

# REVIEW OF ENVIRONMENTAL FACTORS

Proposed Seniors Housing Development

at

7-9 Brighton Road, Peakhurst & 21 Charles Street, Riverwood

NSW 2210

April 2024





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

Published by Homes NSW

REVIEW OF ENVIRONMENTAL FACTORS

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

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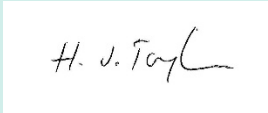
REF Prepared by:

Having prepared the Review of Environmental Factors:

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

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I certify that I have reviewed and endorsed the contents of this REF document and, to the best of my knowledge, it is in accordance with the EP&A Act, the EP&A Regulation and the Guidelines approved under clause 170 of the EP&A Regulation, and the information it contains is neither false nor misleading.  
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- I do not consider I have any personal interests that would affect my professional judgement.
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A handwritten signature in black ink, appearing to read 'Ambrose Marquart', written on a white rectangular background.

Date: 15 April 2024

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# 1 Executive Summary

The subject site is located at 7-9 Brighton Road, Peakhurst and 21 Charles Street, Riverwood, and is legally described as Lots 14 and 15 in Deposited Plan 35818 and Lot 10 in Deposited Plan 1080361.

The proposed seniors housing development is described as follows:

*Demolition of 3 existing dwellings and associated structures, tree removal, and the construction of a 14 dwelling seniors housing development comprising 6 x 1-bedroom and 8 x 2-bedroom independent living units, associated landscaping and fencing, surface parking for 7 vehicles, and consolidation into a single lot.*

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

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

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

The REF demonstrates the following:

- from an analysis of the potential environmental impacts associated with the proposed activity, it has been concluded that the preparation of an Environmental Impact Statement is not required;
- based on a review of the potential environmental impacts resulting from the proposed activity it has been determined that, subject to implementation of mitigation measures to be incorporated as identified requirements, the activity will not have any significant adverse impact on the environment;
- the proposed activity will not have any effect on matters of national significance and its approval under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* is not required;
- the design of the proposed activity has adequately taken into account design principles and better practices set out in the *Seniors Living Policy: Urban Design Guidelines for Infill Development* and taken into consideration Good Design for Social Housing and LAHC's Design Requirements;
- the site planning and design of the proposed activity adequately address the applicable local environmental planning and development controls of Georges River Council;
- a BASIX certificate and NatHERS certificate and stamped plans have been submitted for the proposed activity demonstrating compliance with the State Government's environmental sustainability targets;
- there are no separate approvals, authorisations or notifications required in relation to the proposed activity prior to determination under Part 5 of the EP&A Act or under any other Acts; and
- Georges River Council and occupiers of adjoining land were notified of the proposed activity under the provisions of Housing SEPP. A response was received from Council dated 12 September 2023. Comments on the response are provided in Section 6.1 of this REF. One submission was received from an occupier of adjoining land. Comments on the submission are provided in Section 6.2 of this REF.

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

### **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* (amending SEPP).

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 section 108C(1)(b)(i) before the amending policy was made and further that the activity is determined before 20 December 2024. This activity for seniors housing satisfies both requirements and therefore the amending SEPP does not apply to this activity. The assessment of this activity has been undertaken against the Housing SEPP that was in force immediately before the amending SEPP was made.

## 2 Introduction

This Review of Environmental Factors (REF) under Part 5 of the EP&A Act is for an activity involving the demolition of 3 existing dwellings and associated structures, tree removal, and the construction of a 14 dwelling seniors housing development comprising 6 x 1-bedroom and 8 x 2-bedroom independent living units, associated landscaping and fencing, surface parking for 7 vehicles, and consolidation into a single lot. at 7-9 Brighton Road, Peakhurst & 21 Charles Street, Riverwood.

The activity<sup>1</sup> will be carried out by, or on behalf of, NSW Land and Housing Corporation (LAHC) which is the determining authority and proponent of the activity under Part 5 of the EP&A Act. The registered owner of the subject land is LAHC.

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

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

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

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

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

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### 2.2 Assessment Methodology

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

- Section 10.7 Planning Certificates were obtained for each lot comprising the site. The zoning was confirmed against the current applicable environmental planning instrument, which is the GRLEP 2021;

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

- it was determined that seniors housing is 'permitted with consent' in the R2 zoning pursuant to the GRLEP 2021 and can be carried out 'without consent' under the provisions of Housing SEPP;
- a desktop analysis and investigation of the site and surrounds was undertaken based on site clearance information provided by the Land and Housing Corporation to determine the suitability of the site for the proposed development activity, particularly taking into account the existing site conditions, constraints and local context;
- a site inspection was undertaken;
- relevant local planning controls and State and Commonwealth Government legislation were considered in the environmental assessment of the proposed development activity;
- an environmental impact analysis was undertaken to determine if an Environmental Impact Statement was required;
- potential environmental impacts identified in the analysis and measures to mitigate these impacts were subsequently discussed in the Review of Environmental Factors; and
- identified requirements incorporating the mitigation measures for undertaking the proposed development activity were identified for inclusion in the recommendation for approval of the activity.

## 3 Existing Site & Locality

### 3.1 Existing Site and Immediately Adjoining Development

The site is in the Georges River local government area (LGA) and comprises 3 residential allotments. A location plan is provided at **Figure 1**.

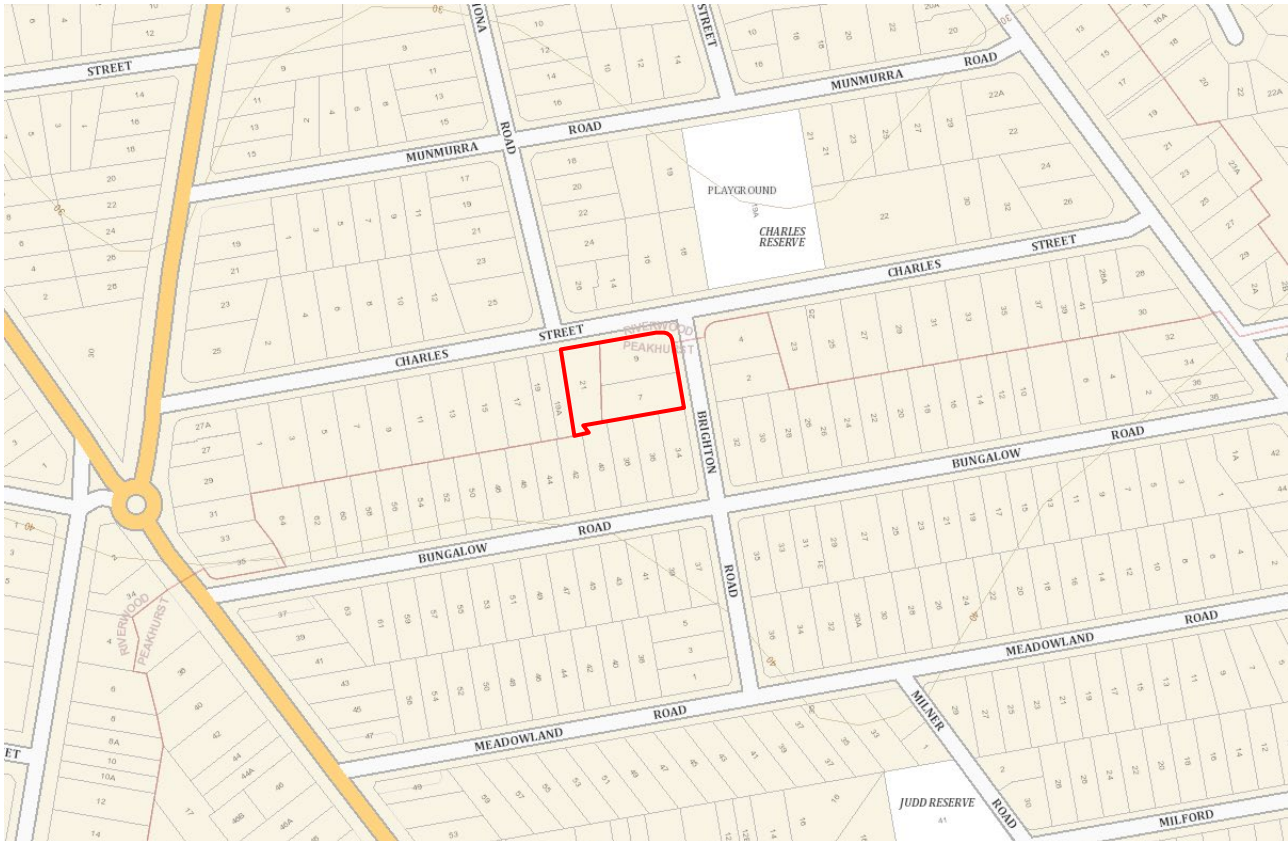


Figure 1 Location Plan (Source: ePlanning Spatial Viewer)

The site is currently occupied by 3 single storey brick dwellings with tiled roofs (refer to photographs at figures 2, 3, 4 and 5:



Figure 2 Development site – 7 Brighton Road (Source: SMEC)



Figure 3 Development site – 9 Brighton Road (Source: SMEC)



Figure 4 Development site – 9 Brighton Road viewed from Charles Street (Source: SMEC)



Figure 5 Development Site – 21 Charles Street (Source: SMEC)

The property immediately to the west (19A Charles Street) contains a two-storey dual occupancy with flat roof and rendered facades (refer photograph at **figure 6**).



