

REVIEW OF ENVIRONMENTAL FACTORS

Proposed Manor Housing (x4)

at

18-28 Simpson Street, Dundas Valley NSW 2117

February 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.

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1 Executive Summary

The subject site is located at 18-28 Simpson Street, Dundas Valley and is legally described as Lots 1707-1712 in Deposited Plan 31846. The proposed manor housing development is described as follows:

Demolition of existing structures, tree removal and construction of 4 manor homes each comprising 2 x 2 bedroom units and 2 x 1 bedroom units providing a total of 16 units, with associated landscaping, fencing, at-grade parking for 8 vehicles and lot consolidation and further subdivision into 4 lots.

The proposed activity is permitted on the site pursuant to 3B.1A *Development for the purposes of manor houses, of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* and can therefore be carried out by the NSW Land and Housing Corporation without consent under the provisions of Chapter 2, Part 2, Division 6 of the *State Environmental Planning Policy (Housing) 2021* (Housing SEPP) as it does not result in more than 60 dwellings on the site and does not exceed 9 metres in height.

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

The removal of trees on the site is covered by the definition of consent under Section 6 of the Housing SEPP. It has therefore been incorporated in this review of environmental factors 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 the *Good Design for Social Housing* and *NSW Land and Housing Corporation Design Requirements*;
- the site planning and design of the proposed activity adequately address the applicable local environmental planning and development controls of City of Parramatta Council;
- a BASIX certificate and NatHERS certificate and stamped plans have been submitted for the proposed activity demonstrating compliance with the State Government's environmental sustainability targets;
- there are no separate approvals, authorisations or notifications required in relation to the proposed activity prior to determination under Part 5 of the EP&A Act or under any other Acts; and
- City of Parramatta Council and occupiers of adjoining land were notified of the proposed activity under the provisions of the Housing SEPP. A response was received from Council dated 2 November 2023. Comments on the response are provided in Section 7.1 of this REF. Submissions were received from 4 occupiers of adjoining land. Comments on the submissions are provided in Section 7.2 of this REF.

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

Note:

State Environmental Planning Policy Amendment (Housing) 2023

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.

Clause 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 Land and Housing Corporation where notice of the activity has been provided to Council under 43(1)(b)(i) before the amending policy was made and further, that the activity is determined before 20 December 2024. This activity for a manor home development satisfies both requirements and therefore State Environmental Planning Policy Amendment (Housing) 2023 does not apply to this activity.

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 demolition of existing structures, the consolidation of the existing 6 lots into 1 lot, the subdivision of 1 lot into 4 new allotments and the construction of 1 manor home on each of the proposed lots. A total of 4 manor homes are proposed, with each manor home comprised of 4 units (2 x 2-bedroom units and 2 x 1-bedroom units). A total of 4 buildings each containing 4 x units, total of 16 units are proposed. Two new driveway crossings will be constructed with 1 driveway shared via a right of carriageway between 2 allotments. A total of 8 car parking spaces are proposed across the 4 proposed lots, with each newly created lot having 2 on site car parking spaces, at 18-28 Simpson Street, Dundas Valley.

The activity¹ will be carried out by, or on behalf of, LAHC and is 'development without consent' under the Housing SEPP.

This REF has been prepared by L. Dunstan on behalf of LAHC in satisfaction of the provisions of Part 5 of the EP&A Act and Part 8 of the *Environmental Planning & Assessment Regulation* (EP&A 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;

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

- 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 *Parramatta Local Environmental Plan (2023)*;
- it was determined that manor houses are 'permitted with consent' in the R3 zone pursuant to 3B.1A *Development for the purposes of manor houses*, of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*, and can be carried out 'without consent' under the provisions of Housing SEPP 2021;
- a desktop analysis and site investigation of the site and surrounds was undertaken based on site clearance information provided by LAHC to determine the suitability of the site for the proposed development activity, particularly taking into account the existing site conditions, constraints and local context;
- relevant local planning controls and State and Commonwealth Government legislation were considered in the environmental assessment of the proposed development activity;
- an environmental impact analysis was undertaken to determine if an Environmental Impact Statement was required;
- potential environmental impacts identified in the analysis and measures to mitigate these impacts were subsequently discussed in the Review of Environmental Factors; and
- Identified Requirements incorporating the mitigation measures for undertaking the proposed development activity were identified for inclusion in the recommendation for approval of the activity.

3 Existing Site & Locality

3.1 Existing Site and Immediately Adjoining Development

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

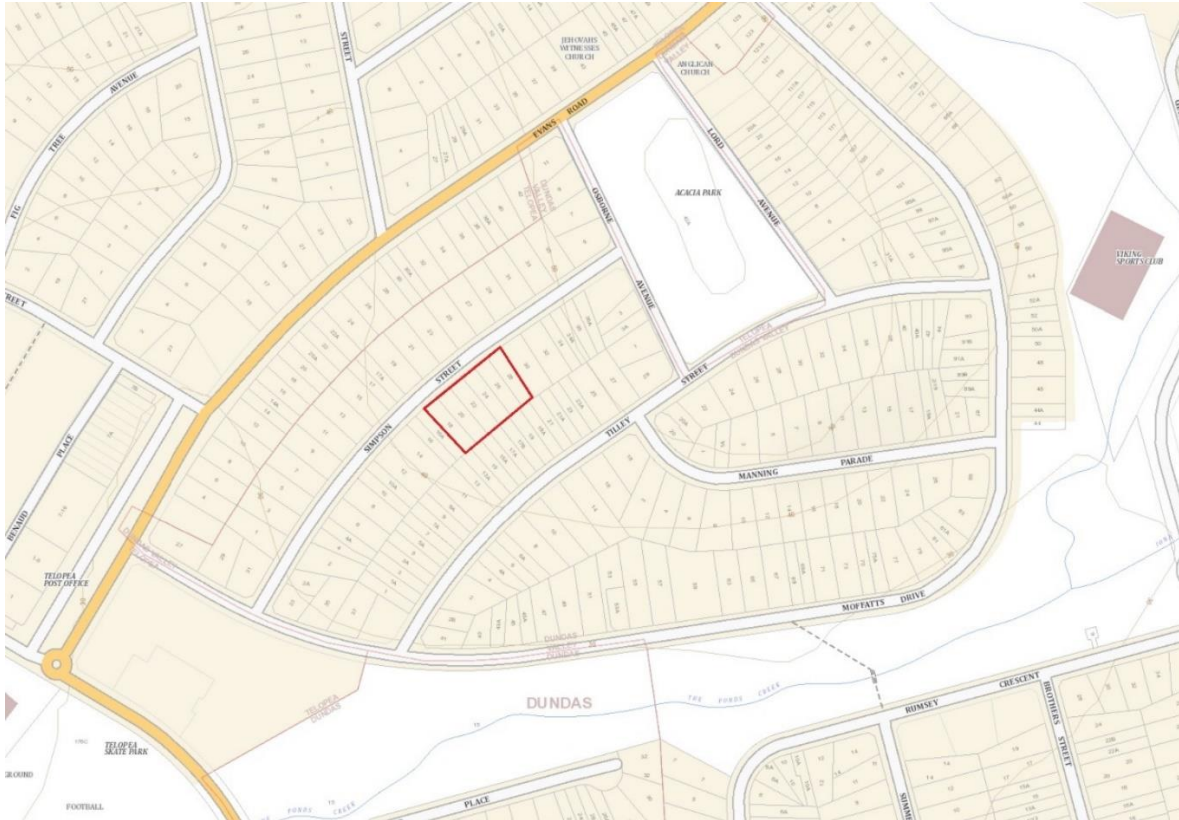


Figure 1 Location Plan (Source: SIX Maps)

The site is currently occupied by 3 two-storey semi-detached dwellings, brick with tiled roofs (refer to photographs at **Figure 2 – 4**.)



Figure 2 Development site – 18-20 Simpson Street (Source – Google Streetview Oct 2020)



Figure 3 Development site – 22-24 Simpson Street (Source – Google Streetview Oct 2020)



Figure 4 Development site – 26-28 Simpson Street (Source – Google Streetview Oct 2020)

The property immediately to the west (16-16A Simpson Street) contains an attached two-storey dual occupancy development, brick with tile roof (refer photograph at **Figure 5**). The property to the east (30 Simpson Street) contains a single storey dwelling house, constructed of brick with tile roof (refer to photograph at **Figure 6**).



Figure 5 Adjoining development – 16-16A Simpson Street (Source – Google Streetview Oct 2020)



Figure 6 Adjoining development – 30 Simpson Street (Source – Google Streetview Oct 2020)

3.2 Site Description

The site, known as 18-28 Simpson Street (Lots 1707-1712 in Deposited Plan 31846) is relatively uniform in shape, and has a total area of 2,573.6m², a frontage to Simpson Street of 65.838m, side (eastern) boundary of 41.186m and side (western) boundary of 41.215m (refer to the submitted Detail and Level Survey Plan in **Appendix D**).

Copies of the Section 10.7(2) & (5) Planning Certificates (Nos 2023 / 6078-6080, 6082–6084,) dated 29 August 2023 are provided in **Appendix F**.

The site falls from the rear south-eastern corner down toward Simpson Street, with fall of approximately 3.5-5.5m. An easement for stormwater drainage is not required.

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

There are 19 trees located within the site. Of these trees 13 are proposed to be removed. They are to be removed as they are either exempt, dead, or noxious and environmental weed species (Tree 2, 8, 12, 13, 15, 17, 18 and 19), or 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 (Tree No.s 1, 6, 7, 14 and 16).

Water, sewer, electricity, gas and telephone facilities are available to the site (refer to the submitted Contour and Detail Plan for the location of available services at **Appendix D**). Sewer is located along the front boundary, within the site. Water, gas, electricity and telephone services are located directly opposite the site, along the road alignment of Simpson Street.

There are no encumbrances shown on the Deposited Plan (DP31846 – **Appendix Q**); section 10.7 certificates (**Appendix F**); the Detail and Level Survey Plan (**Appendix D**); or the Certificate of Titles (**Appendix Q**).

The Certificate of Titles (x4), in the Notations Schedule, reference Cross Easements S.181B. Section 181B Conveyancing Act 1919 applies and operates to create cross-easements for support of party walls, between 2 parties (owners). Not relevant, described as Notation only, and more relevantly, the entire property, and buildings are owned by LAHC – there are no other parties involved.

3.3 Neighbouring Development and Locality

The site is located within an established residential area which is characterised by older style single and double storey attached and detached dwelling houses of brick construction with tiled roofs, interspersed with more recent 2-storey attached dual occupancy dwelling houses, and residential flat building developments (refer to photographs at **Figure 7 -10**).

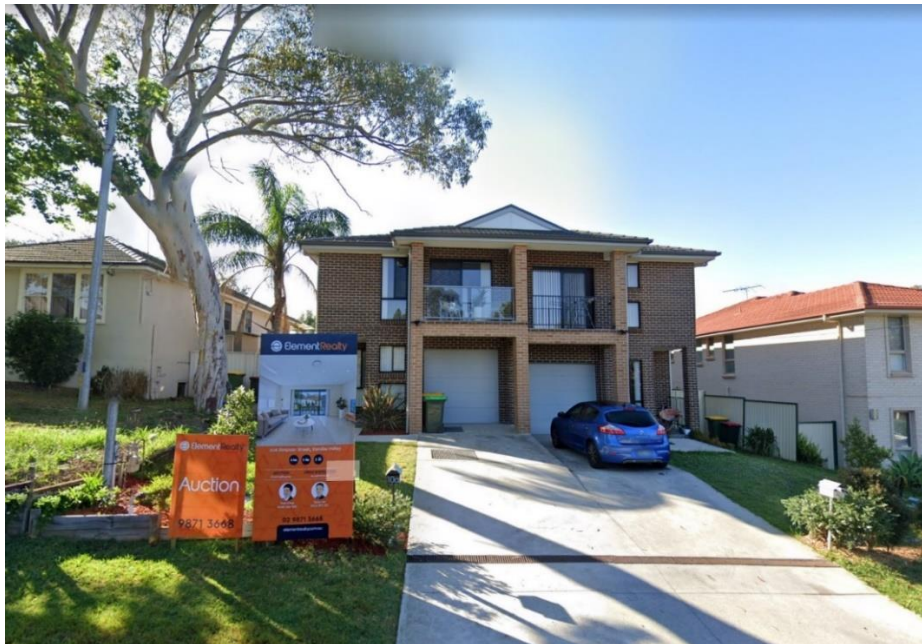


Figure 7 Newer 2-storey Dual Occupancy Development at 10-10A Simpson Street (south of the site) (Source – Google Streetview Oct 2020)



Figure 8 Newer 2-storey Dual Occupancy Development at 36-36A Simpson Street (north of the site) (Source – Google Streetview Oct 2020)



Figure 9 Newer Infill Dual Occupancy Developments at Tilley Street (east of the site) (Source – Google Streetview Oct 2020)



Figure 10 Higher Density Development in Area – RFB at 1 Tilley Street (south of the site) (Source – Google Streetview Oct 2020)

Access to Services – Shops and Transport

The subject site is located approximately 500m east of Telopea Medical Centre, and Waratah Shopping Centre – consisting of a post office, newsagency and pharmacy; 600m east of Dundas Branch Library; 2.7km south of Woolworths Carlingford; and 950m southwest of Acacia Park.

Train Station

Denistone Train Station is located approximately 3.5km to the east of the site.

Bus Stops

The subject site is within 400m walking distance, via a safe pedestrian route, to numerous bus stops, including:

- 2117181 (Telopea Shops, Evans Road)
- 2117180 (Evans Road opposite Telopea Shops)
- 211770 (Acacia Park, Evans Road)
- 211731 (Evans Road, opposite Acacia Park)

The closest bus stops are located on the northern side of Evans Road, within the frontage of No. 45 (ID: 211731); and bus stop (ID: 2211770) on the southern side of Evans Road, within the frontage of Acacia Park. Both bus stops are located within 400m walking distance of the site and service the existing bus routes 513 (Carlingford to West Ryde via Dundas Valley) and 545 (Parramatta to Macquarie Park via Telopea and Eastwood) provided by Sydney Buses Network.

Of these stops, the frequency of the bus services operating from the bus stop located on the southern side of Evans Road (ID: 2211770), satisfies the criteria for the land to be classed as ‘accessible’ pursuant to the Housing SEPP. **Table 1** below shows there are multiple bus services each hour between 6:00AM – 9:00PM on weekdays and at least 1 bus service each hour between 8:00AM – 6:00PM on weekends.

Time	Number of Services		
	Monday – Friday	Saturday	Sunday
6:00am - 7:00 am	4		
7:00am – 8:00am	8		
8:00am – 9:00am	6	3	3
9:00am – 10:00am	5	3	3
10:00am – 11:00am	4	3	3
11:00am – 12:00am	5	4	3
12:00pm – 1:00pm	4	4	3
1:00pm – 2:00pm	5	4	3
2:00pm – 3:00pm	4	4	3
3:00pm – 4:00pm	7	4	3
4:00pm – 5:00pm	6	4	3
5:00pm – 6:00pm	7	4	3
6:00pm – 7:00pm	8	3	3
7:00pm – 8:00pm	5		
8:00pm – 9:00pm	2		

Table 1 Bus Stop Frequency – Bus Stop ID: 2211770 - located on the southern side of Evans Road

4 Project Description

The proposed activity can be described as follows.

4.1 Demolition

The proposed activity includes the demolition of 3 two-storey semi-detached dwelling houses and associated structures, as identified in the Demolition Plan (refer to **Appendix A**).

4.2 Removal of Trees

There are 19 trees located within the site. Of these trees 12 are proposed to be removed (refer to submitted Arboricultural Development Impact Assessment Report in **Appendix J**). As per the Report, they are to be removed as they are either exempt, dead, or noxious and environmental weed species (Tree No. 2, 8, 12, 13, 15, 17, 18 and 19); or 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 (Tree No. 1, 6, 7, 14 and 16).

More appropriate tree plantings will be provided as part of the proposed landscaping plan to compensate for the loss of these trees, consisting of 25 trees positioned through the site, some capable of reaching 16m in height (refer to submitted Landscape Plan in **Appendix B**).

4.3 Subdivision

The 6 Titles comprising the site (Lots 1707-1712 in Deposited Plan 31846) are to be consolidated into a single Title, and then subdivided into 4 lots, each containing a manor house. The particulars of the proposed lots are provided in **Table 2** below:

Lot No.	Site Area (sqm)	Frontage (m)
1	648.7	17.405
2	647.6	15.715
3	647.3	15.720
4	649.9	16.945

Table 2 Proposed Lots

Lots 1 and 2, as well as Lots 3 and 4 will share a common driveway, providing vehicular access to the rear car parking areas, provisioned through a Right of Carriageway – with each lot burdened and benefited by a portion of the driveway.

4.4 Proposed Dwellings

A total of 4 manor homes are proposed, with each manor home comprised of 4 units (2 x 2-bedroom units and 2 x 1-bedroom units). A total 16 units are proposed. Two new driveway crossings will be constructed with 1 driveway shared via a right of carriageway between 2 allotments. A total of 8 car parking spaces are proposed across the 4 proposed lots, with each newly created lot having 2 on site car parking spaces.

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. All ground floor units have been designed with a Liveable Housing Rating of Silver.

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 roofing. Of the 16 proposed units 8 will address Simpson Street, with windows, balconies, and private open space areas (Units 1 and 3 of building plates).

Cut and fill is proposed to provide a level building platform, with levels indicated in the Cut and Fill and Retaining Wall Plan (refer to **Appendix A**). Fill is generally limited to the southern side of the site, with cut over the remainder. Retaining walls are off set from the side and rear boundaries, to better manage transitional cut/fill and natural ground levels.

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.

Stormwater will be collected via a series of stormwater pits and gutters on the site connected to x 4 underground detention tanks (OSD 1, 2, 3 and 4) each with a capacity of approximately 21m³ primary storage, draining to Simpson Street with outlets in the kerb x 3. Roof water will be collected from downpipes and connected to x 4 underground 5,000L rainwater tanks for recycling with overflow connected to the underground detention tanks.

A new 1.8m high metal fence is proposed along the side and rear boundaries, with a 1.5m high metal picket fence proposed along the front building line. Dwarf brick enclosures will sit within the frontage (x 4), delineating the entry path, and will contain the mailbox and other utility connections/provisions.

Figures 11 - 15 include extracts from the architectural plans illustrating the proposed development.



Figure 11 Extract from Architectural Plans – Site Plan (Source: Kennedy Associates, dated 05/04/2023)



Figure 12 Extract from Architectural Plans – Ground Level (Source: Kennedy Associates, dated 05/04/2023)



Figure 13 Extract from Architectural Plans – First Level (Source: Kennedy Associates, dated 05/04/2023)



Figure 14 Extract from Architectural Plans – Simpson Street Streetscape Perspective (Source: Kennedy Associates, dated 05/04/2023)



Figure 15 Extract from Architectural Plans – Simpson Street Streetscape Perspective (Source: Kennedy Associates, dated 05/04/2023)

4.5 Supporting information

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

Table 3 Supporting information.

