessary noise criteria, both internal and external noise levels. The Report concludes that the site is suitable for the intended purpose and confirmed that *no special acoustic features need to be incorporated into the design to comply with the requirements of the RMS, EPA, AS/NZS2107-2000 and DPE*.

Mitigation Measures

Identified Requirement (No.59) will ensure that any noise generated during the construction of the development will not exceed regulated limits, prescribed by the Interim Construction Noise Guidelines.

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. 63-64) have been applied that will satisfactorily mitigate any potential or adverse impacts on air quality.

8.16 Waste Minimisation

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

During Demolition

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

- concrete and bricks will be transported to an approved building waste collection facility,
- any asbestos sheeting and fibrous insulation will be handled according to SafeWork NSW requirements and disposed of to an approved building waste collection facility,
- mixed demolition materials will be transported to an approved building waste collection facility, and
- timber, metal, wall and roof cladding and other salvageable materials will be resold to various salvage yards where appropriate or disposed of at an approved building waste collection facility.

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

During Construction

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

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

During Occupation

Waste generation rates have been calculated in accordance with the EPA *Better Practice Guide for Resource Recovery in Residential Developments*, which provides for a combined garbage, comingled recycling, and organics of 185L and 225L per 1-bed and 2-bed unit respectively, per week (*Appendix R*). Waste will be disposed

of in Council's standard waste storage bins located in the garbage storage enclosure and placed on the street kerb by LAHC contractor for collection by Council's waste services.

Mitigation Measures

Standard Identified Requirements (Nos. 47-55) are recommended to ensure construction/demolition waste is appropriately managed and disposed of.

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

8.17 Resource Use & Availability

The proposed activity will not result in any discernible depletion or degradation of natural resources. The proposal has been designed to meet water and energy efficiency targets as demonstrated by the BASIX certificate for the proposal. The development achieves an average NatHERS (*Nationwide House Energy Rating Scheme*) star rating of 8 with all units achieving a minimum star rating of 7.2, with some units achieving 9.6. NatHERS provides homes with a star rating out of ten based on an estimate of a home's potential (heating and cooling) energy use. Homes with a higher star rating are considered more thermally comfortable and cheaper to run than homes with a lower star rating (*Appendix L*).

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

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

Mitigation Measures

No additional mitigation measures are required.

8.18 Community / Social Effects

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

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

Mitigation Measures

No mitigation measures are required.

8.19 Economic Impact

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

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

Mitigation Measures

No mitigation measures are required.

8.20 Cumulative Impact Assessment

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

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

Mitigation Measures

No mitigation measures are required.

9 Conclusion

9.1 Summary of Key Issues Raised in Assessment

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

The proposed activity has been considered in terms of the provisions of Section 5.5 of the EP&A Act and Section 171 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, CHLEP 2013, and the design principles and better practices set out in the relevant guidelines.

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

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

9.2 Recommendation

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

10 Appendices

APPENDIX A – ARCHITECTURAL PLANS

APPENDIX B – LANDSCAPE PLAN

APPENDIX C – CIVIL & STRUCTURAL PLANS

APPENDIX D – SURVEY PLAN

APPENDIX E – NOTIFICATION PLANS

APPENDIX F – SECTION 10.7 CERTIFICATES

APPENDIX G – NOTIFICATION LETTERS AND SUBMISSIONS

APPENDIX H – STATEMENT OF COMPLIANCE - ACCESS FOR PEOPLE WITH
A DISABILITY

APPENDIX I – AHIMS SEARCH

APPENDIX J – ARBORIST REPORT

APPENDIX K – BASIX CERTIFICATE

APPENDIX L – NatHERS CERTIFICATE

APPENDIX M – BCA REPORT

APPENDIX N – DESIGN COMPLIANCE CERTIFICATES
APPENDIX O –
HOUSING FOR SENIORS CHECKLIST

APPENDIX P – GEOTECHNICAL INVESTIGATION

APPENDIX Q – TITLE SEARCH AND DP
APPENDIX R – WASTE MANAGEMENT
PLAN

APPENDIX S – TRAFFIC REPORT
APPENDIX T – LONGITUDINAL SURVEY

APPENDIX U - EROSION AND SEDIMENT CONTROL PLAN

APPENDIX V- SAFETY IN DESIGN

APPENDIX W – COUNCIL CORRESPONDENCE RE STREET TREE

APPENDIX X – ACOUSTIC REPORT

APPENDIX Y – FLOOD REPORT

APPENDIX Z – PART 5 CHECKLIST

APPENDIX AA – FIRST AVENUE BUST STOP TRAFFIC INSTRUMENT

APPENDIX BB – COUNCIL ENDORSEMENT OF NEW BUS STOP