Figure 6 Adjoining development – 19A Charles Street (Source: Google maps Streetview image capture October 2021)

The properties adjoining the site to the south include:

- 34 Bungalow Road – single storey detached brick dwelling with pitched tiled roof (refer to photograph at **figure 7**)
- 36 Bungalow Road – single storey detached brick dwelling with pitched tiled roof (refer to photograph at **figure 8**)
- 38 Bungalow Road – single storey detached fibro and weatherboard dwelling with pitched tiled roof (refer to photograph at **figure 9**)
- 40 Bungalow Road – single storey detached dwelling house with rendered brick façade and tiled roof (refer to photograph at **figure 10**).



Figure 7 Adjoining development – 34 Bungalow Road viewed from Bungalow Road (Source – Google Maps streetview – image capture October 2021)

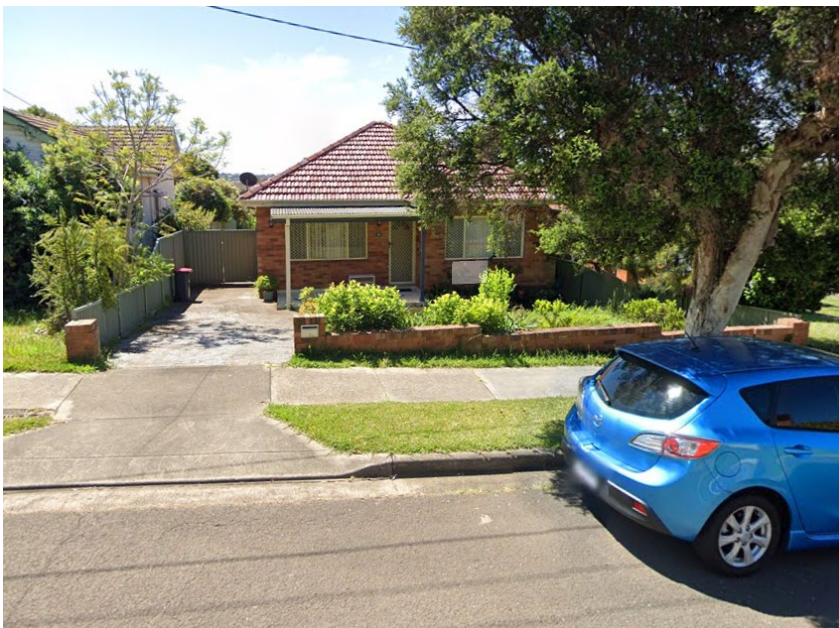


Figure 8 Adjoining development – 36 Bungalow Road viewed from Bungalow Road (Source – Google Maps streetview – image capture October 2021)



Figure 9 Adjoining development – 38 Bungalow Road viewed from Bungalow Road (Source – Google Maps streetview – image capture October 2021)

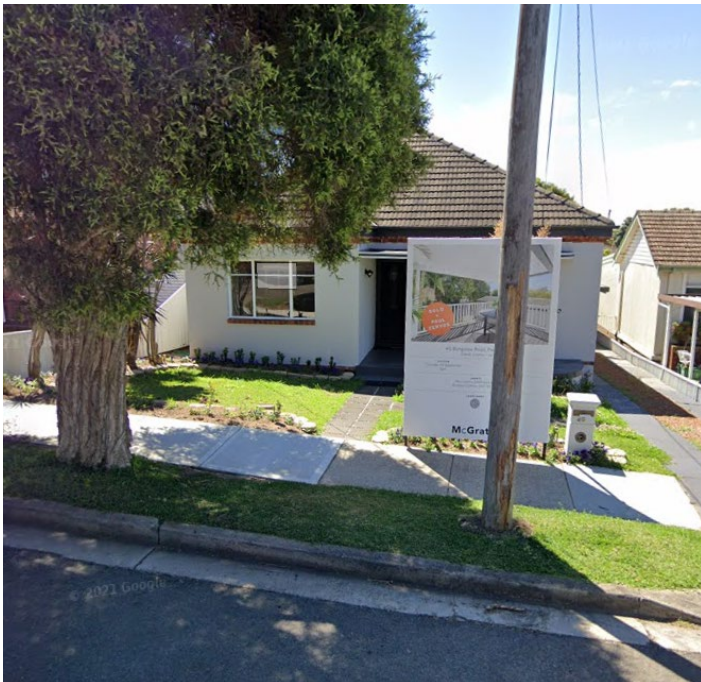


Figure 10 Adjoining development – 40 Bungalow Road viewed from Bungalow Road (Source – Google Maps streetview – image capture October 2021)

## 3.2 Site Description

Copies of the Section 10.7(2) & (5) Planning Certificates (Nos PL2023/2633 dated 18 August 2023; and PL2023/2634 and PL2023/2635 dated 18 August 2023) are provided in **Appendix F**.

The site is generally rectangular in shape and is located on the corner of Charles Street and Brighton Road. The site has a total surveyed area of 1915.85m<sup>2</sup>. The site is a corner lot with a frontage to Charles Street of 46.4m (north); a curvilinear section joining the Charles Street and Brighton Road frontages of 8.63m (northeast); a secondary frontage to Brighton Road of 30.445m (east); a side (western) boundary of 40.35m; and an irregular shaped rear (southern) boundary totalling 59.23m (refer to the submitted Detail and Contour Survey in **Appendix D**).

The site falls from a high point of approximately RL38.87 at the southwest corner to a low point at the intersection of the Charles Street and Brighton Road frontages of RL34.88, resulting in an elevation difference of approximately 4m across the site (a gradient of 6.5%). 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.

Of the 5 trees located within the site, 1 is located along the northern boundary at the Charles Street frontage; and 4 along the Brighton Road frontage.

There are also 4 trees located within adjoining properties in proximity to the site: 1 at the western side boundary and 3 at the southern rear boundary.

Water, sewer, electricity, and telephone facilities are available to the site. Water, gas and electricity services are located along the road alignments of Brighton Road and Charles Street. Sewer is located within the site, running parallel to the sites frontages. Telephone is located along each frontage, with a pit located in the reserve at each frontage.

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

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## 3.3 Neighbouring Development and Locality

The site is located within an established residential area which is characterised by older style single storey detached dwelling houses of brick construction with tiled roofs interspersed with more recent 2-storey dwelling houses, dual occupancy/ semi-detached dwellings and medium density developments such as multi-dwelling housing development (refer to photographs at **Figures 11-14**):



Figure 11 Recent two-storey semi-detached development at 19A and 19 Charles Street (west of the site) (Source: SMEC)



Figure 12 Detached two-storey dwelling at 17 Charles Street (west of the site) (Source: SMEC)



Figure 13 Detached two storey dwelling at 16 Charles Street (Source: SMEC)



Figure 14 More recent two-storey multi-dwelling housing development at 22-28 Charles Street (east of the site) (Source: SMEC)

There are numerous bus stops located within proximity of the site. There are two bus stops located on Broadarrow Road (Broadarrow Rd opposite Mona Rd – Bus Stop ID2210291 and Broadarrow Rd at Mona Rd – Bus Stop ID2210290) approximately 280m and 365m walking distance from the site; and 2 bus stops located on Bonds Road (Bonds Rd opposite Meadowland Rd – Bus Stop ID2210297 and Bonds Rd at Meadowland Rd – Bus Stop ID2210296) approximately 354m and 395m walking distance from the site.

Subject to the construction of a new accessible pathway at the Brighton Road frontage and some pathway upgrading as identified in the Access Report, the bus stops are accessible to seniors and people with a disability.

The stops on Broadarrow Road are serviced by Busways Route 940, which connects Bankstown to Hurstville via Mount Lewis, Punchbowl, Riverwood, Narwee and Penshurst including train stations and major shopping centres. Busways Routes 944 and 945 service the bus stops on Bonds Road, connecting Bankstown to Mortdale via Peakhurst Heights and Bankstown to Hurstville via Mortdale, respectively, including local centres.

Bus route 940 (Bankstown to Hurstville via Riverwood) operates at the frequency required for the land to be classed as ‘*accessible*’ pursuant to the Housing SEPP.

The area, although residential in nature, is also close to some open space areas including Charles Reserve, Judd Reserve, Oleander Reserve and Peakhurst Park. Approximately 950m to the west of the site is the Riverwood Train Station and the local centre of Riverwood. Approximately 1.2km north-east is the local centre of Narwee along Broadarrow Road, near Narwee Train Station, which provides most day to day needs of residents. There are also several community-based land uses including a childcare centre, primary school, medical centres and churches in the vicinity.

## 4 Project Description

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### 4.1 Demolition

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

### 4.2 Removal of Trees

There are 5 trees located within the site and 4 within neighbouring properties. The proposal includes the removal of all trees within the site and 1 tree within an adjoining property to the south. Consent has been obtained from the adjoining owner for its removal. Other trees located within adjoining properties will be retained and protected.

Tree removal within the site is recommended primarily to accommodate the proposed development or the individual species are recommended for removal as they are not considered to be significant or worthy of retention (refer to submitted Arboricultural Impact Assessment).

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

### 4.3 Proposed Dwellings

As the development is serviced by a lift, all units are capable of being adapted to suit persons with a disability should the need arise in the future.

The proposed housing represents a contemporary, high-quality design. The use of face brick for external walls and metal roofing is consistent with the emerging character of the Peakhurst and Riverwood suburbs. Of the 14 proposed units 10 will address the street (Units 1, 2, 3, 6 & 7 on the ground floor and Units 8, 9, 10, 13 & 14 on the first floor) with habitable rooms, living area windows and upper-level balconies facing the street for passive surveillance.