Title / Name:	Drawing No. / Document Ref	Revision / Issue:	Date [dd-mm-yyyy]:	Prepared by:
Architectural				
Cover page	DA-000	A	05-04-2023	Kennedy Associates Architects
Block Analysis	DA-001	A	05-04-2023	Kennedy Associates Architects
Site Analysis	DA-101	A	05-04-2023	Kennedy Associates Architects
Demolition Plan	DA-102	A	05-04-2023	Kennedy Associates Architects
Cut and Fill and Retaining Wall Plan	DA-103	B	12-12-2023	Kennedy Associates Architects
Subdivision Plan	DA-104	A	05-04-2023	Kennedy Associates Architects
Site Plan	DA-105	B	12-12-2023	Kennedy Associates Architects

Title / Name:	Drawing No. / Document Ref	Revision / Issue:	Date [dd-mm-yyyy]:	Prepared by:
General Arrangement – External Works	DA-201	B	12-12-2023	Kennedy Associates Architects
General Arrangement – Ground Flood	DA-202	B	12-12-2023	Kennedy Associates Architects
General Arrangement – First Floor	DA-203	B	12-12-2023	Kennedy Associates Architects
General Arrangement – Roof	DA-204	A	05-04-2023	Kennedy Associates Architects
Area Counts – Manor House 1	DA-206	B	12-12-2023	Kennedy Associates Architects
Area Counts – Manor House 2	DA-207	B	12-12-2023	Kennedy Associates Architects
Area Counts – Manor House 3	DA-208	B	12-12-2023	Kennedy Associates Architects
Area Counts – Manor House 4	DA-209	B	12-12-2023	Kennedy Associates Architects
Solar Access Study 1	DA-210	B	12-12-2023	Kennedy Associates Architects
Solar Access Study 1	DA-211	B	12-12-2023	Kennedy Associates Architects
Shadow Diagrams – Winter Solstice 1	DA-212	A	05-04-2023	Kennedy Associates Architects
Shadow Diagrams – Winter Solstice 2	DA-213	A	05-04-2023	Kennedy Associates Architects
Elevation Sheet 01	DA-300	A	05-04-2023	Kennedy Associates Architects
Elevation Sheet 02	DA-301	B	12-12-2023	Kennedy Associates Architects
Elevation Sheet 03	DA-302	A	05-04-2023	Kennedy Associates Architects
Elevation Sheet 04	DA-303	A	05-04-2023	Kennedy Associates Architects

Title / Name:	Drawing No. / Document Ref	Revision / Issue:	Date [dd-mm-yyyy]:	Prepared by:
Elevation Sheet 05	DA-304	B	12-12-2023	Kennedy Associates Architects
Elevation Sheet 06	DA-305	B	12-12-2023	Kennedy Associates Architects
Section 01	DA-401	A	05-04-2023	Kennedy Associates Architects
Section 02	DA-402	A	05-04-2023	Kennedy Associates Architects
Section 03	DA-403	A	05-04-2023	Kennedy Associates Architects
3D Views	DA-501	B	12-12-2023	Kennedy Associates Architects
3D Views Height Plane	DA-502	B	12-12-2023	Kennedy Associates Architects
Notification – Cover Sheet	N01	A	05-04-2023	Kennedy Associates Architects
Notification - Site/Landscape Plan	N02	A	05-04-2023	Kennedy Associates Architects
Notification - Development Data	N03	A	05-04-2023	Kennedy Associates Architects
Notification - Elevations	N04	A	05-04-2023	Kennedy Associates Architects
Notification -Elevations	N05	A	05-04-2023	Kennedy Associates Architects
Notification -Schedule of Finishes	N06	A	05-04-2023	Kennedy Associates Architects
Notification -Shadow Diagrams	N07	A	05-04-2023	Kennedy Associates Architects
Driveway Cross Section Sheet 01	DA-601	A	01-02-2024	Kennedy Associates Architects
Driveway Cross Section Sheet 02	DA-602	A	01-02-2024	Kennedy Associates Architects

Title / Name:	Drawing No. / Document Ref	Revision / Issue:	Date [dd-mm-yyyy]:	Prepared by:
Driveway Cross Section Sheet 03	DA-603	A	01-02-2024	Kennedy Associates Architects
Driveway Cross Section Sheet 04	DA-604	A	01-02-2024	Kennedy Associates Architects
Landscape				
Hardscape Plan	LPDA 23-214/01	E	21-07-23	Conzept Landscape Architects
Landscape Plan	LPDA 23-214/02	E	21-07-23	Conzept Landscape Architects
Landscape Plan	LPDA 23-214/03	E	21-07-23	Conzept Landscape Architects
Planting Images	LPDA 23-214/04	E	21-07-23	Conzept Landscape Architects
Details and Specification	LPDA 23-214/05	E	21-07-23	Conzept Landscape Architects
Civil				
Cover Sheet	C000	A	28-02-23	Xavier Knight
Stormwater Management Plan – Ground Floor	C100	C	05-04-23	Xavier Knight
Stormwater Management – OSD Catchment Plan	C150	A	27-02-23	Xavier Knight
OSD Details Sheet 1	C160	A	27-02-23	Xavier Knight
OSD Details Sheet 2	C170	A	27-02-23	Xavier Knight
Stormwater Details	C180	A	27-02-23	Xavier Knight
Sediment and Erosion Control Plan	C320	A	28-02-23	Xavier Knight
Sediment and Erosion Control Details	C330	A	28-02-23	Xavier Knight
Survey				
Plan Showing Detail and Levels	001/Sheet 1		02-12-21	Ysco Geomatics

Title / Name:	Drawing No. / Document Ref	Revision / Issue:	Date [dd-mm-yyyy]:	Prepared by:
Plan Showing Detail and Levels	001/Sheet 3		02-12-21	Ysco Geomatics
BASIX / NatHERS				
BASIX Certificate	1410219M	-	03-08-23	ECA
NatHERS Certificate	0008501010	-	31-03-23	Greenworld Architectural Drafting
Specialist Reports				
Arboricultural Development Impact Assessment Report	-	A	05-04-23	Birds Tree Consultancy
BCA Capability Report	23089	V2	01-08-23	National BCA
Geotechnical Investigation and Acid Sulfate Soil Assessment	21/3669	-	December 2021	STS Geotechnics Pty Ltd
Traffic Management Report	22NL037-T5	-	21-07-23	Loka Consulting Engineers
Access Review Report	22NL037-A3	Issue 3	21-07-23	Loka Consulting Engineers
Waste Management Plan	2227	-	March 2023	Kennedy Associates Architects

Section 10.7 Planning Certificates – Appendix F

Lot 1707 DP 31846, Cert no. 2023/6084, dated 29-08 2023 – City of Parramatta Council

Lot 1708 DP 31846, Cert no. 2023/6083, dated 29-08 2023 – City of Parramatta Council

Lot 1709 DP 31846, Cert no. 2023/6082, dated 29-08 2023 – City of Parramatta Council

Lot 1710 DP 31846, Cert no. 2023/6080, dated 29-08 2023 – City of Parramatta Council

Lot 1711 DP 31846, Cert no. 2023/6079, dated 29-08 2023 – City of Parramatta Council

Lot 1712 DP 31846, Cert no. 2023/6078, dated 29-08 2023 – City of Parramatta Council

Notification letters & submissions – Appendix G

Design compliance and checklists – Appendix M

Architect's Certificate of Building Design Compliance – 27-07-2023

Certificate of Landscape Documentation Compliance –21-07-2023

Certificate of Stormwater Documentation Compliance – 26-07-2023

Seniors Living Policy Checklist – Appendix O

Seniors Living Policy: Urban Design Guidelines for infill development, prepared by Kennedy Associates Architects, 20-04-23.

Titles and Deposited Plans – Appendix Q

Title Search, Folio: 1709/31846, Search date 8-11-2023, First Schedule: LAHC

Title Search, Folio: 1707/31846, Search date 8-11-2023, First Schedule: LAHC

Title Search, Folio: 1708/31846, Search date 8-11-2023, First Schedule: LAHC

Title Search, Folio: 1710/31846, Search date 8-11-2023, First Schedule: LAHC

Title Search, Folio: 1711/31846, Search date 8-11-2023, First Schedule: LAHC

Title Search, Folio: 1712/31846, Search date 8-11-2023, First Schedule: LAHC

Deposited Plan 31846, Search Date 19-09-2023

AHIMS Search – Appendix I

AIHMS Search BGYJW, search date 19-09-23

5 Zoning and Permissibility

The site is zoned R3 Medium Density Residential under *Parramatta Local Environmental Plan 2023* (PLEP 2023), in which *multi dwelling housing* is permitted with consent. As such, the proposed activity is permitted on the site pursuant to 3B.1A *Development for the purposes of manor houses*, of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

As manor houses are permitted, and as the development does not result in more than 60 dwellings on the site and does not exceed 9 metres in height, the development can therefore be carried out by LAHC without consent under the provisions of Chapter 2, Part 2, Division 6 of the *State Environmental Planning Policy (Housing) 2021* (Housing SEPP).

Subdivision is also permitted under *Parramatta Local Environmental Plan 2023* (PLEP 2023), pursuant to clause 2.6 *Subdivision – consent requirements*. This clause provides that land subject to PLEP 2023 may be subdivided, but only with development consent. As subdivision is permitted, LAHC can utilise its self-approval powers and carry out the subdivision without consent under the provisions of Chapter 2, Part 2, Division 6 of the *State Environmental Planning Policy (Housing) 2021* (Housing SEPP), specifically clause 42(2)(b).

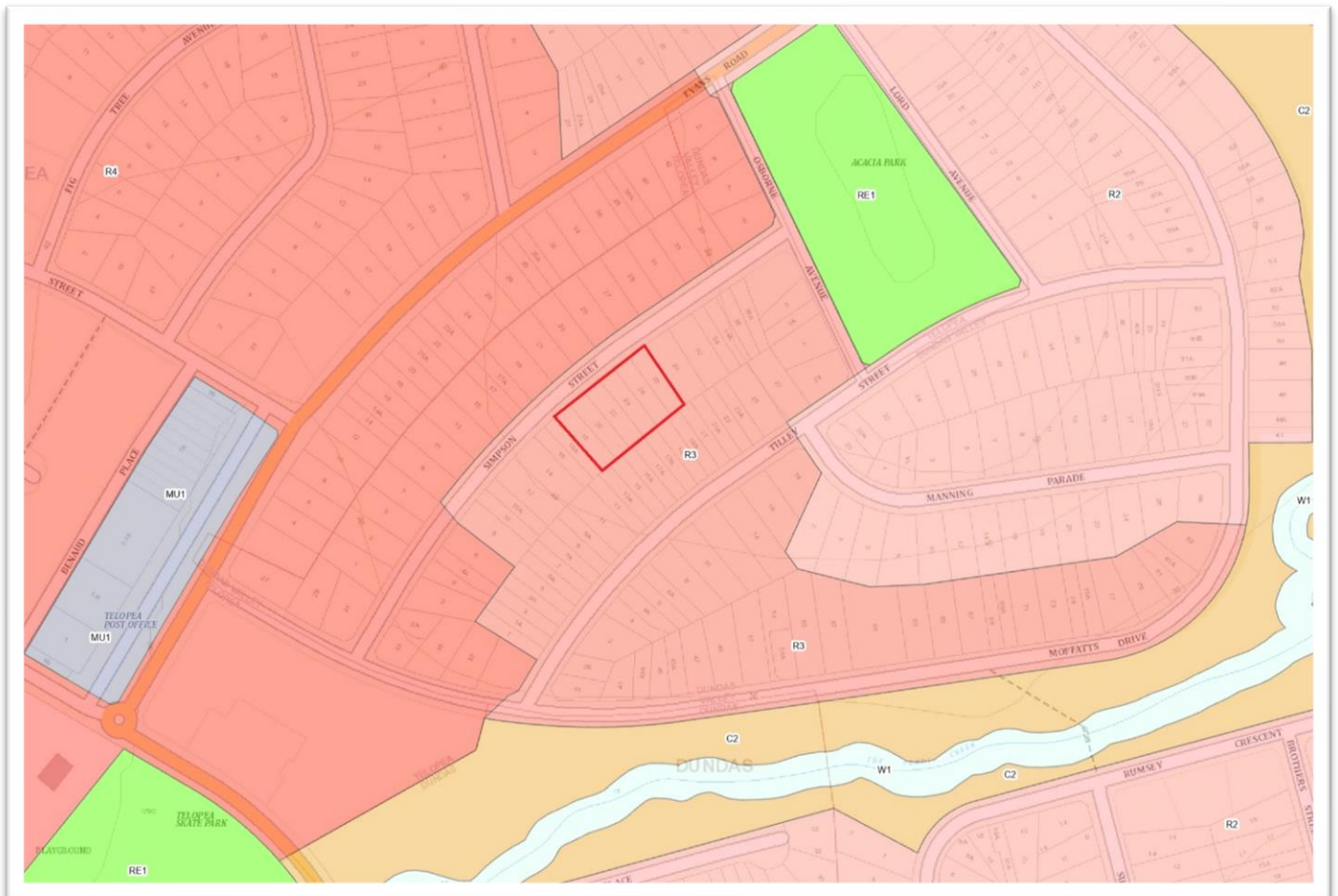


Figure 16 Land zoning map Parramatta LEP 2023 (Source: NSW Planning Portal)

The relevant objective of the R3 zone, as set out in PLEP2023 is:

- To provide for the housing needs of the community within a medium density residential environment.
- To provide a variety of housing types within a medium density residential environment.

- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To provide opportunities for people to carry out a reasonable range of activities from their homes if the activities will not adversely affect the amenity of the neighbourhood.*
- *To provide a range of community facilities that serve the needs of people who live in, work in and visit residential neighbourhoods.*

The development provides for the housing needs of the community in a medium density residential environment, through the provision of various housing types, including one and two-bedroom units, with 8 of the units achieving a Silver Standard Liveable Rating. The development is in direct response to the communities' immediate need for social and affordable housing in the Parramatta LGA.

The development will not hinder the ability of surrounding lands to be developed for the purposes of providing facilities or services to residents. This is achieved by providing adequate side and rear setbacks; and adopting building designs that ensure that there will not be any overlooking or overshadowing issues.

The development is not inconsistent with the objective to provide opportunities for people to carry out activities from homes, if the activities will not adversely affect the amenity of the neighbourhood. The development enjoys good levels of solar access, ventilation, and unit sizes, to cater for a wide range of ancillary residential activities.

Section 42 of the Housing SEPP permits subdivision and residential 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 7** in Section 6.5 of this REF demonstrates compliance with the relevant provisions of section 42 of the HSEPP.

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

Table 4 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 5** and **6** 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 5 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 6 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	

(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 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.

6.4.2 Strategic Planning Framework

Future Directions for Social Housing

The NSW Government announced its 10-year vision for social housing on 24 January 2016 called the *Future Directions for Social Housing in NSW*.

The plan has three strategic priorities:

- To provide more social housing.
- To provide more opportunities, support and incentives to avoid and/or leave social housing.
- To provide a better social housing experience.

An identified action to meet the strategic priorities of the plan include increasing redevelopment of LAHC properties to renew and grow supply.

The Future Directions for Social Housing plan sets out the 10-year vision for social housing and future directions for social housing in NSW. The plan identifies the increasing demand for social and affordable housing, with around 51,000 households on the NSW social housing waiting list at 30 June 2022. In relation to the Parramatta City LGA, which is in the Parramatta/ Baulkham Hills allocation zone (GW01), the waiting list for social housing is approximately 1,984, with the wait time for one-bedroom units of between 5 – 10 years, and two-bedroom units 10 + years.

The proposed general housing development is in direct alignment with the *Future Directions for Social Housing* actions, particularly increasing development of LAHC properties to renew and grow supply and is therefore consistent with the strategic priorities of the plan.

Greater Sydney Region Plan – A Metropolis of Three Cities

The Greater Sydney Region Plan: A Metropolis of Three Cities was prepared by The Greater Sydney Commission and released in March 2018. The Plan replaces A Plan for Growing Sydney and is the primary strategy document guiding the growth and development of Greater Sydney.

The Greater Sydney Regional Plan identifies the need for a greater and better supply of supported and/or subsidised social housing, one way being through urban renewal of areas with existing social housing which provide good access to public transport.

The plan also recognises that although social housing supply is being addressed through programs such as Communities Plus and the Social and Affordable Housing Fund, delivery needs to be accelerated to cope with the growing waitlist.

The proposed development is considered to contribute to the objectives of the Greater Sydney Region Plan by replacing older housing stock with additional high-quality self-contained social housing units in an accessible area.

Central City District Plan

The Greater Sydney Commission's District Plans were released in March 2018 and are a guide for implementing the Greater Sydney Region Plan at a district level. The District Plans are a 20-year strategy document providing a link between the Region Plan and local planning.

The subject site is located within the *Central City District*.

Planning priorities described in the District Plan and relevant to the proposed development are noted below.

Planning Priority N4 – *Fostering healthy, creative, culturally rich and socially connected communities.*

One action to achieve the above Planning Priority is to create communities where social housing is part of the same urban fabric as private and affordable housing, has good access to transport and employment, community facilities and open spaces which can therefore provide a better social housing experience.

The proposed general housing development will integrate well into the existing community and address housing needs for affordable rental housing, in a location well located to bus services that provide access to shops, medical, recreation and community services and facilities. The well-designed self-contained units will improve the quality of housing on the site, result in an enhanced streetscape outcome through a high-quality architectural design and therefore provide a better social housing experience for residents and the wider community.

Planning Priority C5 – *Providing housing supply, choice and affordability, with access to jobs, services and public transport.*

This planning priority seeks to provide additional affordable housing in a mix of dwelling types in accessible locations close to frequent public transport, employment opportunities and community facilities. The plan identifies the opportunity to further create additional housing within existing neighbourhoods to ensure integration and community affiliation for residents. The District Plan highlights opportunities for urban renewal that aligns with investment in regional and district infrastructure.

The proposed manor house development will be integrated into the existing community in a location where there is good access to public transport and employment hubs as well as community facilities. The well-designed residential units will improve the use of the site by replacing the outdated dwellings with an enhanced streetscape outcome through high quality architectural design and an improved landscape setting.

City of Parramatta Local Strategic Planning Statement – City Plan 2036

The Local Strategic Planning Statement (LSPS) came into effect on 31 March 2020, and sets out a 20-year land use planning vision. It balances the need for housing and economic growth, while also protecting and enhancing housing diversity, heritage, and local character.

Development of the subject site for the purposes of affordable rental housing will assist Council in satisfying several of the LSPS Priorities including; (7) *Provide for a diversity of housing types and sizes to meet community needs*; and (8) *Incentivise affordable rental housing delivery and provide for permanent affordable housing*.

City of Parramatta Local Housing Strategy July 2020

The Local Housing Strategy (LHS) was approved by the Secretary, Department of Planning, Industry and Environment on 29 July 2021, and provides direction on where and when future housing growth will occur to 2036 and beyond, consistent with the strategic priorities on housing contained in the *Central City District Plan*.

The Local Housing Strategy recognises that affordable housing needs to increase, and provides the evidence of significant forecasted housing growth, most of which is high-density (apartment) development, with more 1-bedroom dwellings needed to meet anticipated demand.

The Strategy identifies key locations where affordable housing has been nominated for inclusion in SEPP 70 (as formerly known), and based on preliminary modelling, would yield approximately 1,555-2,735 affordable housing dwellings, *Table 12 Potential of affordable dwellings as part of an Affordable Housing Target Scheme*. This is significantly less than the net target of 8,800 affordable dwellings to be provided, as outlined in the City's Affordable Rental Housing Policy 2019, leaving a potential gap of between 6,065-7,245 affordable housing dwellings.

The proposed development is considered to contribute to the objectives of the Parramatta Local Housing Strategy 2019 by replacing older housing stock, that isn't fit for purpose, with additional high-quality self-contained affordable rental housing, promoting excellence in place-based outcomes, with access to public transport. The development will also contribute to the provision of affordable rental housing in the Parramatta LGA and help reduce the gap between the modelling yield and the net target of 8,800 affordable dwellings.

City of Parramatta Affordable Rental Housing Policy 2019

This Policy sets a target of 9,500 affordable rental dwellings to be provided in the City of Parramatta by 2036, which is 6.3% of the (predicted) total housing stock. In 2016, the City's analysis indicated that there were 697 affordable rental housing dwellings in the LGA, which represents 1% of all housing stock. This leaves approximately 8,800 Affordable Dwellings to be provided by 2036 - an increase of over 1,200% from the current baseline.

The Policy specifically excludes *developments undertaken by public authorities* under the then Affordable Rental Housing SEPP (now SEPP Housing), because *not all housing types included under the ARHSEPP 2009 carry the same requirements to subsidise their rent*. Notwithstanding the developments exclusion from the Policy, it does provide a useful context, for the need to provide more affordable housing in the Parramatta LGA, and the significant increase needed in affordable housing developments to meet current and predicted demands. The proposed development, being wholly developed for the purpose of affordable housing, where all tenants will have subsidised rent, will assist Council bridging the substantial gap between supply and demand.

Telopea Precinct

The site is located within the Telopea Precinct as found in PLEP2023 Key Sites Map, and Council's Development Control Plan 2023, part 8.2.7 Telopea Local Centre.

Anchored by the Parramatta Light Rail, the Telopea Precinct is placed to become a transit-oriented development where the distribution of densities and land uses enable a more compact, walkable and

sustainable community delivering improved access to public transport and a range of community and retail services.

The planning controls for Telopea facilitate the transformation of the Precinct, including the provision of new retail, community facilities, roads, and the renewal of existing buildings to deliver additional social, affordable and private market housing. The subject activity, which seeks to replace and renew older social housing stock with newer, additional social housing units will greatly assist in achieving the objectives identified for the Precinct.

6.4.3 Activities in catchments [Section 171A]

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

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

An assessment of these controls on development is provided in **Table 9** of this REF. The assessment concludes that the proposed activity is unlikely to significantly impact the Sydney Harbour Catchment.

6.5 State Environmental Planning Policy (Housing) 2021

6.5.1 Development without Consent

Section 42 of the HSEPP permits certain development that may be carried out ‘with consent’ to be carried out by the Land and Housing Corporation, as ‘development without consent’ subject to the provisions set out under that section. **Table 7** below demonstrates compliance with the relevant provisions of section 42 of the HSEPP.

Table 7 Compliance with relevant provisions under sections Chapter 2, Part 2, Division 6 of the HSEPP for ‘residential development without consent’ carried out by LAHC.

Provision	Compliance
42 Development may be carried out without consent	
(1) – This Division applies to residential development if -	
(a) the development is permitted with consent on the land under another environmental planning instrument, and	Yes, the proposed activity is permitted on the site pursuant to 3B.1A <i>Development for the purposes of manor houses, of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.</i>
(b) all buildings will have a height of not more than 9m, and	Yes, proposed building height of 8.5m.
(c) the development will result in 60 dwellings or less on a single site, and	Yes, proposed 16 dwellings.

<p>(d) for development on land in an accessible area — the development will result in at least the following parking spaces –</p> <p>(i) for each dwelling containing 1 bedroom – 0.4 parking spaces</p> <p>(ii) for each dwelling containing 2 bedrooms – 0.5 parking spaces</p> <p>(iii) for each dwelling containing at least 3 bedrooms – 1 parking space, and</p>	<p>Yes. 8 spaces provided.</p> <p>Required = 7.2 spaces (8).</p> <ul style="list-style-type: none"> 0.4 x 8 (1-bedroom dwellings) = 3.2 spaces 0.5 x 8 (2-bedroom dwellings) = 4 spaces
<p>(e) for development on land that is not in an accessible area — the development will result in at least the following parking spaces –</p> <p>(i) for each dwelling containing 1 bedroom – 0.5 parking spaces</p> <p>(ii) for each dwelling containing 2 bedrooms – 1 parking space</p> <p>(iii) for each dwelling containing at least 3 bedrooms – 1.5 parking space, and</p>	N/A as the site is within an accessible area.
<p>(2) This Division applies to the following development if the development is permitted on the land under another environmental planning instrument –</p>	
<p>(a) the demolition of buildings and associated structures if the building or structure is on land –</p> <p>(i) that is non-heritage land, and</p> <p>(ii) that is not identified in an environmental planning instrument as being within a heritage conservation area,</p>	<p>Demolition is permitted with consent in accordance with clause 2.7 of PLEP2023, pursuant to clause 2.7 <i>Demolition requires consent</i>, under PLEP2023.</p> <p>The site does not contain a heritage item identified in any environmental planning instrument; or an interim heritage order; or on the State Heritage Register.</p> <p>The site is not identified in an environmental planning instrument as being within a heritage conservation area.</p>
<p>(b) the subdivision of land and subdivision works.</p> <p>Note – Section 32 prohibits the subdivision of a boarding house.</p>	<p>Subdivision is permitted with consent in accordance with clause 2.6 <i>Subdivision – consent requirements</i>, of PLEP2023.</p>
<p>(3) This Division does not apply to –</p> <p>(a) development to which this Part, Division 5 applies, or</p> <p>(b) development that is part of a project, or part of a stage of a project, that the Minister determined under the Act, former section 75P to be subject to the Act, Part 4.</p>	<p>Division 5, Residential flat buildings – social housing providers, public authorities and joint ventures does not apply in this instance.</p> <p>The subject development is not subject to Part 4 of the Act and no part of the project has been determined under Section 75P (former Part 3A) of the Act.</p>
<p>(4) Development to which this Division applies may be carried out by or on behalf of a relevant authority without development consent.</p>	<p>The proposed development will be undertaken by or on behalf of LAHC.</p>
<p>(5) <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 sections –</p>	<p>The development is not located in an area that triggers the requirement to notify public authorities other than Council. Refer to Section 7.3 for further details.</p>
<p>(a) a reference in section 2.15 to “this Chapter” is taken to be a reference to this section, and</p>	<p>Noted.</p>

(b) a reference in the sections to a public authority is taken to be a reference to the relevant authority.	
(6) In this section- Former section 75P means the Act, section 75P, as in force immediately before its repeal by the Environmental Planning and Assessment Amendment (Part 3A Repeal) Act 2011. Residential development has the same meaning as in the Housing Act 2001, section 8.	Noted.
43 Requirements for carrying out residential development -	
(1) Before carrying out development under this Division, the relevant Authority must-	
(a) request the council nominate a person or persons who must, in the council's opinion, be notified of the development, and	Advice was sought from Parramatta City Council via an email from LAHC on 19 September 2023, regarding additional persons or properties that should be notified of the development in addition to the draft scope of notification. Council advised via email on 28 September 2023 those property owners it would like notified.
(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 Parramatta City Council of the proposed development activity was sent by LAHC on 4 October 2023. Letters notifying occupiers of surrounding land, and those persons nominated by Council of the proposed development activity were sent by LAHC on the 3 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 2 November 2023. Responses to Council's comments are provided in Section 7.1 of this REF. Submissions were received from 4 adjoining 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 6.5.2 of this report, which indicates that the design of the proposal is consistent with the Seniors Living Policy: Urban Design Guidelines for Infill Development with the exception of some justified minor variations.
(e) 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	N/A - the proposed development will be undertaken by or on behalf of LAHC.
(f) If the relevant authority is LAHC – consider the relevant provisions of – (i) <i>Good Design for Social Housing</i> , published by the LAHC in September 2020, and (ii) the <i>LAHC Design Requirements</i> , published by LAHC in February 2023, and	Refer to subsections 6.5.3 and 6.5.4 of this report, which detail that consideration has been given to, and that the development is satisfactory, in regard to these documents.
(g) if the development is for the purposes of manor houses or multi dwelling housing (terraces) – consider the relevant provisions of the Codes SEPP, Part 3B.	Refer to section 6.7 of this report, where relevant considerations have been considered.

(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.

6.5.2 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 43(1)(d) of the Housing SEPP requires the relevant authority to take into account the relevant provisions of the SLUDG when assessing a proposed residential development under Part 2, Division 6 of the Housing SEPP.

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

Table 8 Seniors Living Urban Design Guidelines departures

Guideline Requirement	Response
2.15 Provide communal open space	<p>Due to extensive site falls across the site, access to communal open space was not able to be provided.</p> <p>Furthermore, the activity seeks to subdivide the site into 4 lots, each containing a manor house (4 dwellings). The proposed lots are relatively small, approximately 650m² and are of insufficient size to accommodate communal open space – particularly given each dwelling achieves compliance with private open space requirements for manor houses, specified by <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i>.</p>
2.20 Use semi-pervious materials for driveways, paths and other paved areas.	<p>Not suited to the provision of wheelchair access.</p> <p>Furthermore, the site is not considered to have 'high site cover' with more pervious site area, than impervious site area, as calculated in the Civil Stormwater Management - OSD Catchment Plan (Appendix C). In addition, the impact from any stormwater runoff will be managed through the provision of x 4 underground detention tanks (OSD 1, 2, 3 and 4) each with a capacity of approximately 21m³ primary storage.</p>

Guideline Requirement	Response
3.06 Setback upper levels behind the front building façade?	Proposed setbacks reflect the desired future character of the area, where the front setbacks are consistent with LGA development controls.
4.04 Reduce the visual bulk of roof forms by breaking down the roof into smaller elements rather than having a single uninterrupted roof structure.	<p>The roof form has a subtle change from a gable end to hip roof, with a necessary break/set down in roof profile of approximately 270mm, which gives the appearance of breaking down the roof form into smaller elements.</p> <p>It is relevant to note, that the development is provided in 4 separate buildings, each building with a different height, which contributes to breaking up the development into single elements, minimising the appearance of a mass monolithic structure.</p>
4.16 Design dwellings around internal courtyards?	An internal courtyard typology is not appropriate given the size of the site, particularly given the activity seeks to subdivide the site into 4 lots, each containing a manor house (4 dwellings). The resultant lots are relatively small, approximately 650m ² and have a dwelling configuration that could not accommodate internal courtyards.
4.20 Position driveways so as to be a buffer between new and existing adjacent dwellings	<p>Driveways located centrally, but appropriate buffer achieved through 3m side setbacks and appropriate landscaping.</p> <p>Landscape plantings can be found in the Landscape Plan (Appendix B) and include planting of native quandongs, which will achieve a mature height of 11m, and honey gum grevilleas, which will achieve a mature height of 5m, and native bottlebrush, which will achieve a height of 3m.</p>

6.5.3 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 43(1)(f)(i) of the Housing SEPP requires the applicable authority to consider the relevant provisions of the *Good Design for Social Housing policy* (September 2020) when assessing a proposed residential development under Part 2, Division 6 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.

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 8 (ground floor units) having been designed with a Liveability Rating of Silver.

The development incorporates passive and active sustainable design, durable and low maintenance materials and appropriately sized units to reduce running costs. The proposal achieves a high NatHERS rating with an average of 7.4 stars - which exceeds the minimum targets set by LAHC. Each building accommodates 15 x 370w solar panels and will be used to offset energy use in the development. PV solar panels are positioned on the north facing roof elevations to maximise solar gains.

Each unit is provided with an area of private open space that accommodates a paved area for outdoor dining and attractive gardens planted with low maintenance species at ground level. High quality landscaping across the site will enhance the amenity for residents.

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 have been selected to respond to the style and character of the local area and will make a high-quality contribution to the streetscape. The use of predominantly exposed brickwork 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 development comprises an equal mixture of 1- and 2-bedroom units, with 8 (ground floor units) having been designed with a Liveability Rating of Silver.

Value

The redevelopment is an efficient and economical use of existing serviced urban land as the proposal is for the replacement of older housing stock with new and additional high-quality dwellings, designed to be fit-for-purpose, and incorporating sustainable design elements.

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

The development has been designed in accordance BASIX and BCA requirements and includes a rainwater tank for water reuse in landscaped areas. The proposed landscape plantings scheme focusses on native and drought-tolerant species. Whilst solar panels provide a renewable energy source that can offset costs for tenants and LAHC.

Collaboration

The proposal is of a scale and character that assists with place making, by ensuring integration with the surrounding development. Collaboration with a number of stakeholders has been undertaken during the design and assessment process, with the development shaped by input from a wide range of consultants and stakeholders.

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

Clause 43(1)(f)(ii) of the Housing SEPP requires the relevant authority to consider the relevant provisions of the *LAHC Design Requirements* when assessing a proposed residential development under Part 2, Division 6 of the Housing SEPP.

An assessment of the proposed development against the LAHC Design Requirements has been undertaken and the design is deemed to achieve compliance, as certified by the *Architect's Certificate of Building Design Compliance (Appendix M)*. Further detail will be incorporated in the construction documentation.

6.6 Other State Environmental Planning Policies

Table 9 below outlines applicability of, and compliance with, other State and Environmental Planning Policies (SEPPs).

Table 9 Compliance with other applicable State and Environmental Planning Policies

SEPP (Building Sustainability Index: BASIX) 2004

A BASIX Certificate has been obtained for the development proposal, as required under the SEPP (refer to **Appendix K**).

Note – SEPP (Sustainable Buildings) 2022 does not apply, owing to the *saving and transitional provisions* found in Section 4.2 of that SEPP.

SEPP (Transport and Infrastructure) 2021

The Transport and Infrastructure SEPP provides planning controls relating to development for the purposes of essential services infrastructure (hospitals, roads, water supply, telecommunications and electrical networks), educational establishments and child care facilities and major infrastructure corridors.

The site is not located in close proximity to a State Classified Road, adjacent/near a rail corridor or electricity infrastructure and as such, the provisions of the SEPP do not apply.

SEPP (Biodiversity and Conservation) 2021

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

Chapter 2 – Vegetation in non-rural areas - The development proposes tree removal and thus the provisions of the SEPP related to vegetation clearing do apply. Clause 2.6(1) of this SEPP requires a permit from Council for clearing of vegetation required under the policy. The proposed development seeks the removal of 12 trees (refer to the Arboricultural Impact Assessment Report at **Appendix J**).

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

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 not applicable as Parramatta City LGA is not listed in Schedule 2, and accordingly this Chapter is not applicable, pursuant to section 4.4.

Chapter 5 – River Murray Lands - is not applicable, as 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 - The site is located within a regulated catchment, namely, the Sydney Harbour Catchment. Accordingly, the controls for development set out in Division 2 of Part 6.2 of the Biodiversity and Conservation SEPP apply to the activity.

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

catchment, must consider State Environmental Planning Policy (Biodiversity and Conservation) 2021, sections 6.6(1), 6.7(1), 6.8(1) and 6.9(1) and, as the consent authority LAHC must be satisfied under State Environmental Planning Policy (Biodiversity and Conservation) 2021, sections 6.6(2), 6.7(2), 6.8(2) and 6.9(2).

It is pertinent to note, in considering the clauses, as per the *Sydney Harbour Foreshores and Waterways Area Map Sheet FWA_001* the subject site is not located within any land described as: Foreshores and Waterways Area; Maritime Waters; Environmental Protection; Naval Waters; Aviation; Water Recreation; Scenic Waters – Active Use, Scenic Waters – Casual Use; or Scenic Waters – Passive Use.

It is also important to note, that the subject site is over 2.5km distant to the Parramatta River.

6.6 Water quality and quantity

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

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

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

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

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

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

Comment:

Identified Requirement No. 13 requires appropriate erosion and sediment control measures to be implemented during demolition and construction in accordance with Council requirements and the guidelines contained in the Blue Book Managing Urban Stormwater: Soils and Construction (4th edition, Landcom, 2004).

A concept stormwater plan has been prepared which provides for the suitable management of stormwater. As per the concept stormwater plan (**Appendix C**). Stormwater will be collected via a series of stormwater pits and gutters on the site connected to x 4 underground detention tanks (OSD 1, 2, 3 and 4) each with a capacity of approximately 21m³ primary storage, draining to Simpson Street with outlets in the kerb x 3. Roof water will be collected from downpipes and connected to x 4 underground 5,000L rainwater tanks for recycling with overflow connected to the underground detention tanks.

Given the above that the proposal provides for adequate safeguards for avoiding impacts on water quality and quantity.

6.7 Aquatic ecology

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

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

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

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

Comment:

The subject site is not located on riparian land and will not require a controlled activity permit under the Water Management Act, 2000, or a permit under the Fisheries Management Act, 1994. Suitable erosion and sedimentation controls are proposed to minimise erosion and maintain water quality (**Appendix C**). The vegetation removal from the site is relatively minor and is to be replaced with suitable native tree plantings (**Appendix B**). In addition, the scale and nature of the activity, together with its location and distance to a waterway (2.5km), means it is unlikely to have significant impacts upon aquatic ecology.

6.8 Flooding

This clause relates to flood liable land.

Comment:

The site is not located on flood liable land.

6.9 Recreation and public access

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

Comment:

The site is not within the Foreshores and Waterways Area, Water Recreation Area, or Scenic Waters, Active Use, Casual Use, or Passive Use Area. Furthermore, as the site is located over 2.5km distant to the closest water body, watercourse, wetland, and riparian vegetation there will be no impact upon recreational land uses or public access to recreational land or foreshores.

SEPP (Resilience and Hazards) 2021

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

In considering Chapter 4, the Section 10.7 Planning Certificates 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 highly disturbed nature of the site and long term residential use, 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. Notwithstanding, the draft Contaminated Land Planning Guidelines (draft Guidelines) prepared by the Department of Planning and Environment and the Environment Protection Authority provides a checklist of matters to be considered in an initial evaluation of land in relation to potential for contamination. These matters are considered in the table below:

Previous evidence of contamination	Yes/ No	Response

a) Was the subject land at any time zoned for industrial, agricultural or defence purposes?	No	LAHC records indicate that the land has been used for residential purposes only since the early the 1960s. Identified Requirements attached to the Activity Determination require any evidence of contamination to be appropriately managed at that time.
(b) Do existing records held by the planning authority show that a potentially contaminating activity listed in Table 1 in Appendix 1 has previously been approved or carried out on the subject land? (The use of records held by other authorities or libraries is not required for an initial evaluation.)	No	LAHC records indicate that the land has not been used for a potentially contaminating activity listed in Table 1, Appendix 1 of the draft Guidelines.
(c) Is the subject land currently used for a potentially contaminating activity listed in Table 1 in Appendix 1?	No	The subject site contains 3 separate two storey dwellings and associated structures only.
(d) Has the subject land ever been regulated through licensing or other mechanisms in relation to any potentially contaminating activity listed in Table 1 in Appendix 1?	No	LAHC records indicate that the land has not been regulated through licensing or other mechanisms.
(e) Are there any land use restrictions on the subject land relating to possible contamination, such as orders or notices issued under the CLM Act?	No	As noted in the Section 10.7 certificates, there are no land use restrictions relating to contamination under the CLM Act.
(f) Has a site inspection indicated that the site may have been associated with any potentially contaminating activities listed in Table 1?	No	A site inspection did not reveal any evidence of potential contaminating activities. Standard Identified Requirement (No. 17) has been recommended to cover the possibility of discovering site contamination during demolition / construction works.
g) Are there any contamination impacts on immediately adjacent land which could affect the subject land?	No	Adjoining development is residential, forming part of a larger residential subdivision carried out after the 1940s.
(h) Are there any human or environmental receptors that could be affected by contamination?	No	A standard Identified Requirement (No. 17) has been recommended to cover the possibility of discovering site contamination during demolition / construction works.
i) Is the site adjacent to a site on the EPA's list of notified sites under s60 of the CLM Act, or adjacent to a site regulated by the EPA under the CLM Act?	No	A review of the EPA's register of notified sites indicates that the land is not adjacent to a notified site under s60 of the CLM act or a site regulated by the EPA under the CLM Act.

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.

6.7 State Environmental Planning Policy (Exempt and Complying) 2008

Section 42 of the HSEPP permits certain development that may be carried out 'with consent' to be carried out by LAHC, as 'development without consent'. Pursuant to Section 43(1) *Before carrying out development under this Division, a relevant authority must, if the development is for the purposes of manor houses ... consider the relevant provisions of the Codes SEPP, Part 3B (g).*

The Housing SEPP amendment no longer requires consideration of a manor home under the Codes SEPP. Given that the subject application was lodged prior to this amendment, the transitional savings provisions apply with the relevant Codes SEPP provisions considered in Table 10 below.