A split floor plate is proposed to respond to site levels, enabling the development to be serviced by a single lift. Retaining walls to a maximum 1.5m high are proposed to assist with stability of the site in the locality of the proposed lift shaft and central stair well; and up to maximum 1.4m high along the southern boundary in the location of the driveway. Fill is proposed at approximately 0.5m depth. The areas of cut and fill are shown on the Cut and Fill Plan (refer to **Appendix A**).

A variety of new landscape plantings, including trees capable of reaching a mature height of 10-15m (Refer to **Appendix B**) are proposed to offset the proposed tree removal and enhance the appearance of the site. New plantings will consist of a mixture of new trees, shrubs and groundcovers, which will enhance landscaped setbacks and contribute to the streetscape.

Each unit will be provided with its own enclosed private open space area. All these spaces are directly accessible from the living areas.

A total of 7 at-grade car parking spaces will be provided on the site, including 3 accessible spaces.

Stormwater will be collected via a series of stormwater pits and gutters on the site and connected to an underground detention tank, located along the southern boundary. Overflow from the detention tank is proposed to discharge to an existing kerb inlet pit at the Brighton Road frontage, near the intersection with Charles Street. Roof water will be collected from downpipes and connected to an underground rainwater tank for recycling with overflow connected to the underground detention tank.

Metal fencing 1.8m high is proposed along the western and southern boundaries. A combination of face brick and vertical aluminium batten fencing will be provided to Charles Street and Brighton Road frontages.

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

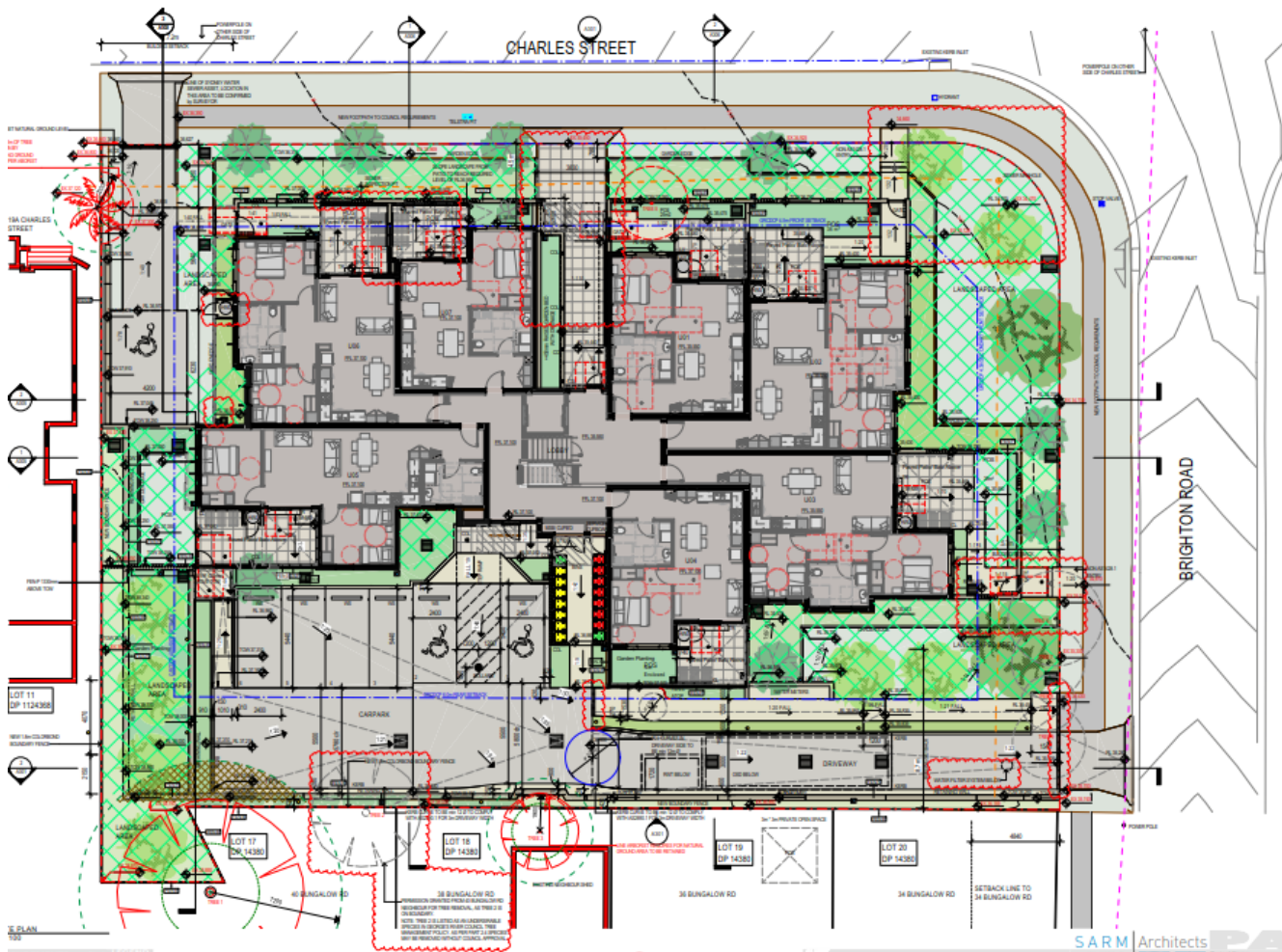


Figure 15 Extract from Architectural Plans – Site Plan (Source: Architectural Plans, SARM Architects, dated 20/10/2023)

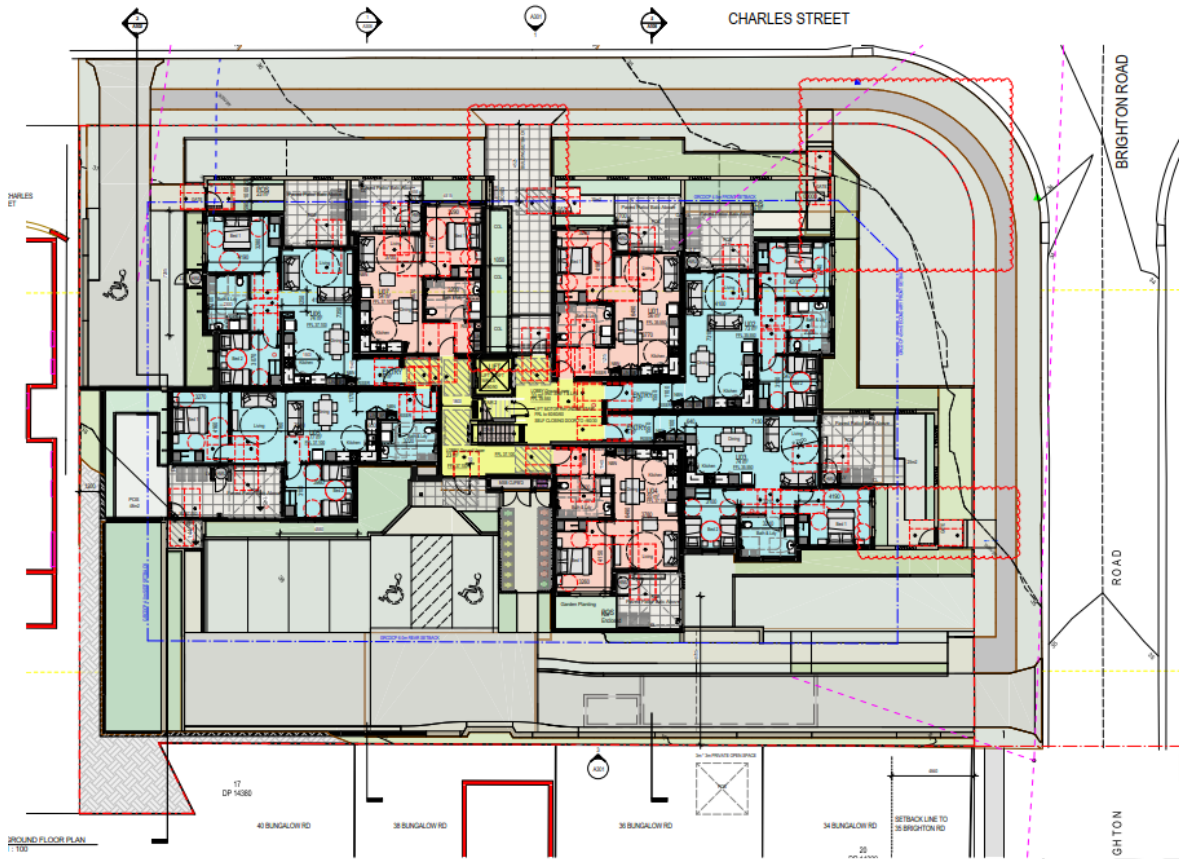


Figure 16 Extract from Architectural Plans – Ground Level (Source: Architectural Plans, SARM Architects, dated 20/10/2023)