Table 10 Relevant provisions of the Codes SEPP, Part 3B – Manor Housing

Clause	Provision	Requirement	Proposed
1.5	Interpretation	<p>manor house means a residential flat building containing 3 or 4 dwellings, where –</p> <p>(a) each dwelling is attached to another dwelling by a common wall or floor, and</p> <p>(b) at least 1 dwelling is partially or wholly located above another dwelling, and</p> <p>(c) the building contains no more than 2 storeys (excluding any basement).</p>	Noted - Complies with definition.
3B.21	Lot requirements	<p>(a) in the case of a manor house – the area of the lot must not be less than whichever is greater of the following –</p> <p>(i) 600m²,</p> <p>(ii) the minimum lot area specified for manor houses in the environmental planning instrument that applies to the land concerned,</p>	<p>Complies</p> <p>Min. lot size 647.6m²</p> <p>Note – no MLS for MH in R3 zone, under PLEP2023</p>
		<p>(c) the width of the lot must not be less than 15m measured at the building line.</p>	<p>Complies</p> <p>Min. frontage 15.715m</p>
3B.22	Maximum building height	<p>(1) The maximum height for a manor house, dual occupancy and any attached development is 8.5m above ground level (existing).</p>	<p>Complies</p> <p>Building height of 8.5m proposed.</p>
3B.23	Maximum gross floor area buildings	<p>The maximum gross floor area of all buildings on a lot is 25% of the lot area plus 150m², to a maximum of 400m².</p>	<p>Complies</p> <p>Proposed 281.2-281.7m²</p>

Clause	Provision	Requirement	Proposed
3B.24	Minimum setbacks and maximum height and length of boundary walls	<p>(1) <i>Primary road setbacks</i></p> <p><i>The setback of a manor house, dual occupancy and any attached development from a primary road must not be less than the average setback from the primary road of the 2 nearest buildings within 40m of the lot and on the same side of the primary road that are residential accommodation.</i></p>	<p>Does not comply.</p> <p>Average of 2 nearest buildings is 8.5m.</p> <p>Proposed setbacks: MH1 – 5.5m MH2 – 6.7m MH3 – 6.8m MH4 – 6.3m</p> <p>Setbacks considered acceptable, and comparable with new developments, and likely future development in the area, noting adjoining dual occupancy at 16 and 16A Simpson Street, has a setback of approx. 6m – in compliance with PDGP2023 Part 3.4.3.2 (C.05) - which requires a minimum front setback of 6m.</p>
		<p>(2) <i>For the purpose of determining the setbacks from the primary road of the 2 nearest buildings that are residential accommodation, the following are not to be included –</i></p> <p><i>(a) buildings on battle-axe lots,</i></p> <p><i>(b) attached development and detached development on other lots,</i></p> <p><i>(c) building elements in the articulation zone.</i></p>	Noted.
		<p>(4) <i>Side setbacks</i></p> <p><i>A manor house, dual occupancy or any attached development must have a minimum setback from a side boundary of 1.5 m.</i></p>	<p>Complies.</p> <p>Min. setback of 3m – new and existing boundaries.</p>
		<p>(5) <i>Despite subclause (4), any part of a manor house, dual occupancy or any attached development that is more than 10m behind the building line and that is more than 4.5m above ground level (existing) must have a minimum setback from a side boundary of –</i></p>	<p>Complies.</p> <p>Required 2.9m, with 3m proposed.</p>

Clause	Provision	Requirement	Proposed										
		$S = H - 3m$ where — <i>s is the minimum setback in metres.</i> <i>h is the height of the part of the building in metres.</i>											
		(6) Rear setbacks Each part of a manor house or dual occupancy and any attached development must have a minimum setback from the rear boundary as shown in the following table —		Complies. Required 10m, with min. proposed 13.1m									
		<table><tr><th>Lot area</th><th>Height of building</th><th>Minimum rear setback</th></tr><tr><td>400m²–1,500m²</td><td>0m–4.5m</td><td>6m</td></tr><tr><td>400m²–1,500m²</td><td>>4.5m–8.5m</td><td>10m</td></tr></table>		Lot area	Height of building	Minimum rear setback	400m ² –1,500m ²	0m–4.5m	6m	400m ² –1,500m ²	>4.5m–8.5m	10m	
		Lot area		Height of building	Minimum rear setback								
400m ² –1,500m ²	0m–4.5m	6m											
400m ² –1,500m ²	>4.5m–8.5m	10m											
3B.25	Exceptions to setbacks	(1) Development to which side and rear setbacks do not apply The setback standards specified in clause 3B.24(4), (5) and (6) do not apply to the following — (a) access ramps, (b) downpipes, (c) driveways and hard stand spaces, (d) electricity or gas meters, (e) fascias, (f) fences, (g) gutters, (h) light fittings, (i) pathways and paving, (j) steps.	Noted.										
		(2) Development to which side and rear setbacks do not apply if 450mm from boundary The setback standards specified in clause 3B.24(4), (5) and (6) do not apply to the following if they are at least 450mm from the relevant boundary — (a) aerials, (b) antennae, (c) awnings, (d) chimneys, (e) cooling or heating appliances, (f) eaves, (g) flues, (h) pipes, (i) privacy screens, (j) rainwater tanks, (k) structures associated with the provision of a utility service.	Noted.										
3B.26	Other development standards for new balconies, decks, patios, terraces and	(1) The maximum height of the floor level of a balcony, deck, patio, terrace or verandah is 4m.	Complies. Maximum height of balconies is approximately 3.1m.										

Clause	Provision	Requirement	Proposed
	verandahs attached to side or rear of dual occupancy or manor house	<i>(2) Any attached side or rear balcony, deck, patio, terrace or verandah that has a floor level of more than 2m above ground level (existing) must have a setback from side and rear boundaries of at least 3m.</i>	Complies. No side balconies, rear balconies set back >13m.
		<i>(3) The total floor area of all attached side or rear balconies, decks, patios, terraces and verandahs having a floor level of more than 2m above ground level (existing) must not be more than 12m².</i>	Does not comply. Rear balconies range in size 16.367m ² – 16.385m ² . Size of rear balconies considered acceptable, owing to large rear setback (min.13.1m).
3B.26A	Other standards for manor houses	<i>A manor house must face a public road.</i>	Complies. All MH face Simpson Street
3B.27	Minimum landscaped area	<i>(1) The minimum landscaped area that must be provided on a lot is 50% of the lot area minus 100m².</i>	Does not comply. MH2 - 223.6m ² required, 218m ² provided. MH3 - 223.6m ² required, 201.6m ² provided. MH4 - 224.9m ² required, 215.6m ² provided. Minimum landscaped area considered acceptable, owing to minor variation and comprehensive landscaping proposed.
		<i>(2) At least 25% of the area of the lot forward of the building line must be landscaped.</i>	Does not comply.

Clause	Provision	Requirement	Proposed
			<p>MH2 – 55.9m² required, 50.3m² provided.</p> <p>MH3 – 55.9m² required, 38.8m² provided.</p> <p>MH4 – 56.2m² required, 47.8m² provided.</p> <p>Landscaped area forward of building line considered acceptable. Minor non-compliance owing to presence of accessible footpaths, and site amenities (mailbox, meters).</p>
		(2A) At least 50% of the area required to be landscaped under subclause (1) must be located behind the building line.	Complies.
		<p>(3) Each landscaped area must have —</p> <p>(a) a minimum width of 1.5m, and</p> <p>(b) a minimum length of 1.5m.</p>	Noted.
		<p>(4) The principal private open space that must be provided for each dwelling is —</p> <p>(a) for a 1 bedroom dwelling or a studio — 8m² with a minimum width of 2m, and</p> <p>(b) for a dwelling with 2 bedrooms — 12m² with a minimum width of 2m, and</p> <p>(c) for a dwelling with 3 or more bedrooms — 16m² with a minimum width of 2m.</p>	Development has been designed in accordance with LAHC Design Requirements, which requires 10m ² for 2 bedroom dwellings.
3B.28	Primary road articulation zone	(1) A dual occupancy or manor house may have a primary road articulation zone that extends up to 1.5m forward of the minimum required setback from the primary road.	<p>Noted.</p> <p>No protections forward of building line</p>

Clause	Provision	Requirement	Proposed
		<p>(2) The following building elements can be located in the primary road articulation zone —</p> <ul style="list-style-type: none"> (a) an entry feature or portico, (b) a balcony, deck, pergola, terrace or verandah, (c) a window box treatment, (d) a bay window or similar feature, (e) an awning or other feature over a window, (f) a sun shading feature, (g) an eave. 	Noted.
		<p>(3) The maximum total area of all building elements in the articulation zone, other than a building element specified in subclause (2)(e), (f) or (g), must not comprise more than 25% of the area of the articulation zone.</p>	<p>Noted.</p> <p>No protections forward of building line</p>
		<p>(4) Each habitable room that has a wall facing a road must have a window in that wall.</p>	Complies.
3B.29	Privacy screens for windows and certain attached development	<p>(1) Windows in habitable rooms near boundaries or other dwellings. A window in a habitable room must have a privacy screen over any part of that window that is less than 1.5m above the floor level of the room in the following cases —</p> <ul style="list-style-type: none"> (a) the floor level of the habitable room is 1m or more, but not more than 3m, above ground level (existing) and the window faces a side or rear boundary and is less than 3m from that boundary, (b) the floor level of the habitable room is more than 3m above ground level (existing) and the window faces a side or rear boundary and is less than 6m from that boundary, (c) the floor level of the habitable room is 1m or more, but not more than 3m, above ground level (existing) and the window faces a dwelling on the same lot and is less than 6m from that dwelling, (d) the floor level of the habitable room is more than 3m above ground level (existing) and the window faces a dwelling on the same lot and is less than 12m from that dwelling. <p>(2) Subclause (1) does not apply to —</p> <ul style="list-style-type: none"> (a) a habitable room with a floor level not more than 1m above ground level (existing), or 	<p>Complies</p> <p>All windows >3m from side/ rear boundary.</p> <p>Majority of floor levels <3m above existing GL. Exceeded in 1 instance - MH1, (bath) western elevation - window sill raised 1500mm</p> <p>Noted.</p>

Clause	Provision	Requirement	Proposed
		<p>(b) a window that faces a road or public space, or</p> <p>(c) a bedroom window that has an area of not more than 2m².</p>	
		<p>(3) Balconies, decks, patios, terraces or verandahs near boundaries or other dwellings The edge of a balcony, deck, patio, terrace or verandah must have a privacy screen with a height of at least 1.5m above the floor level of a balcony, deck, patio, terrace or verandah in the following cases —</p> <p>(a) the floor level of the balcony, deck, patio, terrace or verandah is 1m or more, but not more than 3m, above ground level (existing) and the edge faces a side or rear boundary and is less than 3m from that boundary,</p> <p>(b) the floor level of the balcony, deck, patio, terrace or verandah is more than 3m above ground level (existing) and the edge faces a side or rear boundary and is less than 6m from that boundary,</p> <p>(c) the floor level of the balcony, deck, patio, terrace or verandah is 1m or more, but not more than 2m, above ground level (existing) and the edge faces a dwelling on the same lot and is less than 6m from that dwelling,</p> <p>(d) the floor level of the balcony, deck, patio, terrace or verandah is more than 2m above ground level (existing) and the edge faces a dwelling on the same lot and is less than 12m from that dwelling.</p>	<p>Does not Comply.</p> <p>MH1 rear balcony is greater than 3m above ground level (existing), and less than 6m from side boundary. Identified Requirement (No. 73) to require privacy screen of at least 1.5m high.</p> <p>The rear balconies to MH1 and MH4 are less than 6m from adjoining property boundaries. Identified Requirement (No.73) requires privacy screening to a height of 1.5m to be provided to alleviate privacy impacts between buildings.</p>
		<p>(4) Subclause (3) does not apply to a balcony, deck, patio, terrace or verandah —</p> <p>(a) with a floor level not more than 1m above ground level (existing), or</p> <p>(b) that faces a road or public space, or</p>	Noted.

Clause	Provision	Requirement	Proposed						
		(c) that has an area of not more than 2m ² .							
3B.30	Car parking and vehicle access requirements	(2) One parking space must be provided for each dwelling.	Car parking rate in accordance with HSEPP.						
		(3) The car parking space may be an open hard stand space or a carport or garage, whether attached to or detached from the dual occupancy or manor house.	Open hard stand space.						
		(4) All off-street car parking spaces and vehicle access must comply with AS/NZS 2890.1:2004, Parking facilities, Part 1: Off-street car parking.	Complies – refer to Traffic Impact Assessment (Appendix S).						
		(5) A garage, carport or car parking space at ground level (existing) and accessed from a primary road, secondary road or parallel road must have a minimum setback from the relevant road as shown in the following table – <table><thead><tr><th>Setback of building</th><th>Setback of off-street parking</th></tr></thead><tbody><tr><td><4.5m</td><td>5.5m</td></tr><tr><td>4.5m or more</td><td>1m behind the building line</td></tr></tbody></table>	Setback of building	Setback of off-street parking	<4.5m	5.5m	4.5m or more	1m behind the building line	Complies. Parking provided at rear – behind buildings.
		Setback of building	Setback of off-street parking						
<4.5m	5.5m								
4.5m or more	1m behind the building line								
(6) The maximum width of all garage doors accessed from a primary road, parallel road or secondary road is 6m.	N/A								
3B.31	Building design	(1) The design of a dual occupancy or a manor house must be consistent with the relevant design criteria in the Low Rise Housing Diversity Design Guide. However, the requirements of this Part prevail to the extent that the Guide is inconsistent with this Part (Part 3B).	Refer to Table 11, below.						

6.7.1 Low Rise Housing Diversity Design Guide

Section 3B.31 Building Design requires that the design of a manor house must be consistent with the relevant criteria in the Low-Rise Housing Diversity Design Guide. This is demonstrated in

Table 11 below.

Table 11 Low Rise Housing Diversity Design Guide -- Part 2.2 Manor house and dual occupancies

Objective	Design Criteria	Proposed
2.2A Building Envelopes		
Summary of Development Standards <ul style="list-style-type: none"> <i>Height of Building</i> 	<i>The maximum building height as specified in the LEP.</i> PLEP2023 – clause 4.3: 11m	Complies. 8.5m
Objective 2.2A-1 <i>The building height is consistent with the desired scale and character of the street and locality and provides an acceptable impact on the amenity of adjoining properties.</i>	1. Where the LEP or DCP does not include a maximum building height, that height of buildings is: 8.5m.	N/A PLEP 2023 specifies max. building height.
	2. The maximum number of storeys excluding basements is: 2	Complies. Development is 2 stories
Objective 2.2A-2 <i>The development provides a setback from the front boundary or public space that:</i> <ul style="list-style-type: none"> <i>defines the street edge;</i> <i>creates a clear threshold and transition from public to private space;</i> <i>assists in achieving visual privacy to ground floor dwellings from the street;</i> <i>contributes to the streetscape character and landscape; and</i> <i>relates to the existing streetscape and setback pattern or the desired future streetscape pattern if different to the existing.</i> 	3. Refer to the DCP for front setback or envelope controls.	Does not comply. PDCP2023 Part 3.4.3.2 (C.05) requires a minimum front setback of 6m. MH1 has front setback of 5.5m, which is considered acceptable, given the minor variation (5%), and the fact MH2, MH3 and MH4 all exceed required setback, at 6.7m, 6.8m and 6.3m respectively -differing setbacks add interest and articulation to streetscape.
	4. Where the DCP does not contain front setback controls the following should apply: <ul style="list-style-type: none"> Where existing dwellings are within 40m -average of the two closest dwelling houses, dual occupancies or multi dwelling housing terraces. Where no existing dwellings are within 40m then: 	N/A – front setbacks prescribed in PDCP2023 – 3.4.3.2.

Objective	Design Criteria		Proposed								
		<table><tr><th>Lot Area (m²)</th><th>Setback</th></tr><tr><td>0-900</td><td>4.5m</td></tr><tr><td>>900 – 1500</td><td>6.5m</td></tr><tr><td>>1500</td><td>10m</td></tr></table>	Lot Area (m²)	Setback	0-900	4.5m	>900 – 1500	6.5m	>1500	10m	
	Lot Area (m²)	Setback									
	0-900	4.5m									
	>900 – 1500	6.5m									
	>1500	10m									
	5. Where the DCP does not contain setback controls for secondary roads or to public reserves the following apply:		N/A – no secondary frontage, or public reserve frontage.								
		<table><tr><th>Lot Area (m²)</th><th>Setback</th></tr><tr><td>0-1500</td><td>3m</td></tr><tr><td>>1500</td><td>5m</td></tr></table>	Lot Area (m²)	Setback	0-1500	3m	>1500	5m			
Lot Area (m²)	Setback										
0-1500	3m										
>1500	5m										
6. Setback from a parallel road for manor house or dual occupancy (one above the other): 3m.		N/A – no parallel road.									
7. Setback from classified road: 9m		N/A – no classified road.									
8. Setback from public reserve: 3m		N/A – no public reserve.									
Objective 2.2A-3 The development provides side boundary setbacks that reflect the character and form intent of the area where is characterised by the separation of buildings.	9. Refer to the DCP for side boundary setbacks or envelope controls.		Complies. PDCP2023 Part 3.4.3.2 (C.08) requires a minimum side setback of 1.5m – 3m proposed.								
	10. Where the DCP does not contain side setback controls the following should apply: <ul style="list-style-type: none">not more than 10m from the front building line - 1.5mgreater than 10m from front building line - building envelope defined by a 45° plane 3m above the boundary. See Figures 3-40 to 3-43 in section 3 of this Design Guide.		N/A PDCP2023 specifies side setbacks.								
	Objective 2.2A-4 The development provides a rear boundary setback that provides opportunity to retain and protect or establish significant	11. Refer to the DCP for rear boundary setbacks or envelope controls.		Complies. PDCP2023 Part 3.4.3.2 (C.11) requires a minimum setback equal to 25% of site length							

Objective	Design Criteria	Proposed													
landscape trees in deep planting areas.		(10.31m) – minimum 13.1m proposed.													
	<p>12. Where the DCP does not contain rear setback controls the following apply:</p> <table border="1"> <thead> <tr> <th>Lot Area (m²)</th><th>Building height</th><th>Min rear setback</th></tr> </thead> <tbody> <tr> <td rowspan="2">0-1500</td><td>0m-4.5m</td><td>6m</td></tr> <tr> <td>>4.5m</td><td>10m</td></tr> <tr> <td rowspan="2">>1500</td><td>0m-4.5m</td><td>10m</td></tr> <tr> <td>>4.5m</td><td>15m</td></tr> </tbody> </table>	Lot Area (m ²)	Building height	Min rear setback	0-1500	0m-4.5m	6m	>4.5m	10m	>1500	0m-4.5m	10m	>4.5m	15m	<p>N/A</p> <p>PDCP2023 specifies rear setbacks</p>
Lot Area (m ²)	Building height	Min rear setback													
0-1500	0m-4.5m	6m													
	>4.5m	10m													
>1500	0m-4.5m	10m													
	>4.5m	15m													
2.2B Gross Floor Area / Floor Space Ratio															
Summary of Development Standards <ul style="list-style-type: none"> GFA / FSR 	<p>The floor space ratio / gross floor area as specified in the LEP.</p> <p>PLEP2023 – clause 4.4: 0.6:1</p>	<p>Complies.</p> <p>FSR 0.43-44:1 proposed.</p>													
Objective 2.2B-1 To ensure that the bulk and scale is appropriate for the context, minimises impacts on surrounding properties and allows for articulation of the built form.	<p>14. Where the LEP or DCP do not contain an FSR or Gross floor area the following maximum gross floor area applies for all development on the site: 25% of lot area + 150m² to a maximum of 400m².</p>	<p>N/A</p> <p>PLEP2023 specifies FSR</p>													
2.2C Landscaped area															
Objective 2.1C-1 To provide adequate opportunities for the retention of existing and provision of new vegetation that: <ul style="list-style-type: none"> contributes to biodiversity; enhances tree canopy; and minimises urban runoff. 	<p>15. Where the LEP or DCP do not contain a minimum landscaped area the minimum landscaped area is: 50% of the parent lot area minus 100m²</p>	<p>Does not comply.</p> <p>MH2 - 223.6m² required, 218m² provided.</p> <p>MH3 - 223.6m² required, 201.6m² provided.</p> <p>MH4 - 224.9m² required, 215.6m² provided.</p> <p>Minimum landscaped area</p>													