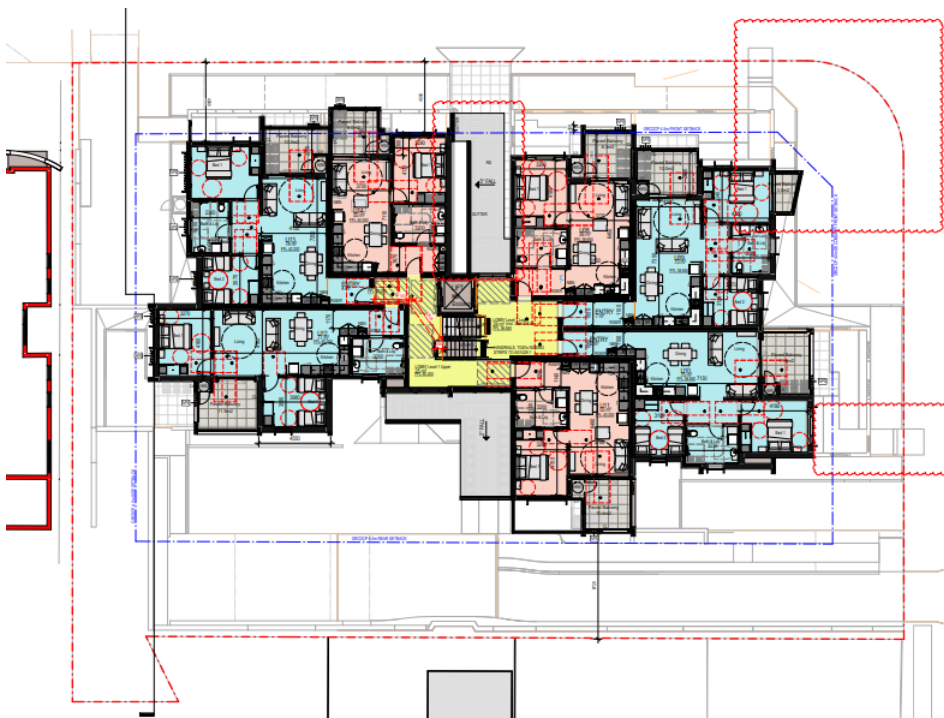


Figure 17 Extract from Architectural Plans – First Level (Source: Architectural Plans, SARM Architects, dated 20/10/2023)



Figure 18 Extract from Architectural Plans – Brighton Road and Charles Street Perspective View – Street Corner (Source: Architectural Plans, SARM Architects, dated 20/10/2023)

## 4.4 Supporting information

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

Table 1 Details of Plans, Drawings and Supporting Documents

Title / Name:	Drawing No. / Document Ref	Revision / Issue:	Date [dd.mm.yyyy]:	Prepared by:
<b>Architectural Plans – Appendix A</b>				
Cover Page & Drawing List	A000	G	20.10.2023	SARM Architects
Site Analysis	A101	D	20.10.2023	SARM Architects
Context Block Analysis	A102	E	20.10.2023	SARM Architects
Path to Bus Stop Study – Bonds Rd	A103	E	20.10.2023	SARM Architects
Path to Bus Stop Study – Broadarrow Rd	A104	C	20.10.2023	SARM Architects
Demolition Plan	A105	G	20.10.2023	SARM Architects
Cut and Fill Plan	A106	D	20.10.2023	SARM Architects
Sediment Erosion & Control Plan	A107	B	20.10.2023	SARM Architects
Excavation Calculations	A108	B	20.10.2023	SARM Architects
Perspective Sketch Views	A109	A	20.10.2023	SARM Architects
Site Plan	A200	J	20.10.2023	SARM Architects
Ground Floor Plan	A201	I	20.10.2023	SARM Architects
First Floor Plan	A202	I	20.10.2023	SARM Architects
Roof Plan	A203	I	20.10.2023	SARM Architects
Elevations North, South	A301	J	20.10.2023	SARM Architects
Elevations East, West & Material Schedule	A302	J	20.10.2023	SARM Architects
Sections - Long	A305	G	20.10.2023	SARM Architects
Sections - Short	A306	G	20.10.2023	SARM Architects

View from the Sun study	A800	D	20.10.2023	SARM Architects
Shadow Diagrams – Winter 9AM	A901	C	20.10.2023	SARM Architects
Shadow Diagrams – Winter 12PM	A902	C	20.10.2023	SARM Architects
Shadow Diagrams – Winter 3PM	A903	C	20.10.2023	SARM Architects
Landscape Plan – Appendix B				
Landscape Site Plan	L 01	C	02.11.2023	Lindy Lean Landscape Architect
Landscape Planting Plan	L 02	C	02.11.2023	Lindy Lean Landscape Architect
Landscape details and deep soil	L 03	C	02.11.2023	Lindy Lean Landscape Architect
Civils Plans – Appendix C				
Notes & Legends	C01	5	01.11.2023	Greenview Consulting
Ground Floor Drainage Plan	C02	5	01.11.2023	Greenview Consulting
Site Stormwater Details Sheet 1	C03	4	01.11.2023	Greenview Consulting
Site Stormwater Details Sheet 2	C04	1	01.11.2023	Greenview Consulting
Notes & Legends	ESM1	4	02.11.2023	Greenview Consulting
Environmental Site Management Plan	ESM2	4	02.11.2023	Greenview Consulting
Detail and Contour Survey – Appendix D				
Contour and Detail Survey Sheet 1	Sheet 1 of 14	-	26.05.2022	TSS Total Surveying Solutions
Contour and Detail Survey Sheet 2	Sheet 2 of 14	-	26.05.2022	TSS Total Surveying Solutions
Contour and Detail Survey Sheet 3	Sheet 3 of 14	-	26.05.2022	TSS Total Surveying Solutions
Elevations	Sheet 4 of 14	-	26.05.2022	TSS Total Surveying Solutions
Location Plan Sheet 5	Sheet 5 of 14/ 220469	-	26.05.2022	TSS Total Surveying Solutions
Location Plan Sheet 6	Sheet 6 of 14/ 220469	-	26.05.2022	TSS Total Surveying Solutions
Long Sections Sheet 7	Sheet 7 of 14/ 220469	-	26.05.2022	TSS Total Surveying Solutions
Long Sections Sheet 8	Sheet 8 of 14/ 220469	-	26.05.2022	TSS Total Surveying Solutions
Long Sections Sheet 9	Sheet 9 of 14/ 220469	-	26.05.2022	TSS Total Surveying Solutions
Location Plan Sheet 10	Sheet 10 of 14/ 220469	2	21.02.2023	TSS Total Surveying Solutions
Location Plan Sheet 11	Sheet 11 of 14/ 220469	2	21.02.2023	TSS Total Surveying Solutions
Long Sections Sheet 12	Sheet 12 of 14/ 220469	2	21.02.2023	TSS Total Surveying Solutions
Long Sections Sheet 13	Sheet 13 of 14/ 220469	2	21.02.2023	TSS Total Surveying Solutions
Long Sections Sheet 14	Sheet 14 of 14/ 220469	2	21.02.2023	TSS Total Surveying Solutions

#### Notification Plans – Appendix E

Notification Cover Page	NP01	D	29.06.2023	SARM Architects
Site / Landscape Plan	NP02	D	29.06.2023	SARM Architects
Development Data	NP03	D	29.06.2023	SARM Architects
Elevations	NP04	D	29.06.2023	SARM Architects
Schedule of Finishes	NP05	D	29.06.2023	SARM Architects
Shadow Diagrams	NP06	D	29.06.2023	SARM Architects

#### Access Report – Appendix H

Access Report	220578- Access-r6	6	06.11.2023	Credwell
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#### AHIMS – Appendix I

AHIMS Search Result, 21 Charles Street, Riverwood - 50m search buffer	1	-	23.09.2021	AHIMS
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#### Arborist Report – Appendix J

Arboricultural Impact Assessment Report	D5003	-	November 2023	Allied Tree Consultancy
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#### BASIX Report – Appendix K

BASIX Certificate	Cert Number: 1359824M_03	03	09.11.2023	Greenview Consulting Pty Ltd
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#### BCA Report – Appendix L

BCA Final Report	22-219462	R03	03.11.2023	Philip Chun Building Compliance
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#### NatHERS Certificate – Appendix N

Nationwide House Energy Rating Scheme – Class 2 summary	Cert Number: 0008792960	-	08.11.2023	Greenview Consulting Pty Ltd
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#### Geotechnical Investigation - Appendix P

Geotechnical Investigation	22/1973	-	June 2022	STS Geotechnics Pty Ltd
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#### Waste Management Plan – Appendix R

Waste Management Plan	BGZ3K	-	30.03.2023	SARM Architects
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#### Traffic and Parking Impact Assessment - Appendix S

Traffic and Parking Impact Assessment	N221953A	Version 1a	June 2023	Motion Traffic Engineers
Carpark and Driveway Certification	N221953A	Version 1a	March 2023	Motion Traffic Engineers

#### Section 10.7 Planning Certificates – Appendix F

Lot 10 DP 1080361, Certificate No PL2023/2633 dated 21.08.2023 – Georges River Council

Lot 14 DP 35818, Certificate No PL2023/2633 dated 18.08.2023 – Georges River Council

Lot 15 DP 35818, Certificate No PL2023/2633, dated 18.08.2023 – Georges River Council

#### Notification letters and submissions – Appendix G

#### Design compliance and checklists – Appendix M

Architect's Certificate of Building Design Compliance, dated 02.11.2023

Certificate of Landscape Documentation Compliance, dated 02.11.2023

Certificate of Stormwater Design Compliance, dated 02.11.2023

**Housing for Seniors Checklist – Appendix O**

Seniors Living Urban Design Guidelines, LAHC Design requirements & Good design for social housing, prepared by SARM Architects, undated.

**Titles and Deposited Plans – Appendix Q**

Title Search, Folio: 10/1080361, Search date 18.07.2022, First Schedule: New South Wales Land and Housing Corporation

Title Search, Folio: 14/35818, Search date 18.07.2022, First Schedule: New South Wales Land and Housing Corporation

Title Search, Folio: 15/35818, Search date 18.07.2022, First Schedule: New South Wales Land and Housing Corporation

Deposited Plan 1080361, Search Date 18.07.2022

Deposited Plan 35818, Search Date 18.07.2022

## 5 Zoning and Permissibility

The site is zoned R2 Low Density Residential under the GRLEP 2021 (**Figure 19**). The proposed development is defined as ‘seniors housing’ under the provisions of GRLEP 2021 and is permissible with consent in the R2 zone.



Figure 19 Extract of Land Zoning map from Georges River LEP 2021 (Source: eSpatial Viewer)

The relevant objectives of the R2 zone, as set out in GRLEP 2021 are:

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

The proposed development provides seniors housing that meets the identified needs of the community and includes a mix of 1 and 2 bedroom units. The proposal is not located near heritage items or conservation areas and the development has also been sympathetically designed to fit with the emerging character of the surrounding area. A variety of new landscape plantings, including a mixture of new trees, shrubs and groundcovers, which will provide a landscaped setting for the development. The proposal is therefore consistent with the relevant objectives of the R2 zone.

Section 108B of the Housing SEPP permits seniors housing development to be carried out by LAHC as ‘development without consent’ subject to the provisions set out under that clause. Error! Reference source not found. in subsection 6.5.1 of this REF demonstrates compliance with the relevant provisions of section 108B of the SEPP.

## 6 Planning and Design Framework

### 6.1 Environmental Planning and Assessment Act 1979

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

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

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

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

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

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

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

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

### 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 Error! Reference source not found. and Error! Reference source not found. below have been taken into account in considering the likely impact of the proposed activity on the environment. The table and comments made in this section of the REF are not mutually exclusive and are to be read in conjunction with the other sections of the REF dealing with the environmental impacts of the proposed development activity.

Table 3 Environmental Planning and Assessment Regulation 2021 Section 171

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

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

Guidelines for Division 5.1 assessments require the following Environmental factors to be taken into account:	Relevant?	Impact Assessment		
	YES/NA	Temporary	Minor	Significant [Note 1]
(a) environmental impact on the community	Yes	x	x	
(b) transformation of a locality;	Yes		x	
(c) environmental impact on the ecosystems of the locality;	Yes	x	x	
(d) reduction of the aesthetic, recreational, scientific or other environmental quality or value of a locality;	Yes	x	x	
(e) effect on a locality, place or building having aesthetic, anthropological, architectural, cultural, historical, scientific or social significance or other special value for present or future generations;	N/A			
(f) impact on the habitat of protected animals (within the meaning of Biodiversity Conservation Act 2016);	N/A			
(g) endangering of any species of animal, plant or other form of life, whether living on land, in water or in the air;	N/A			

(h) long-term effects on the environment;	Yes		x	
(i) degradation of the quality of the environment;	Yes	x	x	
(j) risk to the safety of the environment;	N/A			
(k) reduction in the range of beneficial uses of the environment;	N/A			
(l) pollution of the environment;	Yes	x	x	
(m) environmental problems associated with the disposal of waste;	Yes		x	
(n) increased demands on resources (natural or otherwise) that are, or are likely to become, in short supply;	Yes		x	
(o) cumulative environmental effect with other existing or likely future activities.	Yes		x	
(p) impact on coastal processes and coastal hazards, including those under projected climate change conditions. [Note 2]	N/A			
(q) applicable local strategic planning statements, regional strategic plans or district strategic plans made under the Act, Division 3.1,	Yes – discussed below in Section 6.4.2		x	
(r) other relevant environmental factors.	Yes – discussed in Section 8.	x	x	

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

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

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

## 6.4.2 Strategic Planning Framework

### Georges River 2050 - Leading for Change

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

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

The proposed development, providing 14 seniors living units, all of which are adaptable contributes to the objectives of Georges River 2050, and will increase the provision of affordable and seniors living units.



## Georges River Local Strategic Planning Statement 2040

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

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

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

The proposed development will expand the supply of affordable housing, with 14 seniors living units, providing inclusive housing stock. The proposal contributes to diversifying the residential uses in Georges River LGA and satisfies the objectives of the plan by accommodating the ageing population with access to appropriate services. The proposed provision of seniors housing will ensure it remains affordable for the foreseeable future, being consistent with key action 51 in utilising the provisions in the EP&A Act for affordable housing, drawing from the outcomes of the Inclusive Housing Strategy.

### Inclusive Housing Strategy

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

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

## Georges River Community Strategic Plan 2022 - 2032

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

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

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

- Affordable and quality housing option are available.

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

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

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

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

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

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## 6.5 State Environmental Planning Policy (Housing) 2021

### Savings and Transitional Provisions

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 section 43A(1)(b)(i) and 108C(1)(b)(i) before the amending policy was made and further that the activity is determined before 20 December 2024. This activity for seniors housing satisfies both requirements and therefore *State Environmental Planning Policy Amendment (Housing) 2023* does not apply to this activity. The assessment of this activity has been undertaken against the Housing SEPP that was in force immediately before *State Environmental Planning Policy Amendment (Housing) 2023* was made.

### 6.5.1 Development without Consent

#### Demolition

The proposed activity includes demolition of existing structures on the site. Section 42(2)(a) of the Housing SEPP permits LAHC to undertake demolition as “*development without consent*” provided demolition is permissible and the land the structures are located on is “*non-heritage land*” and is not “*identified in an environmental planning instrument as being within a heritage conservation area*”. Demolition is permissible with consent under the clause 2.7 of the GRLEP2021 and the subject site contains neither of these heritage notations and therefore demolition can be undertaken by LAHC as “*development without consent*”. A waste management plan has been prepared, and there are several Identified Requirements recommended in the Activity Determination which deal with site safety and environmental protection during demolition and construction.

#### Development for Seniors Housing

The Housing SEPP is very specific in terms of the matters that LAHC must consider in determining whether to proceed with a seniors housing development that meets the thresholds for “*development without consent*”

under the SEPP. There are locational and detailed design requirements that also need to be considered. These are discussed below.

Section 108B of the Housing SEPP permits seniors housing to be carried out by LAHC as 'development without consent' subject to the provisions set out under that section. An assessment against the relevant provisions under Part 5, Division 8 of the Housing SEPP is provided in Error! Reference source not found. below.

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

Provision	Compliance
<b>108A – Development to which Division applies</b>	
This Division applies to development for purposes of senior housing involving the erection of a building on land -	
(a) on which development for purposes of seniors housing is permitted with consent under another environmental planning instrument, or	The development is permissible with consent within the R2 Low Density Residential zone under the GRLEP 2021.
(b) in a prescribed zone or an equivalent land use zone.	The R2 zone is also a prescribed zone under the SEPP. Part 5, Division 8 of the SEPP therefore applies.
<b>108B – Seniors housing permitted without development consent</b>	
(1) Development to which this Division applies may be carried out by or on behalf of a relevant authority without development consent if -	
(a) the relevant authority has considered the applicable development standards specified in sections 84(2)(c)(iii), 85, 88, 89 and 108, and	Consideration of the development standards is provided in Tables 5 and 6, below.
(b) the development will not result in a building with a height of more than- (i) 9.5m, or (ii) if the roof of the building contains servicing equipment resulting in the building having a height of more than 9.5m and the servicing equipment complies with section 84(3) – 11.5m, and	The maximum building height is 9m.
(c) the seniors housing will not contain more than 40 dwellings on the site.	The development is for 14 dwellings on the site.
(2) <i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i> , sections 2.15 and 2.17 apply to the development and, in the application of the clauses –	Sections 2.15 and 2.17 of <i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i> are not applicable to the site or development.
(a) a reference in section 2.15 to “this Chapter” is taken to be a reference to this section, and	Noted.
(b) a reference in the sections to a public authority is taken to be a reference to the relevant authority.	Noted.
<b>108C – Requirements for carrying out seniors housing</b>	
(1) Before carrying out development to which this Division applies, a relevant authority must –	
(a) request the council to nominate a person or persons who must, in the council's opinion, be notified of the development, and	Advice was sought from Georges River Council regarding additional persons or properties that should be notified of the development via an email sent to Council on 24 July 2023. Council provided a response on 25 July 2023 advising that the extent of notification is considered satisfactory.