Objective	Design Criteria	Proposed
		considered acceptable, owing to minor variation (4.1-9.8%) and comprehensive landscaping proposed.
	16. The minimum dimension of any area included in the landscaped area calculation is 1.5m	Complies.
	17. At least 25% of the area of the lot forward of the building line must be landscaped. At least 50% of the required landscaped area must be behind the building line	Does not comply. MH2 – 55.9m ² required, 50.3m ² provided. MH3 – 55.9m ² required, 38.8m ² provided. MH4 – 56.2m ² required, 47.8m ² provided. Landscaped area forward of building line considered acceptable. Minor non-compliance owing to presence of accessible footpaths, and accessible site amenities (mailbox, meters).
Objective 2.2C-2 Landscape design supports healthy plant and tree growth and provides sufficient space for the growth of medium sized trees.	18. An ongoing maintenance plan is to be provided as part of the landscape plan.	Complies. Landscape Plan (Appendix B) specifies at 6.01 Consolidation and Maintenance terms, as part of the plan.
	19. Minimum soil standards for plant sizes are provided in accordance with the Table below.	Landscaping Plan (Appendix B) designed by qualified

Objective	Design Criteria					Proposed
	Tree size	Height	Spread	Min soil area	Min soil depth	landscape architect. Appropriate spread, soil areas and depth provided.
	Large	>12m	>8m	10x10m	1.2m	
	Medium	8-12m	4-8m	6x6m	1m	
	Small	5-8m	<4m	3.5x3.5m	0.8m	
	Shrubs	-	-	-	0.5-0.6m	
	Ground cover	-	-	-	0.3-0.45m	
	Turf	-	-	-	0.2m	
	<p>20. If the DCP does not specify tree planting of a particular size or species the following is to be provided: • Front: 1 tree with mature height of 5m if primary road setback is greater than 3m. • Rear: 1 tree with mature height of 8m.</p>					<p>Does not comply.</p> <p>PDCP2023 Part 3.4.3.4 (C.05) requires a minimum of 4 mature height trees (13m) per lot.</p> <p>Proposed landscaping considered acceptable. The Landscaping Plan (Appendix B) has been designed with regard to the specific constraints of the site, including topography, soil profile and footprint of the development – and includes 6 mature trees (reaching 12m in height).</p>
<p>Objective 2.2C-3</p> <p>Existing natural features of the site that contribute to</p>	<p>21. Mature trees are to be retained, particularly those along the boundary, (except those where approval is granted by Council for their removal).</p>					<p>Mature trees retained where possible. More suitable planting</p>

Objective	Design Criteria	Proposed
<i>neighbourhood character are retained, and visual and privacy impacts on existing neighbouring dwellings are reduced.</i>		proposed to compensate.
	22. Existing landscape features including trees and rock outcrops are retained where they contribute to the streetscape character or are located within the rear setback.	N/A - The site does not contain any landscape features such as rock outcrops that would contribute to the streetscape character.
Objective 2.2C-4 <i>Landscape design contributes to a local sense of place and creates a micro climate.</i>	23. The landscape plan proposes a combination of tree planting, for shade, mid height shrubs, lawn and ground covers.	Complies. Refer to Landscaping Plan (Appendix B), which proposes trees, shrubs, screen plantings and ground cover plantings.
	24. The landscape plan indicates that at least 50% of the overall number of trees and shrubs are species native to the region.	Complies. All trees and shrubs native.
2.2D Local Character and Context		
Objective 2.2D-1 <i>The built form, articulation and scale relates to the local character of the area and the context.</i>	25. Provide a description in the Design Verification Statement how the built form of the development contributes to the character of the local area, using the guidance in Section 3D Local Character and Context.	Complies, see Design Verification Statement, Design Criteria No. 8 (Appendix T).
2.2E Public Domain Interface		
Objective 2.2E-1 <i>Provide high level activation and passive surveillance to the public streets.</i>	26. Pedestrian entries are to be directly visible from the public street.	Does not comply. Pedestrian entries to buildings internal to the site. Considered suitable, as passive surveillance is provided by windows of habitable rooms and POS,

Objective	Design Criteria	Proposed
		including balconies, facing directly onto Simpson Street.
	27. Windows from habitable rooms are to overlook the public domain.	Complies. Bedroom windows of ground and first floor directly overlook Simpson Street.
	28. Direct visibility is provided along paths and driveways from the public domain to the front door.	Complies. Direct visibility is provided, with relatively straight paths, and driveways, passing by the front door of each MH.
Objective 2.2E-2 <i>Front fences and walls do not dominate the public domain instead they respond to and complement the context and character of the area (including internal streets).</i>	29. Private courtyards within the front setback are only to be located within the articulation zones and / or behind the required front building line.	Complies.
	30. Front fences: <ul style="list-style-type: none"> Are visually permeable (no more than 50% of the allowable fence area will be solid masonry, timber or metal). Average height no greater than 1.2m. Have a consistent character with other front fences in the street. Are not to be constructed of solid metal panels or unfinished timber palings. 	Complies. Visually permeable, powder coated 'black' metal palisade front fence proposed, setback approx. 4-5m off Simpson Street. Common type of fence in residential settings.
	31. High solid walls are only used to shield a dwelling from the noise of classified roads. The walls are to have a maximum height of 2.1m and be setback at least 1.5m from the property boundary. Landscape planting is to be provided between the wall and the boundary, with a mature height of at least 1.5m.	N/A – no high solid walls.
	32. Retaining walls greater than 600mm within the front setback are softened by planting to a minimum depth of 600mm on the low side of the retaining wall.	N/A – no retaining walls in front setback.

Objective	Design Criteria	Proposed
Objective 2.2E-3 <i>The secondary frontage of a development positively contributes to the public domain by providing an active edge and semi-transparency to the boundary treatment</i>	33. Where development adjoins public parks, open space, bushland, or is a corner lot, the design positively addresses this interface using any of the following design solutions: <ul style="list-style-type: none"> Habitable room windows facing the public domain. Street access, pedestrian paths and building entries Paths, low fences and planting that clearly delineate between communal/ private open space and the adjoining public open space Walls fronting the public spaces are to have openings not less than 25% of the surface area of the wall. 	N/A- does not adjoin park, open space, or bushland.
Objective 2.2F-1 <i>Ensure there is adequate space for vehicle circulation and of-street parking.</i>	34. Vehicle circulation complies with AS2890.1.	Complies – refer to Traffic Impact Assessment (Appendix S).
	35. Vehicular crossing is to have a maximum width of 3.5m at the street boundary.	Does not comply – 5.5m driveway width is proposed to comply with the relevant standard AS 2890.1 as , Refer to Traffic Impact Assessment (Appendix S).
	36. Where a driveway services more than 3 dwellings, the driveway must be designed to ensure all vehicles must leave the site in a forward direction.	Complies – refer to Traffic Impact Assessment (Appendix S).
	37. Only one driveway cross-over is located on the same street frontage.	Complies. Design exceeds this requirement, by combining 1 driveway crossing for 2 MH.
2.2G Orientation, Siting and Subdivision		
Summary of Development Standards <ul style="list-style-type: none"> Minimum lot size for carrying out dual occupancy development or manor house development. 	The minimum lot area and / or minimum lot width as specified in the LEP. PLEP2023 – does not prescribe MLS for manor house development in R3 zone. Note - clause 4.1C PLEP 2023 – specifies lot size and dimensions if manor house is undertaken in R4.	N/A – no MLS or lot width in PLEP2023.
Objective 2.2G-1	38. Where the LEP or DCP does not contain a minimum lot area and /or dimension	Complies.

Objective	Design Criteria	Proposed
To achieve planned residential density consistent with the local housing strategy.	<ul style="list-style-type: none"> the minimum lot area for a dual occupancy (attached) is: 600m² the minimum lot area for a manor house is: 600m² minimum lot width measured at the building line is: 15m 	
Objective 2.2G-2 The building is orientated to the street and provides opportunities for street surveillance and connectivity.	39. Dwellings orientate to the street or rear garden, not solely to the side boundary.	Complies. Windows, patios, and balconies orientated to street.
	40. The front door is visible from the public domain.	Does not comply. All front doors are accessed via the internally shared pathways within the site and are not visible from the street. Notwithstanding this, various windows and balconies are oriented to the street to achieve casual surveillance.
	41. Development is not located on a battle axe lot.	N/A.
Objective 2.2G-3 Reasonable solar access is provided to the living rooms and private open spaces of adjoining dwellings.	42. A window that is more than 3m from the boundary to a living room of an adjoining dwelling is to receive more than 3 hours of direct sunlight between 9am and 3pm on the winter solstice (June 21). If the window currently receives less than 3hrs - direct sunlight is not reduced. Note: Direct sunlight is measured consistent with Design Criteria 47 and is only required to one window serving the living room.	Complies. The Shadow Diagrams (Appendix A) demonstrate that No.16A is already impacted by the existing site structures with the living room already cast in shadow.
	43. Where the location of the living room windows of an adjoining dwelling cannot be verified, the proposed development is accommodated within a building envelope defined by a 350 plane springing from 3.6m above the boundary.	N/A- Direct sunlight to neighbouring dwellings is not reduced.

Objective	Design Criteria	Proposed
Objective 2.2G-4 <i>The development responds to the natural landform of the site, reducing the visual impact and avoiding large amounts of cut and fill and minimises the impacts of retaining walls.</i>	44. The lowest level of the dwelling is not more than 1.3m above ground level, and no more than 1m below ground level.	Does not Comply. Eastern elevation of MH 2 and 4 are more than 1m below ground level, at 1.24m and 1.6m respectively. Level of cut is considered acceptable, with the objective being achieved. The development responds to the natural topography, with buildings stepping down in height from the highest point to the lowest point, and the impacts of retaining walls is negligible, as sufficient setbacks are provided so as to accommodate comprehensive landscaping - atop the retaining wall setback.
Objective 2.2G-5 <i>To minimise impacts to vegetation on adjoining properties and allow for vegetation within the setbacks.</i>	45. Basement car parking is not provided within the setbacks described in the table in Section 2.2A.	N/A – no basement
Objective 2.2G-6 <i>Independent services and utilities are available to service each lot.</i>	46. All lots must have access to reticulated water, sewer, electricity, telecommunications and where available, gas.	Complies. Refer to Appendix D – Survey Plan , for location of services.
2.2H Solar and daylight access		
Objective 2.2H-1 <i>To optimise sunlight received to habitable rooms</i>	47. At least 75% of dwellings in a development are to receive a minimum of 3 hours direct sunlight between 9am and 3pm on the winter solstice (June 21) to a living room and private open space.	Complies, 87.5% of dwellings achieve 3hrs solar access to

Objective	Design Criteria	Proposed
and private open spaces. Solar access enables passive solar heating in winter and provides a healthy indoor environment.	<i>Note: Direct sunlight is achieved when there is 1m² of sunlight on the glass for a period of at least 15 minutes. To satisfy 3 hours direct sunlight, 12 periods of 15 minutes will need to be achieved - the periods do not need to be consecutive.</i>	living rooms, and 75% of dwellings achieve 3hrs solar access to POS – refer to Appendix A – Solar Access Plan
Objective 2.2H-2 <i>To provide good access to daylight suited to the function of the room, minimise reliance on artificial lighting and improve amenity.</i>	48. Daylight may not be borrowed from other rooms, except where a room has a frontage to a classified road.	Complies, all rooms have direct access to sunlight (window).
	49. No part of a habitable room is more than 8m from a window.	Complies.
	50. No part of a kitchen work surface is more than 6m from a window or skylight.	Complies
	51. Courtyards are to be: • Be fully open to the sky; and • Have a minimum dimension of one third of the perimeter wall height, and area of 4m ² .	N/A – no courtyards proposed.
	52. A window is visible from 75% of the floor area of a habitable room.	Complies, all rooms have direct access to a window.
Objective 2.2I-1 <i>All habitable rooms are naturally ventilated.</i>	53. All habitable rooms are naturally ventilated.	Complies
	54. Each dwelling is naturally cross ventilated.	Complies
2.2J Ceiling Height		
Objective 2.2J-1 <i>Ceiling height achieves sufficient natural ventilation and daylight access and provides spatial quality.</i>	55. Minimum ceiling heights are: <ul style="list-style-type: none"> • 2.7m to ground floor habitable rooms • 2.7m to upper level living rooms. • 2.4m to upper level habitable rooms (excluding living rooms). <i>The ceiling height is measured from finished floor level to finished ceiling level.</i>	Complies. Ground floor and first floor 2.7m height
Objective 2.2K-1 <i>The dwelling has a sufficient area to ensure the layout of rooms are functional, well organised and provide a high standard of amenity.</i>	56. Dwellings are required to have the following minimum internal floor areas: <ul style="list-style-type: none"> • Studio - 35m² • 1 bed - 50m² • 2 bed - 70m² • 3+ bed - 90m² 	Complies, refer to Appendix A Architectural Plans.
	57. The minimum internal areas outlined above only include one bathroom. The minimum area of each additional bathroom is 5m ² added onto the minimum dwelling area.	N/A- single bathroom to each unit proposed.

Objective	Design Criteria	Proposed
	58. The minimum area of any additional bedroom is 12m ² . The area of each additional bedroom is then added to the minimum internal floor area contained in Design Criteria 56.	N/A – 1- and 2-bedroom units proposed.
	59. Kitchens are not to be part of a circulation space such as a hallway, except in studio apartments.	Complies, kitchens do not form part of circulation space.
Objective 2.2K-2 Room sizes are appropriately sized for the intended purpose and number of occupants.	60. One bedroom has a minimum area of 10m ² excluding space for a wardrobe.	Bedrooms have been designed in accordance with LAHC Design Requirements.
	61. Bedrooms have a minimum length and width of 3m excluding wardrobe space.	Bedrooms have been designed in accordance with LAHC Design Requirements.
	62. Combined living and dining rooms are to have a minimum area of: <ul style="list-style-type: none"> 1 and 2 bed - 24m² 3+ bed - 28m² 	Development has been designed in accordance with LAHC Design Requirements.
	63. Living room or lounge rooms are to have a minimum length and width of 4m, excluding fixtures.	Development has been designed in accordance with LAHC Design Requirements.
2.2L Principal POS		
Objective 2.2L-2 Dwellings provide appropriately sized private open space and balconies to enhance residential amenity.	64. All dwellings are to have access to principal private open space with a minimum length and width of 3m: <ul style="list-style-type: none"> 1 bed or studio - 8m² 2+ bed - 12m² Dwellings with living area at ground level - 16m² 	Development has been designed in accordance with LAHC Design Requirements, which requires 10m ² for 2-bedroom dwellings.
Objective 2.2L-1 Principal private open space and balconies are appropriately located to enhance liveability for residents.	65. The principal private open space is located behind the front building line.	Complies
	66. The principal private open space is located adjacent to the living room, dining room or kitchen to extend the living space.	Complies
	67. 25% of the private open space is to be covered to provide shade and protection from rain.	Complies, balconies and

Objective	Design Criteria	Proposed
		patios undercover.
2.2M Storage		
Objective 2.2M-1 Adequate, well designed storage is provided in each dwelling.	68. In addition to storage in kitchens, and bedrooms, the following storage with a minimum dimension of 500mm is provided: <ul style="list-style-type: none"> • 1 bed or studio 6m³ • 2 bed 8m³ • 3+ bed 10m³ 	Storage provisioning has been designed in accordance with LAHC Design Requirements.
	69. At least 50% of the required storage is located inside the dwelling.	Storage provisioning has been designed in accordance with LAHC Design Requirements.
	70. Storage not located in dwellings is secure and clearly allocated to specific dwellings if in a common area.	Storage provisioning has been designed in accordance with LAHC Design Requirements.
2.2N Car and Bicycle Parking		
Objective 2.2N-1 Car parking is provided appropriate for the scale of the development.	71. Dual Occupancies car parking is to be provided at the rate required for a dual occupancy within the DCP that applies to the land. If there is no rate in the DCP - 1 space per dwelling is to be provided.	N/A – manor house proposed.
	72. Manor Houses car parking is to be provided at the rate required for a Manor House within the DCP that applies to the land. If there is no rate in the DCP - 1 space per dwelling is to be provided.	Parking provided in accordance with HSEPP, for accessible area.
	73. Car parking spaces and circulation are to comply with AS 2890.1:2004.	Complies – refer to Traffic Impact Assessment (Appendix S).
Objective 2.2N-2 Parking facilities are provided for bicycles.	74. Covered space is to be provided for the secure storage of at least 1 bicycle per dwelling.	Development has been designed in accordance with LAHC Design Requirements, which does not require provisioning of bicycle storage.

Objective	Design Criteria	Proposed							
Objective 2.2N-3 <i>Visual and environmental impacts of car parking and garages do not dominate the streetscape and have an appropriate scale relationship with the dwelling.</i>	75. Basement car parking should not protrude more than 1m above finished ground level except at the entrance to the car park.	N/A – no basement proposed.							
	76. The maximum dimensions of any basement car park entry will be 2.7m high by 3.5m wide.	N/A – no basement proposed.							
	77. Where a driveway is adjacent to an existing tree, it is either outside the tree canopy or complies with the recommendations in a report prepared by a qualified arborist.	Tree No.1 is proposed to be removed, as it is in footprint of driveway area, and cannot be retained. Compensatory plantings proposed, refer to Appendix B- Landscape Plans .							
	78. The setback of a car space from a primary, secondary or parallel road is to be at least: <table><tr><td>Setback of building</td><td>Setback of off-street parking</td></tr><tr><td><4.5m</td><td>5.5m</td></tr><tr><td>4.5m or more</td><td>1m behind building line</td></tr></table>	Setback of building	Setback of off-street parking	<4.5m	5.5m	4.5m or more	1m behind building line	Complies, parking proposed in rear setback.	
	Setback of building	Setback of off-street parking							
<4.5m	5.5m								
4.5m or more	1m behind building line								
79. The maximum width of all garage doors facing a primary, secondary or parallel road: <table><tr><td>Lot Width</td><td>Maximum Width of Garage Door Openings</td></tr><tr><td>15m - 20m</td><td>6m</td></tr><tr><td>>20m - 25m</td><td>9.2m</td></tr><tr><td>>25m</td><td>12m</td></tr></table>	Lot Width	Maximum Width of Garage Door Openings	15m - 20m	6m	>20m - 25m	9.2m	>25m	12m	NA - garages not provided
Lot Width	Maximum Width of Garage Door Openings								
15m - 20m	6m								
>20m - 25m	9.2m								
>25m	12m								
2.20 Visual Privacy									
Objective 2.20-1 <i>The separation of windows and terraces, decks and balconies within a site and to adjoining existing or future buildings provide a degree</i>	80. Orientate living room windows, primary private open space to the street front or rear.	Complies, POS areas located on front or rear elevations, with living room windows leading onto POS areas.							