Provision	Compliance
(b) give written notice of the intention to carry out the development to – (i) the council, and (ii) the person or persons nominated by the council, and (iii) the occupiers of adjoining land, and	A letter notifying Georges River Council of the proposed development activity was sent by LAHC on 17 August 2023. Letters notifying occupiers of adjoining land of the proposed development activity were sent by LAHC on the same date.
(c) take into account the responses to the notice that are received within 21 days after the notice is given, and	Council responded to LAHC's notification by letter dated 12 September 2023. Comments on the response are provided in Section 7.1 of this REF. One submission was received from an adjoining occupier. Comments on the submission are provided in section 7.2 of this REF.
(d) take into account the relevant provisions of the <i>Seniors Living Policy: Urban Design Guidelines for Infill Development</i> , published by the Department in March 2004, and	Refer to checklist in <b>Appendix O</b> and subsection 6.5.3 of this REF. These conclude that the development complies with all relevant development standards relating to the <i>Seniors Living Policy: Urban Design Guidelines for Infill Development</i> with the exception of the minor variations discussed in subsection 6.5.3 of this report. In these cases, suitable alternatives are proposed which are necessary due to site specific constraints, site and locality characteristics and specific LAHC design requirements and policies.
(d1) if the relevant authority is the Aboriginal Housing Office – consider the relevant provisions of the <i>Aboriginal Housing Design Guidelines</i> , published by the Aboriginal Housing Office in January 2020, and	The relevant authority for the subject application is LAHC therefore (d1) is not applicable.
(e) if the relevant authority is the Land and Housing Corporation – consider the relevant provisions of – (i) <i>Good Design for Social Housing</i> , published by the Land and Housing Corporation in September 2020, and (ii) the <i>NSW Land and Housing Corporation Design Requirements</i> , published by the Land and Housing Corporation in February 2023, and	Refer to subsections 6.5.4 and 6.5.5 of this REF and the Architect's Statement and Certificate of Building Design Compliance in <b>Appendix M</b> which indicate that the design and dwelling requirements have been considered.
(f) consider the design principles set out in Division 6	Consideration of these principles is discussed in Section 6.5.6.
(2) In this section, a reference to the council is a reference to the council for the land on which the development is proposed to be located.	Noted.
108D - Exempt development Development for purposes of landscaping and gardening is exempt development if it is carried out by or on behalf of a relevant authority in relation to seniors housing	Noted.
108E - Subdivision of seniors housing not permitted Development consent must not be granted for subdivision of seniors housing.	Subdivision is not proposed.

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

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

Provision	Compliance
<b>84 Development standards—general</b> (2) Development consent must not be granted for development to which this section applies unless— (c) for development on land in a residential zone where residential flat buildings are not permitted— (iii) if the development results in a building with more than 2 storeys—the additional storeys are set back within planes that project at an angle of 45 degrees inwards from all side and rear boundaries of the site.	The proposed development is in the R2 zone where residential flat buildings are not permitted.  Complies – The proposed building is 2-storeys.
<b>85 Development standards for hostels and independent living units</b> (1) Development consent must not be granted for development for the purposes of a hostel or an independent living unit unless the hostel or independent living unit complies with the relevant standards specified in Schedule 4. (2) An independent living unit, or part of an independent living unit, located above the ground floor in a multi-storey building need not comply with the requirements in Schedule 4, sections 2, 7–13 and 15–20 if the development application is made by, or by a person jointly with, a social housing provider. Note — Development standards concerning accessibility and usability for residential care facilities are not specified in this Policy. For relevant standards, see the Building Code of Australia.	The proposed development complies with relevant standards specified in Schedule 4 as demonstrated in Table 8 below.  Noted.
<b>88 Restrictions on occupation of seniors housing</b> (1) Development permitted under this Part may be carried out for the accommodation of only the following— (a) seniors or people who have a disability, (b) people who live in the same household with seniors or people who have a disability, (c) staff employed to assist in the administration and provision of services to housing provided under this Part. (2) Development consent must not be granted under this Part unless the consent authority is satisfied that only the kinds of people referred to in subsection (1) will occupy accommodation to which the development relates.	Identified Requirement no. 74 is recommended to achieve compliance.
<b>89 Use of ground floor of seniors housing in business zones</b>	Not applicable as the site is not located in a business zone.

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

Development Standard	Required	Comment
Building Height:	9.5m or less	Maximum height 9m
Density and Scale:	Floor Space Ratio 0.5:1 or less	0.58:1, however the non-compliance does not result in any adverse impacts on adjoining properties or the streetscape (refer to discussion beneath this table).
Landscaped Area:	Minimum 35m <sup>2</sup> per dwelling (14 x 35m <sup>2</sup> = 490m <sup>2</sup> )	670m <sup>2</sup>
Deep Soil Zone:	Minimum 15% of area of site (15% x 1,926.1m <sup>2</sup> = 288.92m <sup>2</sup> )	457m <sup>2</sup> or 23.7%
	Minimum 65% (187.8m <sup>2</sup> ) to be preferably located at rear of site, if practicable	192m <sup>2</sup> provided at rear of site
	Minimum dimension 3m	Minimum dimension 3m
Solar Access:	70% of living areas & main private open space to receive minimum 2 hrs direct solar access between 9 am and 3 pm at mid-winter	71% (10 of the 14 units) of the living and private open space areas achieve at least 2 hours of direct solar access between 9am and 3pm mid-winter
Private Open Space:	Ground level:	
	Minimum 15m <sup>2</sup> per dwelling	All units on ground floor level exceed the minimum requirements, with POS ranging from 17m <sup>2</sup> to 36m <sup>2</sup> .
	One area minimum 3m x 3m, accessible from living area	All units on ground floor level exceed the minimum requirements.
	Upper level/s:	Compliant
	1 bedroom: Minimum 6m <sup>2</sup> Minimum dimensions 2m	Minimum 8m <sup>2</sup> Minimum 2.8m
	2 or more bedrooms: Minimum 10m <sup>2</sup> Minimum dimensions 2m	Minimum 10m <sup>2</sup> Minimum 2.7m
Car parking:	Minimum 1 car parking space for each 5 dwellings (LAHC concession – social housing provider) – 2.8 car parking spaces required = 3 car spaces	Compliant 7 car parking spaces for 14 dwellings, including 3 accessible parking spaces.

## Non-Compliance with FSR Standard

The development proposes a total gross floor area (GFA) of 1,121m<sup>2</sup> calculated in accordance with the Housing SEPP definition. This translates to an FSR of 0.58:1 and represents an exceedance of 157.95m<sup>2</sup> against the 0.5:1 FSR development standard provided in clause 108(2)(c) of the Housing SEPP. In addition, the proposal exceeds the FSR of 0.55:1 under the GRLEP 2021 FSR by 58m<sup>2</sup>.

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

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

- the 2-storey height at the street frontage is compatible in scale with adjoining dwellings in the street;
- compliant building setbacks and an articulated built form through balconies and a skilful roof design ensure that the proposed FSR variation does not result in unreasonable height, bulk and scale of the development;
- significant landscaping and deep soil zones within the site break up hard surfaces and building bulk;
- provision of considered dwelling layouts, including the careful placement and sizes of window/ door openings, the treatment of windows, and substantial buffer landscaping along boundaries to ensure no overlooking of adjoining residential private open space areas or living areas occurs;
- ensuring dwellings can be provided with a high level of amenity demonstrated through compliance with the Seniors Housing design standards prescribed by the HSEPP, e.g. high levels of solar access, accessibility;
- materials and finishes including brick walls and sheet metal roofing similar to the materials and finishes of recent developments in the locality and a variety of materials used for balcony balustrades and external privacy screens add visual interest to the development; and
- the development generally responds to the topography of the site, enabling appropriate accessibility for seniors and people with a disability and limited impacts to adjoining development.

The above measures illustrate that the development has appropriately considered the context of the site and has been designed to complement its surroundings. The proposal exceeds the minimum landscaped area, deep soil requirements and includes private open space with paved patio and landscaping, which ensures the development makes a positive contribution to the streetscape and general locality.

The proposed development will also not generate any significant adverse amenity impacts on surrounding properties in terms of overlooking or overshadowing. Shadows to neighbouring development to the west (19A Charles Street) will be confined to the morning period. Solar impact generated to development south of the site is not unreasonable and is limited to the afternoon period. The private open space areas of properties to the south will retain high levels of solar access. The proposed development will not cast any shadows on properties to the east and north due to the orientation of the site and substantial separation distance. The proposal, therefore, generates no unacceptable solar impacts to surrounding development and the numerical non-compliance in relation to FSR is supportable.

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

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

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

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

## 6.5.2 Development standards for accessibility

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

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

Table 8 Accessibility and useability standards [Schedule 4]

Development Standard (Schedule 4)	Required	Comment
<b>2. Siting Standards</b>		
Wheelchair access 'Non-sloping' sites i.e. with gradients entirely <1:10	100% of ground floor dwellings to have wheelchair access by a continuous accessible path of travel as per AS 1428.1 to an adjoining public road	100% of the ground floor units have accessible paths of travel in accordance with AS1428.1 to the front boundaries as confirmed by the submitted Accessibility Report prepared by Credwell (refer <b>Appendix H</b> ).
Wheelchair access 'Sloping' sites i.e. with gradients entirely or partially >1:10	% of ground floor dwellings, equal to % of site with gradient <1:10 or minimum 50% (whichever is greater), to have wheelchair access by a continuous accessible path of travel as per AS1428.1 to driveway or public road that is accessible to all residents	Not applicable, as the site does not have a gradient of more than 1 in 10.
Common areas	All common areas and facilities to have wheelchair accessibility as per AS1428.1	All common areas (ground-floor lobby and first-floor lobby) are capable of complying with AS1428.1 with an 850mm clear door width and accessible paths of travel, including lift, as confirmed by the submitted Accessibility Report prepared by Credwell.
<b>3. Security</b>		
Pathway lighting	Pathway lighting to be designed and located to avoid glare for pedestrians and adjacent dwellings and to provide min 20 lux at ground level	All lighting will be designed as per requirements at construction documentation stage (subject to Identified Requirement No. 75). Compliance readily achievable as per the submitted Accessibility Report prepared by Credwell (refer <b>Appendix H</b> ).
<b>4. Letterboxes</b>		
	To be lockable, located in central location adjacent to street entry or in one or more central locations on a hard standing area and have	Compliance readily achievable.  Letterboxes have been provided adjacent to the Charles Street entry,