Objective	Design Criteria	Proposed												
of visual privacy without the reliance on fixed screening.	81. At least one window for each habitable room is provided without the need for a privacy screen.	N/A - no privacy screens proposed.												
	<div>82. A privacy screen is required when:<table><tr><th>Distance from Boundary</th><th>Finished Floor Level Above Ground Level (Existing)</th></tr><tr><td><3m</td><td>1m - 3m</td></tr><tr><td><6m</td><td>>3m</td></tr><tr><th>Distance from Windows in Dwelling on Same Lot</th><th>Finished Floor Level Above Ground Level (Existing)</th></tr><tr><td><6m</td><td>1m - 3m</td></tr><tr><td><12m</td><td>>3m</td></tr></table></div> <div>Note: This does not apply to bedroom windows that have an area less than 2m² or windows that have a frontage to a road or public open space.</div>	Distance from Boundary	Finished Floor Level Above Ground Level (Existing)	<3m	1m - 3m	<6m	>3m	Distance from Windows in Dwelling on Same Lot	Finished Floor Level Above Ground Level (Existing)	<6m	1m - 3m	<12m	>3m	<div>Complies, no privacy screens required.</div> <div>Note - MH1 Unit 3-bathroom floor level >3m above existing ground level (3.18m), window has been raised to have sill height of 1.5m – no privacy screen required.</div>
Distance from Boundary	Finished Floor Level Above Ground Level (Existing)													
<3m	1m - 3m													
<6m	>3m													
Distance from Windows in Dwelling on Same Lot	Finished Floor Level Above Ground Level (Existing)													
<6m	1m - 3m													
<12m	>3m													
	<div>82. A privacy screen is required at the edge of that part of a terrace, deck, balcony or verandah that is parallel or faces towards a side or rear boundary:<table><tr><th>Distance from Boundary</th><th>Finished Floor Level Above Ground Level (Existing)</th></tr><tr><td><3m</td><td>1m - 3m</td></tr><tr><td><6m</td><td>>3m</td></tr><tr><th>Distance from Windows in Dwelling on Same Lot</th><th>Finished Floor Level Above Ground Level (Existing)</th></tr><tr><td><6m</td><td>1m - 2m</td></tr><tr><td><12m</td><td>>2m</td></tr></table></div> <div>Note: This does not apply to a terrace, deck, balcony or patio that has an area less than 3m² or has a frontage to a road or public open space.</div>	Distance from Boundary	Finished Floor Level Above Ground Level (Existing)	<3m	1m - 3m	<6m	>3m	Distance from Windows in Dwelling on Same Lot	Finished Floor Level Above Ground Level (Existing)	<6m	1m - 2m	<12m	>2m	<div>The far western and far eastern Manor homes (1 and 4) have been designed with privacy screens to the upper-level rear balconies to reduce overlooking to adjoining neighbours. In addition to this, privacy screening to Manor homes 2 and 3 is also proposed to reduce overlooking impacts between dwellings. Refer</div>
Distance from Boundary	Finished Floor Level Above Ground Level (Existing)													
<3m	1m - 3m													
<6m	>3m													
Distance from Windows in Dwelling on Same Lot	Finished Floor Level Above Ground Level (Existing)													
<6m	1m - 2m													
<12m	>2m													

Objective	Design Criteria	Proposed
		to Identified Requirement (No.73)
Objective 2.20-2 Site and building design elements increase privacy without compromising access to light and air and balance outlook and views from habitable rooms and private open space.	84. Where privacy screens are provided to windows, they must not cover part of the window required to meet the minimum daylight or solar access requirements, or restrict ventilation.	N/A - no privacy screens to windows proposed.
2.2P Acoustic Privacy		
Objective 2.2P-1 Noise transfer is minimised through the siting of buildings and building layout.	85. Electrical, mechanical, hydraulic and air conditioning equipment is housed so that it does not create an 'offensive noise' as defined in the Protection of the Environment Operations Act 1997 either within or at the boundaries of any property at any time of the day.	Development has been designed in accordance with LAHC Design Requirements
Objective 2.2Q-1 Ensure outside noise levels are controlled to acceptable levels in living and bedrooms of dwellings.	86. Any development within the 20 ANEF contour is constructed to comply with AS 2021:2015 Acoustics – Aircraft Noise Intrusion.	N/A – not within 20 ANEF contour
	87. Dwellings that are within 100m of a classified road or 80m from a rail corridor are to have LAeq measures not exceeding: <ul style="list-style-type: none"> • in any bedroom: 35dB(A) between 10pm-7am; and • anywhere else in the building (other than a kitchen, garage, bathroom or hallway): 40dB(A) at any time. This can be achieved by: <ul style="list-style-type: none"> • Providing a full noise assessment prepared by a qualified acoustic engineer; and • Complying with relevant noise control treatment for sleeping areas and other habitable rooms in Appendix C of RMS Development Near Rail Corridors and Busy Roads - Interim Guideline. 	N/A – not within 100m of classified road, or 80m rail corridor.
2.2R Architectural Form and Roof Design		
Objective 2.2R-1 The architectural form is defined by a balanced composition of elements. It responds to internal layouts and desirable elements in the streetscape.	88. Provide in the Design Verification Statement a description as to how the aesthetics and articulation contribute to the character of the local area. Note: Refer to Section 3 for guidance.	Complies, see Design Verification Statement (Appendix T).
Objective 2.2R-2	89. The roof design is integrated harmoniously with the overall building form.	Complies, The roof form has a subtle change

Objective	Design Criteria	Proposed
<i>The roof treatments are integrated into the building design and positively respond to the street.</i>		from a gable end to hip roof, running the length of the building, with necessary break/set down in roof profile.
	90. Skylights and ventilation systems are integrated into the roof design.	N/A – no skylights or ventilation systems proposed.
2.2S Visual Appearance and Articulation		
Objective 2.2S-1 <i>To promote well designed buildings of high architectural quality that contribute to the local character.</i>	91. Provide in the Design Verification Statement a description as to how the aesthetics and articulation contribute to the character of the local area. Note: Refer to Section 3 for guidance.	Complies, see Design Verification Statement (Appendix T).
	92. The development may have a primary road articulation zone that extends up to 1.5m forward of the minimum required setback from the primary road. The following elements can be located in the articulation zone: <ul style="list-style-type: none"> • An entry feature or portico. • A balcony, deck, pergola, terrace or verandah. • A window box treatment. • A bay window or similar feature. • An awning or other feature over a window. • A sun shading feature. • An eave. 	N/A – no articulation zone proposed.
2.2T Pools and Detached Development -- N/A		
2.2U Energy Efficiency		
Objective 2.2U-1 <i>The development incorporates passive environmental design.</i>	102. Provide an outdoor area for clothes drying that can accommodate at least 8 lineal metres of clothes line for each dwelling. Note: clotheslines to be consistent with LAHC dwelling requirements	Development has been designed in accordance with LAHC Design Requirements, which references specifications, for sizing of clothes lines.
	103. Any clothes drying area should be screened from public and communal areas.	Development has been designed in accordance with LAHC Design Requirements, which requires screening of

Objective	Design Criteria	Proposed
		clothes drying areas.
2.2V Water Management and Conservation		
Objective 2.2V-1 Flood management systems are integrated into site design.	104. A stormwater system must: <ul style="list-style-type: none"> Comply with requirements in the DCP that applies to the land. Be approved (if required) under s.68 of the Local Government Act 1993. 	Stormwater Design (Appendix C) addresses Parramatta Development Engineering Guidelines PSD and SSR figures.
	105. Detention tanks are located under paved areas, driveways or in basements.	Complies
2.2W Waste Management		
Objective 2.2W-1 Waste storage facilities meet the needs of the residents, are easy to use and access and enable efficient collection of waste.	106. Provide storage space for the type and number of bins designated in council's waste policy.	WMP prepared in accordance with Parramatta City Council DCP and adopts waste and recycling generation rates.
	107. Where waste storage is provided in a communal area, access to this waste area is to be provided for all residents without crossing a private lot.	Complies, each lot has its own waste storage area.
	108. Where waste storage is provided in the basement car park a maximum ramp gradient of 1:6 is to be provided to the waste collection point.	N/A – no basement
	109. Where a rear lane has provision for waste collection trucks used by council, the collection point is to be from the rear lane.	N/A – no rear lane
	110. Any communal waste area is to: <ul style="list-style-type: none"> provide water supply for cleaning, have a solid floor grated to a floor waste (connected to sewer), and be designed to meet the requirements of council's waste policy. 	Development has been designed in accordance with LAHC Design Requirements, which does not require water or floor waste to waste communal areas.
	111. Despite any requirements in council's waste policy, on-site waste vehicle access is not required. Note: The waste collection point is typically located on the footpath.	Kerbside collection proposed.

Objective	Design Criteria	Proposed
	<p>112. If a waste collection point is provided onsite and used for permanent storage of bins it is to:</p> <ul style="list-style-type: none"> • be screened from view from the public domain, • have a height no greater than 1.3m if forward of the building line, • be less than 10m from the street boundary, • be located on a surface with a gradient less than 1:20, • not require access through a security door or gate (unless this is permitted by council's waste policy), and • have a path that connects the collection area to the street boundary with a gradient less than 1:8 and free of steps to all for the transfer of bins to the collection vehicle. 	N/A - Kerbside collection proposed.
Objective 2.2W-2 Waste storage facilities are designed to minimise impacts on the streetscape, building entry and amenity of residents.	<p>113. Storage areas for rubbish and recycling bins are to be provided:</p> <ul style="list-style-type: none"> • Within garages; • In a screened enclosure that is part of the overall building design; or • In the basement car park. 	Bins stored in rear setback, behind car park, screened from view by enclosure. No impacts upon streetscape, building entry or amenity of residents.
	<p>114. Communal waste areas are to be located at least 3m from any bedroom of living room window.</p>	Complies, >3m separation distance.
2.2X Universal Design		
Objective 2.2X-1 Universal design features are included in dwelling design to promote flexible housing for all community members.	<p>115. At least one ground floor dwelling is to include the Silver Level Seven Core Liveable Housing Design Elements contained in the Liveable Housing Design Guidelines.</p>	Development has been designed in accordance with LAHC Design Requirements, which sets its own Universal Design Principles.
2.2Y Communal Areas and Open Space		
Objective 2.2Y-1 Communal areas are designed to enhance residential amenity and maximise safety and connectivity to the dwelling and promote social interaction between residents.	<p>116. Communal open spaces are visible from habitable rooms and private open space while maintaining visual privacy.</p>	N/A – no communal open space areas proposed. Each unit to be provided with its own POS.
	<p>117. Any communal open space is directly accessible from the building entry and common circulation.</p>	N/A – no communal open space areas proposed. Each unit to be

Objective	Design Criteria	Proposed
		provided with its own POS.
	118. For manor houses the active communal open space is at least 5% of the site area and has a maximum grade of 1:50.	N/A – no communal open space areas proposed. Each unit to be provided with its own POS.
	119. Active communal open space is at least 3m from the habitable room of a dwelling on the lot.	N/A – no communal open space areas proposed. Each unit to be provided with its own POS.
Objective 2.2Y-2 Common circulation spaces achieve good amenity with access to daylight and ventilation.	120. Common circulation above ground is provided with natural daylight and ventilation.	Complies, common circulation areas open – none enclosed.

6.8 Parramatta Local Environmental Plan 2023 (PLEP 2023)

Compliance with the relevant provisions / development standards set out in the PLEP 2023 is demonstrated in **Table 122** below.

Table 12 Parramatta Local Environmental Plan 2023

Relevant Provisions / Development Standards for Manor Housing			
Clause	Provision / Development Standard	Required	Provided
4.1C	Minimum Lot Size for Manor House	(2) Development for purpose of manor house may be carried out if the area of the lot is at least 600sqm, and has a 15m wide frontage.	N/A – does not apply. to R3 zone
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 (11 metres)	Maximum building height is 8.5m
4.4	Floor Space Ratio	(2) The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the Floor Space Ratio Map (0.6:1)	Proposed FSR is 0.43-44:1

6.9 Parramatta Development Control Plan 2023

Parramatta Development Control Plan 2023 (PDCP2023) came into effect on 18 September 2023, and applies to the same area to which Parramatta City Local Environmental Plan 2023 applies. The controls set out in PDCP2023 have already been considered in undertaking the assessment against the *Low-Rise Housing Diversity Design Guide*, found in Part 6.7.1. The Guide, in the first instance, requires consideration/compliance with council's local controls - as found in the DCP, and where controls are not specified, stipulates minimum development standards. For example, PLEP2023 and PDCP2023 controls have been considered when determining front, rear and side setbacks, height, FSR, landscaping provisions, stormwater provisioning and waste management. Refer to Part 6.7.1 for further information.

Notwithstanding the above, it should be noted that the development has been designed in accordance with the Codes SEPP, pursuant to Section 43(1)(g) of the Housing SEPP. Compliance with the Parramatta DCP 2023 is not required.

7 Notification, Consultation and Consideration of Responses

Copies of the notification letters sent to Parramatta City Council and to the adjoining occupiers are provided in **Appendix G**, together with a copy of the response from Council.

7.1 Council Notification

In accordance with section 43 of the Housing SEPP, City of Parramatta Council was notified of the development by letter dated 3 October 2023 (refer to **Appendix G**). The notification response period formally closed on 27 October 2023 and Council responded to the notification by email dated 2 November 2023, which has been extracted in **Table 13** below. A response is provided in relation to the matters raised in Council's letter and where appropriate, these matters have been addressed in the identified requirements in the **Activity Determination**.

Table 13 Issues raised in Council submission.

Issues raised	LAHC Response
<p><u>Telopea Precinct</u></p> <p>The subject site is located in the Telopea Precinct under the provisions of the Parramatta DCP 2023.</p> <p>The development should comply with the building envelope controls of this precinct where applicable. In this regard the development does not comply with the following envelope controls stipulated for development within the Telopea Precinct:</p> <ul style="list-style-type: none"> - Rear setback - Separation distances - Deep soil area, landscaped area and communal open space <p>The development is also to comply with the Sustainability Clause (Clause 8.2.7.5) of the Telopea Precinct in relation to dual water systems, Urban Heat, Roof Surfaces, Vertical Facades, Heating and Cooling Systems, Green Roofs or Walls, Solar Light Reflectivity and Water Sensitive Urban Design.</p>	<p>The development has been designed in accordance with the Codes SEPP, pursuant to Section 43(1)(g) of the Housing SEPP. Compliance with the Parramatta DCP 2023 is not required.</p> <p>It should be noted that the controls set out in PDCP2023 have previously been considered in the assessment of the <i>Low-Rise Housing Diversity Design Guide</i>, found in Part 6.7.1. The Guide, in the first instance, requires consideration of Council local controls, and where controls are not specified, stipulates minimum development standards.</p> <p>The Telopea Precinct Plan seeks to provide 1,000 new social and affordable dwellings. The precinct plan includes redeveloping existing aged social housing dwellings to achieve a better quality of life and support a diverse and growing population. The proposal has been designed generally in accordance with the Telopea master plan which anticipates 1-2 storey townhouse development on the site.</p>

Issues raised	LAHC Response
<p><u>Visual and Acoustic Privacy</u></p> <p>Concern is raised that the upper floor rear private open space areas (balconies) and living/dining area windows on the side and rear elevations of the development will result in unacceptable visual and acoustic privacy impacts to adjoining residential properties.</p>	<p>The proposal is for a 2-storey residential development within a residential context and would therefore not impose any unacceptable acoustic impacts on surrounding residents.</p> <p>To address visual and acoustic privacy issues raised by Council, the plans have been updated to show a minimum 1.5m windowsill height for MH1 western elevation and MH4 eastern elevation.</p> <p>Privacy screens to first floor MH1 western elevation and MH4 eastern elevation are now proposed. Screens have been wrapped, along the southern elevation (return) by approximately 1m in length. Furthermore, privacy screens to the first floor south facing MH2, MH3 and MH4 balconies are proposed to address any privacy impacts between buildings. Appropriate Identified Requirement imposed (No.73).</p>
<p><u>Urban Design Comments</u></p> <p>Although permitted, it is questioned whether the manor house typology is appropriate for seniors housing. 12 out of 16 of the proposed units are accessible via stairs (including all 1 bedroom units) and first floor units have no lift access, which may result in accessibility issues for residents. The location of parking spaces away from dwelling entries could also impact amenity for seniors.</p> <p>It is recommended that the ground and first floor levels for each manor house be at the same finished floor level and not be stepped. This will limit the overall number of stairs to the first floor and provide uniform window and sill heights.</p> <p>The proposed streetscape design is supported, with each manor house appearing as a residential dwelling from Simpson Street. City Design recommend the following to further improve this design:</p> <ul style="list-style-type: none"> - The ground floor setback should be increased from 5.5m to a minimum 7m to better align with the existing context of the street, 	<p>The development is for general housing, not seniors. All ground floor units are accessible.</p> <p>The development has been stepped to match the natural contours of the site. The removal of stepping would result in significantly more cut and fill across the site.</p> <p>Justification for the 5.5m setback is reasonable given the new developments approved in the street (including that immediately adjoining at No.16 Simpsons Street) and that the PDCP2023 permits a</p>

Issues raised	LAHC Response
<ul style="list-style-type: none"> - Finished floor level should align with ground level of street. Where the topography does not allow this, private open space at levels below that of the street should have an increased minimum depth to improve amenity. - Ground floor apartments facing Simpson Street should have individual entries and private gardens off Simpson Street to improve activation, - Driveway widths should be minimised, especially at the kerb crossing to mitigate their impact on the streetscape. <p>It is recommended that unrelieved walls along the driveways and side setbacks should be broken down with breaks and articulation after 10m wall lengths to reduce their impact.</p> <p>The 'gun barrel' driveways are not supported as they visually dominate the site. Alternative designs should be considered that avoid the driveways running the length of the site and dominating the landscape.</p> <p>It is unclear whether areas of landscaping between manor houses and along the side setbacks are provided as private open space or communal open space (it appears that there is no communal space proposed on the site). It is recommended these areas be utilised as usable space. It is also recommended that the proposal include some area of communal open space (possibly at the rear of the property) designed with appropriate furniture, amenities and shade.</p> <p>Visitor parking spaces should be considered.</p>	<p>6m front setback - PDCP2023 Part 3.4.3.2 (C.05)</p> <p>The Finished Floor Level (FFL) has been designed, in response to the natural contours of the site. Aligning the FFL with the street is not achievable without significant cut to the site.</p> <p>Ground floor private entries for apartments facing Simpson Street were not achievable with an accessible ramp. Current ramping design allows for more accessible units.</p> <p>The widened driveway width has been provided to allow for two-way traffic movements.</p> <p>The setbacks of the development are compliant with the Codes SEPP and the built form satisfies the level of articulation envisioned by the controls.</p> <p>Parking has been provided to the rear of the site, accessed off long driveways, to reduce impact on the streetscape and neighbours. The provision of parking areas in the front setback and forward of the building line is considered less desirable.</p> <p>No Communal Open Space (COS) has been provided. Larger POS areas are provided to each unit, with a mix of paved and turfed areas. COS was not designed at the rear of the site as it would require stair access and not be accessible or equitable. Instead, the rear of the site has been heavily planted out.</p> <p>Visitor parking is not required for this development under the Housing SEPP.</p>
<p><u>Engineering Comments</u></p> <p>Retaining Walls -</p>	<p>The eastern corner of the site is cut not fill.</p>

Issues raised	LAHC Response
<p>The fill in the eastern corner is excessive and should not increase from the existing fill condition on the site. In this regard, the filled area shall be reduced to appropriately respond to the topography of the site and surrounds. If the maximum OSD bypass could not be achieved, Council would support the development if the combined OSD bypass was less than 15%, while minimising bypass where possible.</p>	
<p><u>Universal Access Comments</u></p> <ol style="list-style-type: none"> 1. A comprehensive Access Report by Loka Consulting Engineers Pty Ltd has been provided identifying several issues that will be required to be addressed at the construction certificate (CC) stage of the project. These additional comments are not limited to or replace those mentioned within the access report and does not relinquish the applicant from its obligation to provide a fully compliant detailed universally accessible design. 2. No accessible access through the front door/door/principal entrance of the 02 units and upper levels within the four manor houses, therefore only 4 of the 16 units have compliant access. The lack of access promotes social isolation for those who can't manage stairs. 3. There is a difference of 680mm between the floor levels on the ground and first floor levels addressed by stairs denying access throughout the site. 4. Ensure all handrails to stairs and ramps within the common areas follow AS1428.1. 5. Ensure low level thresholds are provided at the doors providing access to the outdoor areas. 6. The abutments of varying surfaces are to provide level transitions. <p>Design transition shall be 0 mm. Construction tolerances shall be as follows:</p> <ol style="list-style-type: none"> (a) 0 ±3 mm vertical. (b) 0 ±5 mm, provided the edges have a 	<p>Noted.</p> <p>Two dwellings in each building have been provided with an accessible path of travel from street to dwelling entrance. Rear ground floor dwellings are provided with ramping and access via the rear POS areas.</p> <p>Noted.</p> <p>Noted. Standard Identified Requirement (No. 2) requires compliance with the National Construction Code and referenced Australian Standards, which includes AS1428.1.</p> <p>Noted. Identified Requirement 74 has been imposed ensuring the development adhered to the requirements outlined in the Access Review Report prepared by Loka Consulting Engineers.</p> <p>Noted. As above.</p> <p>Noted. As above.</p>

Issues raised	LAHC Response
<p>bevelled or rounded edge to reduce the likelihood of tripping. AS1428.1.7.2.</p> <p>Summary</p> <ul style="list-style-type: none"> • Ensure compliance with the Loka Consulting Engineers Pty Ltd Access Report. • Address the lack of access through the entry doors of the units. • Address the 680mm difference in the ground floor levels. • Ensure the stairs and handrails comply with AS1428.1. • Ensure low level thresholds are provided at the doors accessing the outdoor areas. • The abutments of varying surfaces are to provide level transitions. 	
<p><u>Trees and Landscaping</u></p> <ol style="list-style-type: none"> 1. The landscape m² is inadequate across manor home 2, 3 & 4. It does not meet the minimum DCP landscape requirements as noted in the plans and Design verification Statement. 2. The landscape plans do not show any usable communal open space and are shown instead to be fully planted with shrubs and groundcovers. As per DCP 2023 Part 3.4.3.5 the design must "provide low maintenance communal open space areas for residents that facilitate opportunities for recreational and social activities, passive amenity, landscaping, and deep soil planting." 3. The private open spaces (POS) are inadequate within the front units: <ul style="list-style-type: none"> ➤ Manor Home 2, 3, 4 - Unit 1 (2 bed ground level) should be 15sqm but only 12.8 sqm proposed. (12.6sqm for manor home 1) ➤ Manor Home 1, 2, 3, 4 - Unit 3 (2 bed first floor) should be 12sqm but only 10.2 sqm proposed. 4. Landscape plans have not been provided for the first-floor levels showing the POS. 	<ol style="list-style-type: none"> 1. The development has been designed in accordance with the Codes SEPP. The PDCP2023 landscape provisions is not the relevant control. 2. No Communal Open Space (COS) is proposed. The provision of COS at the rear of the site would result in significant cut, which is less desirable and will have flow on negative impacts to residents and neighbours. 3. The architectural plans have been updated to show a minimum of 36.3m² of POS for ground floor units. First floor 2 bed units (Unit 3) have a POS designed to achieve compliance with the 10m² required under LAHC Design Requirements. 4. First floor dwellings POS is designed to achieve compliance with the 10m² required under LAHC Design Requirements. POS shown on Architectural Plans 5. Dense landscaping comprising a variety of mature trees and screen planting

Issues raised	LAHC Response
<p>5. The deep soil zone is inadequate across the site due predominantly to the parking areas and associated long driveway hard standing areas.</p> <p>6. The parking areas are shown within the rear setback which is not supported.</p> <p>7. The rear setback areas are for the landscape and deep soil zone only (not parking). It is to be redesigned as a quality, usable and functional landscape private and/or communal open spaces and not for the vehicular parking (refer to the objectives listed in part 3.4.3.5 DCP 2023).</p> <p>8. Parking should be centralised as per the DCP 2023 requirements (refer part 3 Fig 3.4.3.2.1 page 49 and Fig 3.4.3.7.1 page 54)</p> <p>9. It is recommended the bin storage areas are relocated to the side setbacks to increase the rear landscape communal and private open spaces.</p> <p>10. The vehicular crossover is too excessive (shown 5.5m wide) and should only be 3.5m wide at the kerb as per DCP 2023 Part 3.4.3.6 C.07</p>	<p>has been provided across the rear setback of the site</p> <p>6-8 The development has been designed in accordance with the Codes SEPP, pursuant to Section 43(1)(g) of the Housing SEPP. Compliance with the Parramatta DCP 2023 is not required.</p> <p>Parking at rear provides a better design outcome, compared to parking at the front, forward of building line.</p> <p>9. Waste storage bin locations could not be repositioned and remain within the rear setback. However, the landscaped area has been increased, with a reduction to the paved areas serving the waste bin storage areas.</p> <p>10. Vehicular crossing width is required to allow two-way movement due to the considerable length of both driveways.</p>
<p><u>Trees</u></p> <p>a) All of the 11 x trees on the site are shown to be removed plus 2 x street trees. This includes the proposed removal of a large 19m high mature Cinnamomum camphora (Camphor Laurel) T14 located in the rear setback close to the boundary. This tree was recorded to be in good condition with no defects.</p> <p>b) The development has shown no consideration to retain and protect any of the existing trees on the site, in particular tree 14 as per the Part 5.3.4 objectives.</p> <p>c) It is recommended the design is modified and the buildings adjusted to accommodate this mature tree T14 as part of the development and it is</p>	<p>Comments on trees are noted, but not supported. 2 street trees are proposed for removal. T2 is a dead tree and thus its removal would result in no adverse impact.</p> <p>The Arboricultural Development Impact Assessment Report identifies T1 (street tree) and T14 as both being medium retention trees. LAHC had considered the retention of these tree in the early concept options, however it would have a significant impact on the dwelling yield. Accordingly, the trees were recommended for removal given the impact on dwelling yield and that they are only medium retention trees. A significant number of new trees are proposed as shown on the Landscape Plan.</p>

Issues raised	LAHC Response
<p>recommended to be incorporated in to the landscape communal open space as a mature living asset.</p> <p>d) 2 x replacement street trees are to be shown within the Simpson St road reserve, at a minimum 3m setback from the driveway entrances.</p>	<p>Standard Identified Requirement (18) has been imposed to ensure Council is consulted in relation to the planting of any street trees.</p>
<p><u>Traffic Comments</u></p> <p>Based on the analysis and information submitted by the applicant, the proposed development is not expected to have a significant traffic impact on the surrounding road network. The proposal can be supported on traffic and parking grounds subject to the following traffic related conditions.</p> <ul style="list-style-type: none"> - Driveway long section plans are to be submitted showing the RLs and driveway gradients along both edges of both driveways from the kerb line to the car parking area. The grades within the long section must be compliant with the requirements of AS 2890.1:2004. Reason: To comply with Council's requirements and Australian Standards - The PCA shall ascertain that any new element in the at-grade carpark not illustrated on the approved plans such as columns, garage doors, fire safety measures and the like do not compromise appropriate manoeuvring and that compliance is maintained with AS 2890.1, AS2890.2 and AS 2890.6. Reason: To ensure appropriate vehicular manoeuvring is provided - Parking spaces are to be provided in accordance with the approved plans and with AS 2890.1, AS2890.2 and AS 2890.6. Reason: To comply with Council's parking requirements and Australian Standards. - Sight lines at the property line are to be provided in accordance with the minimum requirements specified in Figure 3.3 of AS 2890.1-2004 (a splay extending 2m from the driveway edge along the front boundary and 2.5m from the boundary along the driveway) on both sides of the 	<p>To address Council comments, driveway cross sections have been prepared and are provided in Appendix A. Plans demonstrate compliance with AS2890.1 2004.</p> <p>Identified Requirement not required. Traffic Report demonstrates that parking areas are compliant with AS2890.</p> <p>Identified Requirement not required. Architectural Plans and Traffic Report demonstrate compliance.</p> <p>Identified Requirement not required. Architectural Plans and Traffic Report, at Section 4.2, Figure 4.1 demonstrate compliance.</p>

Issues raised	LAHC Response
<p>access driveway. This splay shall not to be compromised by obstructions greater than 900mm in height such as landscaping, signage fences, walls or any display materials off Simpson Street.</p> <p>Reason: To ensure pedestrians safety</p>	
<ul style="list-style-type: none"> - Occupation of any part of the footpath or road at or above (carrying out work, storage of building materials and the like) during construction of the development shall require a Road Occupancy Permit from Council. The applicant is to be required to submit an application for a Road Occupancy Permit through Council's Traffic and Transport Services, prior to carrying out the construction/restoration works. <p>Reason: To ensure proper management of Council assets.</p>	<p>Identified Requirements 10 and 11 have been imposed to ensure appropriate management of Council assets.</p>
<ul style="list-style-type: none"> - Oversize vehicles using local roads require approval from the National Heavy Vehicle Regulator (NHVR). The applicant is required to submit an application for an Oversize Vehicle Access Permit through NHVR's portal (www.nhvr.gov.au/about-us/nhvr-portal), prior to driving oversize vehicles through local roads within the City of Parramatta LGA. <p>Reason: To ensure maintenance of Council's assets.</p>	<p>Noted. Identified Requirement not required, provisioned/required through separate legislation</p>

Issues raised				LAHC Response
<u>Further Traffic Engineer Comments:</u>				
Description/Development Control/Design Requirements	Proposal	Comments	Compliance	Compliance noted.
<p>Parking Requirements - The housing SEPP 2021 "State Environmental Planning Policy".</p> <p>Section 42 "Development may be carried out without consent:</p> <p>(i) for each dwelling containing 1 bedroom—0.4 parking spaces,</p> <p>(ii) for each dwelling containing 2 bedrooms—0.5 parking spaces,</p> <p>Manor houses</p> <ul style="list-style-type: none"> 8 x 2-Bedrooms 0.5 x 8 = 4 8 x 1 Bedroom 0.4 x 8 = 3.2 <p>Total 7 spaces</p>	8 uncovered parking spaces (2.4m X 5.45m) are provided, as shown on Site Plan.	8 uncovered parking spaces are provided.	Yes	
<p>Turning Bay requirements</p> <p>Figure 2.10 and Section 2.5.3 of AS 2890.1</p>	<p>Turning bay is provided for manoeuvring vehicles enter and exit from the driveway in forward direction. The turning bay has a steep cross-fall of 1 in 16 (6.25%) max.</p> <p>The remap has a max Longitudinal grade of 1:20 (5%)</p>	<p>The proposed driveway is 3m wide which is widened at the parking bays (Aisle width of 8m) and has a cross-fall of 1 in 16 (6.25%) max, which complies with AS 2890.1:2004 (figure 2.10).</p>	Yes	
<p>Parking Spaces - Layout and dimensions (Figures 2.2 of AS 2890.1-2004)</p>	<p>The dimensions of the uncovered parking space are 5.45m x 2.4m as shown on the Site plan. Additional clearance is provided from high</p>	<p>The proposal meets the requirements of AS2890.1.</p>	Yes	

Issues raised				LAHC Response	
	vertical obstructions in accordance with the Australian Standards.				Compliance noted. Compliance noted. To address Council comments, driveway cross sections have been prepared and are provided in Appendix A . Plans demonstrate compliance with AS2890.1 2004.
On-site manoeuvring (AS 2890.1-2004 Appendix B; Figures B5 and B6)	Swept path plans have been provided with the submitted Traffic management Report	The on-site manoeuvring appears satisfactory.	Yes		
Vehicular Access Driveway entry and exit - Clause 3.2; Tables 1.1, 3.1 and 3.2 of AS 2890.1-2004	Both driveways are 5.5m wide driveway near the property boundary from Simpson Street.		Yes		
Driveway gradients - Clause 2.5 and Clause 2.6 of AS 2890.1-2004	Driveway gradients are not shown on the submitted. It appears that the existing levels at the layback and boundary are to be retained which is approx. 7.5% (340mm raise over 4.6m long driveway) which is slightly greater than the max 5% gradient as specified in AS 2890.1 and as per Council Requirements. Changing the grades may mean that internal levels of the driveway need to be adjusted.	Driveway long section plans are to be provided on plans submitted with a construction certificate to ensure the levels comply with the requirements of AS 2890.1:2004.	No Can be conditioned		
Sight lines	2m x 2.5 sight triangle splay have		Yes		Compliance noted.
	been shown on plans for both driveways				Compliance noted.
Traffic Generation - RMS Guide to Traffic Generating Developments Dwelling houses <ul style="list-style-type: none"> 0.5 vehicle trips per dwelling peak hour = 0.5 x 16 dwelling = 8 Less existing traffic: 0.85 vehicle trips per dwelling per peak hour = 0.85 x 6 dwelling = 5.1(-5) Total additional trips = 3 vehicle trips per peak hour	According to Traffic Generation-RMS Guide to Traffic Generating Developments additional 3 vehicle trip during peak hour by the proposed development which will not have any impact on the existing road network		Noted		

7.2 Notification of Occupiers of Adjoining Land and Other Persons

Under section 43(1)(b) of the Housing SEPP, Parramatta City Council was requested to nominate any other persons who should, in the Council's opinion, be notified of the development. Advice was sought from Council regarding additional persons or properties that should be notified of the development via an email dated 19 September 2023. Council provided an email response on 29 September 2023, with a list of addresses and property owners it recommended be notified. **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) of Housing SEPP, occupiers of adjoining land, as identified in the above map, were notified of the proposed development activity by letter dated 3 October 2023. Copies of the notification letters are provided at **Appendix G**.

The notification response period formally closed on 27 October 2023. In response LAHC received 4 submissions, the matters raised in these submission are discussed in **Table 14**.

Table 14 Issues raised by adjoining owners / neighbours

Issues raised	LAHC Response
Street Traffic	<p>During the design phase LAHC commissioned a traffic and parking report to assess the potential impacts of the development. The report indicates the proposed development would generate 5-6 additional vehicle trips during the respective peak periods which is not expected to have any significant negative impacts on the local street network.</p> <p>Regarding the movement of traffic down the narrow street, if Council waste vehicles are not able to drive down the street, Council's public domain assets team should be contacted as the</p>

Issues raised	LAHC Response
	street may require on street signage to restrict parking locations and hours.
On-street parking	<p>The car parking provided on site complies with the requirements of the State Environmental Planning Policy (Housing) 2021 (Housing SEPP) for developments within an accessible area.</p> <p>Additionally, these sites have been selected for renewal because of their easy access to public transport, and Dundas Valley Shops. This convenient location means tenants will not have to rely on owning a car.</p> <p>The design has considered the visual and acoustic impacts of the parking spaces, by locating the driveways internally and not along the site boundaries. The car spaces have been positioned setback from the boundary and deep soil landscaping buffers, at the site boundaries have been incorporated into the design to reduce any potential impacts to the neighbours.</p>
Solar Access	<p>The shadow diagrams on page 7 of the notification plan were sent to neighbours and shows the level of solar access maintained on 21st June during the winter solstice. This is the shortest period of daylight and when the sun is at its lowest elevation in the sky. The proposed development is therefore depicted at a time with the longest shadow. The shadow diagrams identify that solar access will be provided to No.16A Simpson Street from 12pm to 1pm onwards.</p> <p>The development achieves compliance with the relevant solar access and overshadowing controls contained within the Low-Rise Housing Diversity Guide and the Housing SEPP.</p>
Privacy	<p>The proposed development has been designed in the context of the existing and established street setbacks and the setbacks stipulated within the Department of Planning Low-Rise Housing Diversity Guide . The proposed buildings are 21.3m in length which is similar to 16A Simpson Street which is 22m long.</p> <p>The windows on the upper floor of Manor Home 1, have sill heights of 1m to 1.6m.</p>
Risk of landslip	LAHC has commissioned a geotechnical investigations report in designing this development. This report concludes that the site is suitable for the development subject to new footings.
Noise / Anti-social interactions	Like the rest of the community, the majority of LAHC tenants are good neighbours and law-abiding people. Nevertheless, the Department of Communities and Justice (DCJ) has in place a policy for dealing with disruptive tenants. More information about the

Issues raised	LAHC Response
	<p>policy can be found at http://www.housing.nsw.gov.au/forms,-policies-and-fact-sheets/policies/antisocial-behaviour-management-policy. You can contact the Parramatta office on (02) 9891 8111 or via T802@fac.nsw.gov.au to report any property care issues and tenancy related matters.</p>
Roofing	<p>Metal is a popular choice for roofing material because of its durability in harsh weather conditions, easy maintenance and as a cost effective alternative to tiles. There are many examples in the local area, for example, 23 Tilley Street, that shows metal roofing can look contemporary and in keeping with the area</p>
Local character	<p>The character of Dundas Valley is undergoing change and medium density developments of dual occupancies, multi-dwellings and residential flat buildings are becoming more prevalent in the locality. The proposed development is consistent with the development outcomes envisaged for the area.</p> <p>The proposed built form has been designed in the context of the applicable planning controls and legislation as well as the streetscape and evolving character of the area. The proposed manor homes reflect a built form character that is consistent with the locality.</p> <p>This development is proposed by LAHC and will be constructed by a builder on behalf of LAHC.</p>
Neighbour notification	<p>LAHC undertakes a number of investigations to determine if a site is appropriate for development. Once these investigations are complete, neighbours and Council are informed and their feedback is sought through the statutory notification process. LAHC welcomes all feedback on the proposal, which will be considered before a determination is made.</p>
Site selection and funding model	<p>The proposed development is for the purposes of addressing the increasing demand for social and affordable housing within the Parramatta local government area and across NSW. LAHC generally relies on the land it already owns to build new homes, rather than purchasing new sites, which places some limits on where new homes can be built. The sites selected for renewal are chosen because they are close to transport, shops, services, and have redevelopment potential.</p> <p>Additionally, LAHC continuously assesses the amount and condition of social housing in each local government area; the waiting list for social housing in the area; the impacts of development on infrastructure and community; and where potential for redevelopment exists.</p>

Issues raised	LAHC Response
Development photomontage	The photomontage in the notification pack is created by an architect who takes an image of the street and then overlays an impression of the proposed development. The impression includes landscaping that will be retained and proposed planting. The image is a visual representation on how the building/s will look like next to the neighbouring homes.

7.3 Notification of Specified Public Authorities

The development is “residential development” under section 42 of the Housing SEPP. As required by section 42(5) 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 of this REF. A review of other environmental factors associated with the proposed activity, and the measures required to mitigate any adverse impacts to the environment, are provided below.

8.1 Neighbourhood Character

The site is located within an established residential area generally supporting single and 2-storey attached and detached dwelling houses. Within the wider local area there are some higher density residential flat buildings. The height and density of the proposed development is compliant with the planning controls for the area, where the developments design, siting, layout and landscape setting are consistent with the surrounding existing neighbourhood character. The proposed development will not appear out of place, or inconsistent with the existing character of the neighbourhood.