	wheelchair access and circulation by a continuous path of travel (as per AS1428.1)	situated on a hard standing area with wheelchair accessibility as per AS 1428.1. Further specification to be provided at detailed construction documentation stage. Compliance indicated as per the submitted Access Assessment Report.
<b>5. Private car accommodation</b>		
Disabled car parking	Car parking spaces must comply with the requirements for parking for persons with a disability set out in AS2890 and at least 5% of the total number of car parking spaces (or at least 1 space if there are fewer than 20 spaces) must be designed to enable the width of the spaces to be increased to 3.8m	3 accessible car parking spaces are provided, which meet the requirements of AS2890.6. Compliance indicated as per the submitted Traffic and Parking Impact Assessment prepared by Motion Traffic Engineers (refer <b>Appendix S</b> ).
Garages	Must have power-operated door or there must be a power point and an area for motor or control rods to enable a power-operated door to be installed at a later date	Not applicable, as the proposal does not incorporate garages.
<b>6. Accessible entry</b>		
Every entry (whether front entry or not):	Must comply with clauses 4.3.1 and 4.3.2 of AS4299	Compliance readily achievable.  Details will be required at construction documentation stage (subject to Identified Requirement No. 73). Compliance readily achievable as per the submitted Access Assessment prepared by Credwell
<b>7. Interior: general</b>		
	Internal doorways must have a minimum clear opening that complies with AS1428.1 Internal corridors must have a minimum unobstructed width of 1,000mm Circulation space at approaches to internal doorways must comply with AS1428.1	Compliance readily achievable.  Door circulation and corridors are suitably wide, with compliance indicated as per the submitted Access Assessment Report prepared by Credwell.
<b>8. Bedroom</b>		
	At least one bedroom within each dwelling must have:	Compliance readily achievable.
	(a) an area sufficient to accommodate a wardrobe and a bed sized as follows:	The internal arrangement of at least 1 bedroom in each unit will make suitable provisions for the circulation spaces and facility requirements in accordance with this Clause. Compliance indicated as per the
	(i) in the case of a dwelling in a hostel - a single-size bed,	

	<p>(ii) in the case of a self-contained dwelling - a queen size bed, and</p>	submitted Access Assessment Report prepared by Credwell.
	<p>(b) a clear area for the bed of at least:</p>	Further detailed information will be required at construction documentation stage (refer to Identified Requirement No. 73).
	<p>(i) 1,200mm wide at the foot of the bed, and</p>	
	<p>(ii) 1,000mm wide beside the bed between it and the wall, wardrobe or any other obstruction, and</p>	
	<p>(c) 2 double general power outlets on the wall where the head of the bed is likely to be, and</p>	
	<p>(d) at least 1 general power outlet on the wall opposite the wall where the head of the bed is likely to be, and</p>	
	<p>(e) a telephone outlet next to the bed on the side closest to the door and a general power outlet beside the telephone outlet, and</p>	
	<p>(f) wiring to allow a potential illumination level of at least 300 lux</p>	
9. Bathroom		
	<p>At least 1 bathroom within a dwelling must be on the ground (or main) floor and have the following facilities arranged within an area that provides for circulation space for sanitary facilities in accordance with AS1428.1:</p>	Compliance readily achievable.
	<p>(a) a slip-resistant floor surface,</p>	Suitable provisioning has been made to accommodate the clearances required for an accessible bathroom. Necessary internal design adjustments can be made at later stages. Compliance indicated as per the submitted Access Assessment Report prepared by Credwell.
	<p>(b) a washbasin with plumbing that would allow, either immediately or in the future, clearances that comply with AS1428.1,</p>	
	<p>(c) a shower that complies with AS1428.1, except that the following must be accommodated either immediately or in the future:</p> <p>(i) a grab rail,</p> <p>(ii) portable shower head,</p> <p>(iii) folding seat,</p>	

	<p>(d) a wall cabinet that is sufficiently illuminated to be able to read the labels of items stored in it,</p> <p>(e) a double general power outlet beside the mirror</p> <p>The requirement under item (c) does not prevent the installation of a shower screen that can easily be removed to facilitate future accessibility</p>	
10. Toilet		
	A dwelling must have at least 1 toilet on the ground (or main) floor and be a visitable toilet that complies with the requirements for sanitary facilities of AS4299	<p>Compliance readily achievable.</p> <p>Suitable provision is made to accommodate the clearances required for a visitable toilet in the bathrooms of each unit. Necessary internal design adjustments can be made at later stages. Compliance indicated as per the submitted Access Assessment Report prepared by Credwell.</p>
11. Surface finishes		
	Balconies and external paved areas must have slip-resistant surfaces	<p>Compliance readily achievable.</p> <p>Further detailed information will be required at construction documentation stage to ensure compliance (refer to Identified Requirement No. 73).</p>
12. Door hardware		
	Door handles and hardware for all doors (including entry doors and other external doors) must be provided in accordance with AS4299	<p>Compliance readily achievable.</p> <p>Further detailed information will be required at construction documentation stage to ensure compliance (refer to Identified Requirement No. 73).</p>
13. Ancillary items		
	Switches and power points must be provided in accordance with AS4299	<p>Compliance readily achievable.</p> <p>Further detailed information will be required at construction documentation stage to ensure compliance (refer to Identified Requirement No. 73).</p>
15. Living room and dining room		

	<p>A living room in a self-contained dwelling must have:</p> <ul style="list-style-type: none"> <li>(a) a circulation space in accordance with clause 4.7.1 of AS4299, and</li> <li>(b) a telephone adjacent to a general power outlet.</li> </ul> <p>A living room and dining room must have wiring to allow a potential illumination level of at least 300 lux</p>	<p>Compliance readily achievable.</p> <p>Suitable provision is made within the living room design to ensure that a wheelchair circulation space of 2250mm diameter is available clear of furniture. Provisioning of telephone wiring adjacent to GPO's can be made during design development, as per the submitted Access Assessment Report prepared by Credwell.</p> <p>Further detailed information will be required at construction documentation stage to ensure compliance (refer to Identified Requirement No. 73).</p>
<b>16. Kitchen</b>		
	<p>A kitchen in a self-contained dwelling must have:</p> <ul style="list-style-type: none"> <li>(a) a circulation space in accordance with clause 4.5.2 of AS4299, and</li> <li>(b) a width at door approaches complying with clause 7 of this Schedule, and</li> <li>(c) the following fittings in accordance with the relevant subclauses of clause 4.5 of AS4299: <ul style="list-style-type: none"> <li>(i) benches that include at least one work surface at least 800mm in length that comply with clause 4.5.5 (a),</li> <li>(ii) a tap set (see clause 4.5.6),</li> <li>(iii) cooktops (see clause 4.5.7), except that an isolating switch must be included,</li> <li>(iv) an oven (see clause 4.5.8), and</li> </ul> </li> <li>(d) "D" pull cupboard handles that are located towards the top of below-bench cupboards and towards the bottom of overhead cupboards, and</li> <li>(e) general power outlets: <ul style="list-style-type: none"> <li>(i) at least one of which is a double general power outlet within 300mm of the front of a work surface, and</li> <li>(ii) one of which is provided for a refrigerator in such a position as to be easily accessible after the refrigerator is installed</li> </ul> </li> </ul>	<p>Compliance readily achievable.</p> <p>Suitable provision is made within the style of kitchen design to ensure that appropriate arrangements can be achieved. Necessary internal design adjustments can be made during design development, as per the submitted Access Assessment Report prepared by Credwell.</p> <p>Further detailed information will be required at construction documentation stage to ensure compliance (refer to Identified Requirement No. 73).</p>

17. Access to kitchen, main bedroom, bathroom and toilet		
	In a multi-storey self-contained dwelling, the kitchen, main bedroom, bathroom and toilet must be located on the entry level	Not applicable, as dwellings are not multi-storey.
18. Lifts in multi-storey buildings		
	In a multi-storey building containing separate independent living units on different storeys, lift access must be provided to dwellings above the ground level of the building by way of a lift complying with the Building Code of Australia, Volume 1, E3D7 and E3D8.	The development proposes a lift to access all units. This has been verified as 'compliance readily achievable' by the Access Report prepared by Credwell (refer <b>Appendix H</b> ).
19. Laundry		
	A self-contained dwelling must have a laundry that has: (a) width at door approaches that complies with cl.7 of this Schedule, and (b) provision for the installation of an automatic washing machine and a clothes dryer, and (c) a clear space in front of appliances of at least 1,300mm, and (d) a slip-resistant floor surface, and (e) an accessible path of travel to any clothes line provided in relation to the dwelling	Compliance readily achievable.  It considered that suitable provisioning has been made available to resolve accessibility.  Final laundry design will need to accommodate the circulatory requirements of this Clause, as per the submitted Access Report.  Further detailed information will be required at construction documentation stage to ensure compliance (refer to Identified Requirement No. 73).
20. Storage for linen		
	A self-contained dwelling must be provided with a linen storage in accordance with Clause 4.11.5 of AS 4299	Compliance readily achievable.  It is considered that suitable provisioning has been made within the design, as per the submitted Access Assessment prepared by Credwell.
21. Garbage		
	A garbage storage area must be provided in an accessible location.	Compliance readily achievable.  The bin storage area is accessed via walkways with suitable gradients. It is considered that suitable provisioning has been made within the design, as per the submitted Access Assessment prepared by Credwell.