It is pertinent to note that the character of the area is likely to change, with higher and denser forms of residential development. The site is located within the Telopea Precinct as found in PLEP2023 *Key Sites Map*, and Council's Development Control Plan 2023, Part 8.2.7 *Telopea Local Centre*. This Local Centre is anchored by the Parramatta Light Rail and is placed to become a transit- oriented development where the distribution of densities and land uses enable a more compact, walkable and sustainable community delivering improved access to public transport and a range of community and retail services. For example, more compact developments are permissible directly opposite the site, with densities of up to 1.1:1 allowed, with buildings heights permitted up to 15m. Higher FSR and heights are also permitted diagonally opposite the site, along Simpson Street intersecting with Moffatts Drive, with allowable heights of 19m, and FSR's 1.5:1.

Mitigation Measures

No mitigation measures are required.

8.2 Bulk and Density

The proposed development is compatible with the bulk and scale existing in the area, and satisfies Councils PLEP2023 controls for height and density, relevant to the area. Council's PLEP2023 specifies that buildings in the locality are to have a height of no more than 11m, from ground level to the highest point of the building. This is in comparison to the proposed development, which achieves an overall building height of 8.5m - to the ridge. In addition, a floor space ratio of 0.43-44:1 is proposed, compliant with that specified in PLEP2023.

In addition, the proposed 2-storey buildings are compatible with the typology of adjoining, and nearby dwellings, with many similar types of development in Simpson Street, and nearby Tilley Street (refer to **Figures 7, 8, and 9**). This compatibility is aided through the provision of side setbacks in excess of minimum requirements, the positioning of a driveways between the buildings, and the juxtaposition of solid and void elements through the use and location of balconies and use of a variety of external finishes and materials. These features reduce the visual bulk and add interest to the streetscape.

Mitigation Measures

No mitigation measures are required.

8.3 Streetscape

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

- The proposed development will replace ageing housing stock that has reached the end of its economic life with new contemporary, architecturally designed residential development, being manor houses.
- The built form has been designed to address the street frontages through incorporation of street facing windows as well as courtyards and balconies within the front setback, improving casual surveillance of the street.
- The front façade is modulated by projecting and recessed elements, using different materials and textures.
- The development is broken into 4 separate buildings, separated by vehicular entry/exit points, and driveways, reducing the apparent bulk, scale and mass of the development. This is consistent with surrounding development in the streetscape, and wider locality.
- Significant landscaping being provided throughout the development, which will help soften the development and benefit the streetscape interactions.
- The hard stand car parking area is located to the rear of the site, obscured from street view. This allows more landscaping within the frontage and improved street presence of the development.

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.

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 1.2-1.8m high fencing, adequate site setbacks and strategic placement of windows and balconies so as to avoid direct overlooking of neighbours. For example:

- Front facing balconies are strategically located within each building platform, so as not to give rise to any overlooking of adjacent neighbours.

- In compliance with Codes SEPP, Part 3B (g) windows serving a habitable room, in an elevation facing a boundary, with a floor level greater than 3m above ground level, less than 6m from the side boundary, have been raised to have a minimum sill level of 1,500mm – to prevent overlooking, for example in Manor House 1 bathroom window.
- In compliance with Codes SEPP, Part 3B (g) balconies with a height greater than 3m above ground level, and less than 6m from side boundary, will require the fixing of a privacy screen of at least 1.5m above the level of the balcony. This will be provisioned through an Identified Requirement (No. 73)
- Further screening between the proposed development and adjoining neighbours is achieved through the planting of trees and shrubs, which when mature will screen, and minimise any overlooking. Examples include the planting along the common boundary with No. 16A Simpson Street of x2 Native Quandongs, which will achieve a mature height of 11m, and x2 Native Grevilleas which will achieve a mature height of 5m.
- Ground floor windows facing the side boundaries are adequately set back in excess of minimum DCP requirements and bounded by 1.8m high boundary fencing and perimeter landscaping, which will mitigate unacceptable overlooking from ground level units into properties adjoining.
- Patios within the development have been appropriately separated by location or fencing and/or landscape treatments.

Mitigation Measures

Identified Requirement No.73 has been imposed to ensure fixed privacy screening to a height of 1.5m is provided to the southern edge of the first floor balconies to Manor House 1, 2 and 3. The screening is required be designed to prevent overlooking of the neighbouring balcony.

8.6 Solar Access

The design and siting of the proposed development will provide adequate daylight access to the proposed dwellings living areas, private open spaces and the private open space areas of neighbouring properties in accordance with the Seniors Living Policy: Urban Design Guidelines for Infill Development. For example, the submitted Architectural Plans, Solar Access Study (**Appendix A**) indicate that 87.5% (14 units) of the development will achieve 3hrs solar access between 9am-3pm on 21 June to living areas, and 75% (12 units) of the development will achieve 3hrs 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.

The installation of privacy screens to the rear balconies to Manor Homes 1 and 4 will result in a negligible impact on solar access loss. The screens will obtain a height of only 1.5m with all other sides of the balconies remaining relatively open to enable ample natural light into each unit.

Mitigation Measures

No mitigation measures are required.

8.7 Overshadowing

The proposed development has been designed to minimise overshadowing to neighbouring properties, for example the side setback is double the DCP prescribed side setback of 1.5m; and is 3.4m lower than the PLEP2023 prescribed 11m height limit.

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**. For example:

- The adjoining dwelling and its respective private open space, at 30 Simpson Street (east), will not be impacted by any overshadowing, and
- The rear adjoining dwellings, and their respective open space areas (south) will not be impacted by any additional overshadowing.
- The proposed development will cause some additional overshadowing impact to the adjoining dwelling at 16A Simpson Street (west).

The private open space area will be subject to additional overshadowing, primarily between the hours of 11am-12pm. However, the additional overshadowing is limited to only part of the private open space area, with parts of the extended POS still receiving solar access, i.e., the additional overshadowing does not affect the entire POS of the neighbouring dwelling during this time.

The adjoining dwellings will therefore maintain an acceptable level of solar access achieving a minimum 3 hours of sunlight to living areas between 9.00am and 3.00pm at the mid-winter solstice, and solar access to the private open space area of neighbouring dwellings has not been unreasonably reduced.



Figure 18 Extract Architectural Plans – Shadow Diagram – 9am, 12pm, 3pm – 21 June.

Mitigation measures

No mitigation measures are required.

8.8 Traffic & Parking

A total of 8 at-grade car parking spaces will be provided to serve the development. Two spaces are allocated to each manor house, contained within their respective lot, accessed by 2 shared driveways provisioned through a right of carriageway between 2 lots, off Simpson Street. The level of provision of on-site car parking meets the requirements of the Housing SEPP for a development within an 'accessible area'. Unrestricted

street parking is available on both sides of Simpson Street to accommodate any overflow parking demand generated by the proposed development.

A Traffic Report has been prepared (**Appendix S**) which identifies that the parking provision is suitable and no significant impact on the local traffic network is expected. The Report calculates, using the NSW RMS publication *Guide to Traffic Generating Development 2002*, that the proposed development will generate an additional 3 vehicle trips per hour during weekday peak hour periods Monday to Friday, compared to existing development. The Report calculates that the development will result in traffic generation of approximately 6.4-8 vehicles per hour during peak periods. 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, no detailed assessment required.

The car parking and driveway layout areas of the site have been assessed against the relevant sections of AS2890.1 and have been found to satisfy the objectives of each standard. Assessment and certification have been provided for the driveway width; ramp width; ramp grade and headroom, as well as parking spaces; aisle widths; blind aisle; gradients and parking envelopes. In accordance with AS2890.1:2004 a triangular area with 2.5m (face to driveway) by 2.0m (face to street) will be kept clear of obstructions to ensure visibility. Swept path testing has also been undertaken, showing full compliance with AS2890.1:2004, with no variations proposed.

Mitigation Measures

No mitigation measures are required.

8.9 Flora and Fauna

The Arborist Report (**Appendix J**) has identified and assessed 19 trees on the site. Of these 19 trees; 3 are rated as having a High Retention Value; 8 of Medium Value; and 8 of Low Retention Value.

Of the 19 trees, 12 are proposed to be removed. They are to be removed, being of either Low or Medium Retention Value, exempt, dead, or noxious and environmental weed species (Tree 2, 8, 12, 13, 15, 17, 18 and 19), or located within the site in a position where they cannot be retained due to the proposed building footprint and associated infrastructure works. For these trees the predicted encroachment will have an adverse impact on roots and crown for viability and stability (Tree No. 1, 6, 7, 14 and 16).

All trees with a High Retention Value, consisting of 2 *Acacia decurrens* and 1 *ceratopetalum gummiferum* (Trees 9, 10 and 11), are to be retained, and are to be protected in accordance with **Section 8.0 Pre-Construction Tree Protection Measures**. **Figure 19** below, shows those Trees to be retained, and those to be removed, as assessed in the Arborist Report.

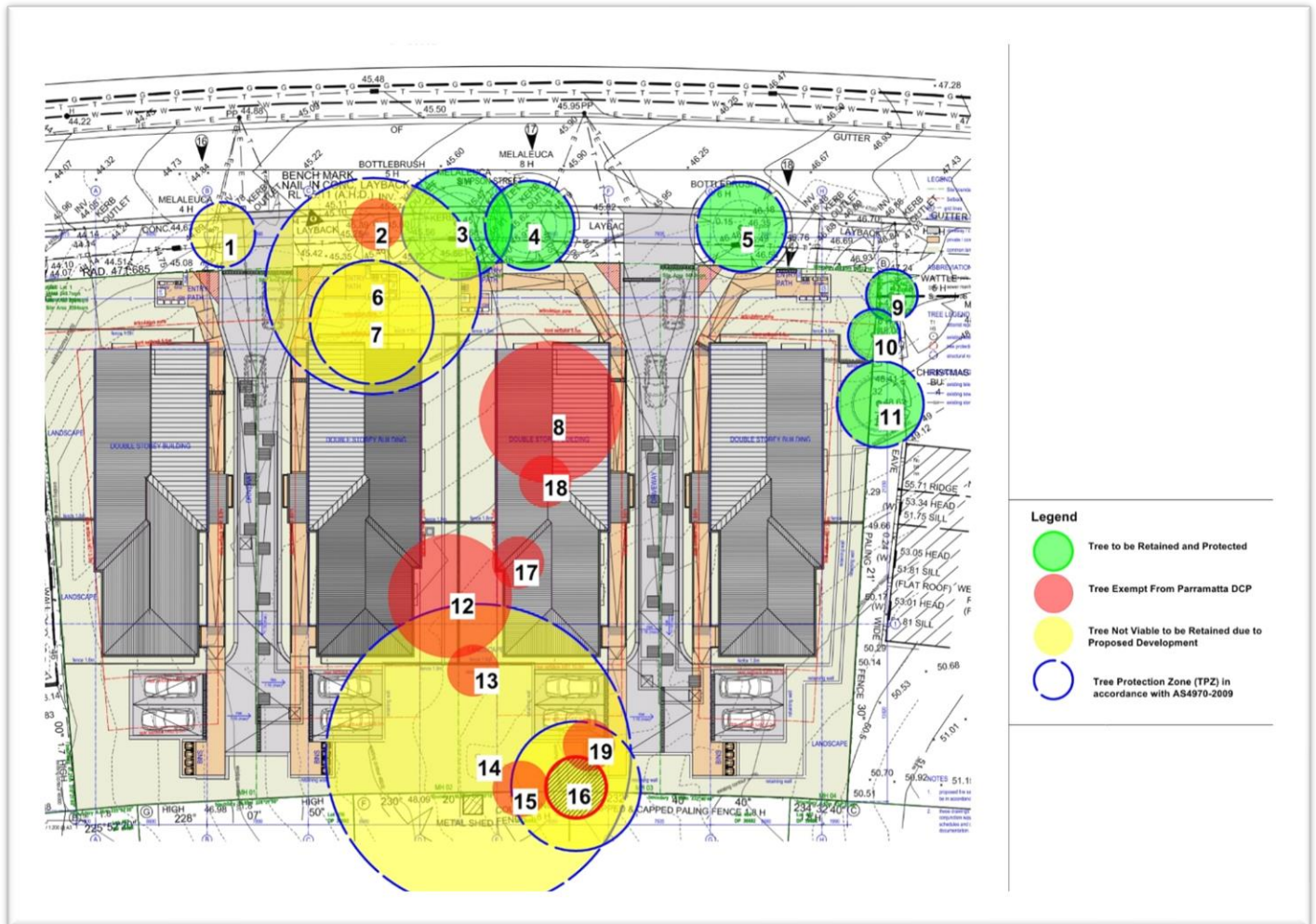


Figure 19: Extract from Arboricultural Development Impact Assessment Report showing trees within the site – Retained or Removed.

Mitigation Measures

Standard Identification (No.36) requirement to protect trees prior to commencement of works, in accordance with the details provided in the arborist report.

8.10 Heritage (European / Indigenous)

No heritage items are identified in Parramatta City 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 19 September 2023 (**Appendix I**) did not find any record of Aboriginal Sites or Places on the site or in the surrounding locality and the site is considered to be disturbed land. Consideration of the *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales*, determined that no additional investigation was warranted. Discovery of cultural material during development activities cannot be ruled out, however, an identified requirement has been applied should any Aboriginal relics be discovered on the site during excavation/construction.

Other Cultural Heritage

No cultural heritage items have been identified in the Section 10.7 (2) & (5) Planning Certificates and the likelihood of any heritage relics being discovered during excavation/construction is minimal, given the disturbed nature of the site, and long-term residential use of the land.

Furthermore, a search of the Department of Climate Change, Energy, the Environment and Water, Heritage Database and the Department of Premier and Cabinet's State 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

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

8.11 Soils / Contamination / Acid Sulfate Soils / Salinity

Geotechnical

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

- The subsurface conditions generally consist of topsoil and fill overlying silty clays and weathered shale. Fill was encountered in BH4 to a depth of 0.6m. In the remaining boreholes topsoil was encountered to approximate depths of 0.2 to 0.6m. Firm to stiff becoming very stiff natural silty clays underlie the fill and topsoil to depths of 0.85 to 1.5m. Weathered shale underlies the natural soils to the auger refusal depths of 1.3 to 1.9 m.
- Groundwater was not observed during drilling of the boreholes.

Mitigation Measures

No mitigation measures are required.

Contamination

The Section 10.7 Planning Certificates indicate the site has not been identified 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, and the highly disturbed nature of the site, it is unlikely that the subject land is affected by contamination.

Mitigation Measures

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

Acid Sulfate Soils

According to Council's Section 10.7(2) & (5) Planning Certificates, the land is identified as being within Class 5 Land on the Acid Sulfate Soil Map under the PLEP 2023. However, owing to the distance of the site to Class 1, 2, 3 and 4 ASS land being over 2km (south), it is considered that the proposed works will not intercept any ASS in the area nor cause the lowering of any groundwater table, and accordingly an acid sulfate soils management plan is not required, and has not been provided.

Furthermore, the *Geotechnical Site Investigation and Acid Sulfate Soil Assessment Report*, prepared by STS Geotechnics indicates, with reference to the Prospect-Parramatta ASS Risk Map, the property is within an area where there are no known occurrences of Acid Sulfate Soils.

Mitigation Measures

No mitigation measures are required.

Salinity

Council's Section 10.7(2) & (5) Planning Certificates indicate that the site is not affected by salinity.

Mitigation Measures

No mitigation measures are required.

8.12 Drainage / Flood Prone Land / Hydrology/ Water Quality

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

As per the Civil Stormwater Management Plans (**Appendix C**), stormwater will be collected via a series of stormwater pits and gutters on the site connected to x 4 underground detention tanks (OSD 1, 2, 3 and 4) each with a capacity of approximately 21m³ primary storage, draining to Simpson Street with outlets in the kerb x 3. Most of the site drains to one of the OSD's, with only those areas located forward of the building line, representing 12.35-14.66% of the site, draining directly to the street. Roof water will be collected from downpipes and connected to x 4 underground 5,000L rainwater tanks for recycling with overflow connected to the underground detention tanks. A natural swale, overland flowpath is proposed to run along the length of the eastern boundary, so as to capture and direct surface waters entering the site from upstream catchments. The swale has been designed to avoid impacting existing trees on site.

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

Mitigation Measures

No mitigation measures are required.

8.13 Bushfire Prone Land

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

Mitigation Measures

No mitigation measures are required.

8.14 Noise and Vibration

During Demolition / Construction

During demolition/construction typical noise levels associated with demolition/ building works will be generated within the hours of 7am to 5pm Monday to Saturday, consistent with the requirements for complying development across NSW.

During Occupation

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

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

Mitigation Measures

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

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

Appropriate standard identified requirements (Nos. 2 & 60) have been applied to ensure compliance with the above mitigation measures.

8.15 Air Quality

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

Mitigation Measures

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

8.16 Waste Minimisation

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

During Demolition

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

- 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

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

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

Mitigation Measures

Standard Identified Requirements (Nos. 48-56) 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 discernable depletion or degradation of natural resources. The proposal has been designed to meet water and energy efficiency targets as demonstrated by the BASIX certificate for the proposal.

The development achieves an average NatHERS (*Nationwide House Energy Rating Scheme*) star rating of 7.4, with all units achieving a minimum star rating of 6.4, with some units achieving 8.2. This exceeds the minimum 6 out of 10 star rating required for the site (**Appendix N**).

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 Parramatta 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 Parramatta 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, PLEP 2023, and the design principles and better practices set out in the relevant guidelines.

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

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

9.2 Recommendation

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

10 Appendices

- 10.1.1 APPENDIX A – ARCHITECTURAL PLANS
- 10.1.2 APPENDIX B – LANDSCAPE PLAN
- 10.1.3 APPENDIX C – CIVIL & STRUCTURAL PLANS
- 10.1.4 APPENDIX D – SURVEY PLAN
- 10.1.5 APPENDIX E – NOTIFICATION PLANS
- 10.1.6 APPENDIX F – SECTION 10.7 CERTIFICATES
- 10.1.7 APPENDIX G – NOTIFICATION LETTERS AND SUBMISSIONS
- 10.1.8 APPENDIX H – ACCESS REPORT
- 10.1.9 APPENDIX I – AHIMS SEARCH
- 10.1.10 APPENDIX J – ARBORIST REPORT
- 10.1.11 APPENDIX K – BASIX CERTIFICATE
- 10.1.12 APPENDIX L – BCA REPORT
- 10.1.13 APPENDIX M – DESIGN COMPLIANCE CERTIFICATES
- 10.1.14 APPENDIX N – NatHERS CERTIFICATE
- 10.1.15 APPENDIX O – SENIORS LIVING POLICY CHECKLIST
- 10.1.16 APPENDIX P – GEOTECHNICAL INVESTIGATIONS
- 10.1.17 APPENDIX Q – TITLE SEARCH AND DP
- 10.1.18 APPENDIX R – WASTE MANAGEMENT PLAN
- 10.1.19 APPENDIX S – TRAFFIC REPORT
- 10.1.20 APPENDIX T - DESIGN VERIFICATION STATEMENT

APPENDIX A – ARCHITECTURAL PLANS

APPENDIX B – LANDSCAPE PLANS

APPENDIX C – CIVIL PLANS

APPENDIX D – SURVEY PLAN

APPENDIX E – NOTIFICATION PLANS

APPENDIX F – S.10.7 PLANNING CERTIFICATE

APPENDIX G – NOTIFICATION

APPENDIX H – ACCESS REPORT

APPENDIX I – AHIMS

APPENDIX J – ARBORIST REPORT

APPENDIX K – BASIX CERTIFICATE

APPENDIX L – DESIGN COMPLIANCE CERTIFICATES

APPENDIX M – NatHERS CERTIFICATE

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APPENDIX O – GEOTECHNICAL INVESTIGATION

APPENDIX P – TITLE SEARCH AND DP

APPENDIX Q – WASTE MANAGEMENT PLAN

APPENDIX R – SUBSIDENCE ADVISORY APPROVAL

APPENDIX S – TRAFFIC REPORT

APPENDIX T – DESIGN VERIFICATION STATEMENT