### 6.5.3 Seniors Living Policy: Urban Design Guidelines for Infill Development

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

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

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

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

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

Table 9 Seniors Living Urban Design Guidelines departures

Guideline Requirement	Response
2.20 Minimise the impact of higher site cover on stormwater runoff by: - using semi-pervious materials for driveways, paths and other paved areas.	Driveways and paths are concrete (impervious material) to meet LAHC maintenance and durability requirements. Ample drainage has been designed and greater deep soil zone has been provided, beyond the requirements, to eliminate excess water runoff. No requirement for semi-pervious surfaces is necessary.
2.23 Where possible maintain existing crossing and driveway locations on the street.	Existing crossings and driveways cannot be retained. The proposed development involves amalgamation of 3 lots, with crossings being necessarily relocated and placed at the edges of the amalgamated property, away from the pedestrian entry, to meet safety requirements and a desirable presentation to the streetscape.
3.06 Reduce the visual bulk of a development by: - setting back upper levels behind the front building façade.	The upper levels are not setback further than the front building façade to simplify construction. A mix of materials and finishes allow for a varied façade that works well within the streetscape.
3.27 Vary the driveway surface material to break it up into a series of smaller spaces (e.g. to delineate individual dwellings).	Driveways and paths are concrete to meet LAHC maintenance and durability requirements. Parking is not allocated to individual units.
3.29 Provide gates at the head of driveways to minimise visual 'pull' of the driveway.	Driveway gates to common parking areas are not consistent with the LAHC Design Standards for maintenance reasons.
4.03 Protect neighbours' amenity by carefully designing the bulk and scale of the new development to relate to the existing residential character, for example by: - setting upper storeys back behind the side or rear building line	Upper floors have not been setback to simplify construction.

5.28 Provide private open space areas that retain existing vegetation where practical.	The proposal includes removal of existing trees to accommodate the development. The seniors housing development will incorporate more suitable plantings and trees that will enhance the aesthetics and ecological value of the site, improving amenity for the occupants.
5.29 Provide private open space areas that use pervious pavers where private open space is predominantly hard surfaced to allow for water percolation and reduced run-off.	Sufficient deep soil/landscape areas have been proposed within common and private open spaces. No requirement for permeable surfaces for hard stand private open area is necessary.

## 6.5.4 Good Design for Social Housing

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

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

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

### Wellbeing

The proposed development supports the wellbeing of future tenants by providing safe and accessible housing where privacy is provided for residents. The floor plan design allows occupants to age in place as each unit is accessibility compliant, being prepared for the changing needs of tenants over time.

The development incorporates passive and active sustainable design, durable and low maintenance materials and appropriately sized units to reduce running costs. The proposal achieves a high NatHERS rating with an average of 8.72 stars which exceeds the minimum targets set by LAHC. A 18.6kW photovoltaic system has been incorporated to offset energy use in the development. PV solar panels are positioned on the north facing roof elevations to maximise solar gains.

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

Ample parking is provided 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 emerging character of the local area, and will make a high quality contribution to the streetscape

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

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

## Value

The development exceeds sustainability targets, with an average NatHERS star rating of 8.72\*. The scheme incorporates sustainable features including insulation, high quality glazing, heat pump, clothes lines, native plantings, ceiling fans, good solar access and, subject to identified requirement (No. 80), good levels of natural cross ventilation. Photovoltaic panels and rainwater re-use will assist in minimising the use and cost of access to natural resources.

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

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

\*The NatHERS star rating of 8.72 may vary due to the introduction of additional windows to units 5, 7, 12 and 14 as discussed elsewhere in this REF.

## Collaboration

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

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

## 6.5.5 Land and Housing Corporation Design Requirements

The *Land and Housing Corporation Design Requirements* (LAHC Design Requirements) (February 2023) are used to inform the design and development of the LAHC social housing portfolio. These requirements apply to all new LAHC developments and are driven by tenant wellbeing, design quality, environmental performance and operational effectiveness within cost parameters.

Clause 108C(1)(e)(ii) of the Housing SEPP requires LAHC to consider the relevant provisions of the *LAHC Design Requirements* when assessing a proposed seniors housing development under Part 5, Division 8 of the Housing SEPP.

The proposed development was designed in accordance with the *Land and Housing Corporation Dwelling Requirements 2020*. These requirements were replaced by the *Land and Housing Corporation Design Requirements* in February 2023. The proposed development is generally in accordance with the provisions of the updated requirements.

## 6.5.6 Housing SEPP Design Principles

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

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

The Housing SEPP articulates a range of design principles that LAHC must consider in determining whether or not to proceed with a proposed seniors housing activity. **Table 10** below demonstrates how the principles have been considered in the design of the proposal.

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

Neighbourhood amenity and streetscape [section 99]
<p><i>Seniors housing should be designed to –</i></p> <p><i>(a) recognise the operational, functional and economic requirements of residential care facilities, which typically require a different building shape from other residential accommodation, and</i></p>
<p>N/A. The proposed development is not a residential care facility.</p>
<p><i>(b) recognise the desirable elements of –</i></p> <p><i>(i) the location's current character, or</i></p> <p><i>(ii) for precincts undergoing a transition – the future character of the location so new buildings contribute to the quality and identity of the area, and</i></p>
<p>The existing character is predominantly single and two storey residential development of varying age and architectural style. Face brick with pitched roofs is a prominent feature of housing in the immediate area, particularly dwellings constructed during the mid to late twentieth century. Dispersed throughout the neighbourhood are more recent additions including larger, contemporary rendered dwellings with flat roofs.</p> <p>The local development controls reflect a future character of residential development with a 9m height limit and density of 0.55:1.</p> <p>The proposed development reflects the existing character of the local area through the use of a light tan face brick and wood finish fibre cement panels to all external elevations, pitched roof forms and low front fencing integrated with a diverse landscape scheme.</p>
<p><i>(c) complement heritage conservation areas and heritage items in the area, and</i></p>
<p>The site is not located within a heritage conservation area nor are there any heritage items that adjoin the site.</p> <p>There is one heritage item (No. I260) in the vicinity which is the Peakhurst Public School at 65A Bonds Road, however, the item is located approximately 300m from the site, on a different road, and is not within the same visual catchment as the proposed development.</p>
<p><i>(d) maintain reasonable neighbourhood amenity and appropriate residential character by –</i></p> <p><i>(i) providing building setbacks to reduce bulk and overshadowing, and</i></p> <p><i>(ii) using building form and siting that relates to the site's land form, and</i></p> <p><i>(iii) adopting building heights at the street frontage that are compatible in scale with adjacent buildings, and</i></p> <p><i>(iv) considering, where buildings are located on the boundary, the impact of the boundary walls on neighbours, and</i></p>
<p>The development has been designed to reflect the desirable characteristics of the area which include deep soil front setbacks. The building setbacks are consistent with the Georges River DCP 2021 requirements, providing amenity for future residents, existing neighbours and the streetscape. Greater side setbacks have been provided in association with screening vegetation, reducing bulk and overshadowing on western and southern properties.</p> <p>The development is below the height limit permitted under the Housing SEPP and GRLEP 2021 and retains more than 2 hours solar access to the living areas and private open spaces of neighbouring dwellings in mid-winter.</p> <p>The proposal does not locate buildings directly upon the boundaries. A suitable balance of cut and fill is proposed to address the access requirements for seniors housing under the Housing SEPP.</p>
<p><i>(e) set back the front building on the site generally in line with the existing building line, and</i></p>
<p>Setbacks will maintain the existing predominant building lines and patterns of setbacks, and are consistent with the Georges River DCP 2021. A minimum 4.5m setback is proposed from the primary street frontage (Charles Street) and a setback of between 5.8m and 6.5m is proposed at the Brighton Road frontage.</p>
<p><i>(f) include plants reasonably similar to other plants in the street, and</i></p>
<p>The proposed landscape design incorporates substantial plantings at the front and rear of the development which will enhance the streetscape and provide a vegetative buffer at the rear of the site.</p> <p>The scheme incorporates a mix of ground covers, native shrubs including White Anzac Bottlebrush and Gynea Lily, climbers and feature trees including the native <i>Elaeocarpus reticulatus</i> – Blueberry Ash and <i>Hymenosporum flavum</i> – Native frangipani.</p>

The proposal requires the removal of 5 trees within the site and 1 within the adjoining property to the south. The development proposes 16 new trees, with some species capable of achieving a mature height of 10-15m. The high-quality landscape design will enhance the appearance of the site and represents a positive outcome for the streetscape in terms of visual and ecological value.

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

The 5 existing trees within the site and 1 within the adjoining property, near to the southern boundary, do not have sufficient significance for retention and are supported for removal as stated in the Arboricultural Report prepared by Allied Tree Consultancy (refer to **Appendix J**). As outlined above, substantial replacement planting is proposed to compensate for the loss of existing vegetation. This will include 5 Ivory Curl trees (5-10m mature height), 4 Tuckeroo trees (10-15m mature height), 2 Blueberry Ash trees (5-10m mature height), 2 Tuscarora Crepe Myrtle (5-10m mature height), 2 Chinese Elm (10-15m mature height) and 1 Weeping Lilly Pilly (5-10m mature height).

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

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

### Visual and acoustic privacy [section 100]

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

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

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

The building has generally been designed so that high use areas such as living rooms and private open space areas are oriented to both frontages where possible to minimise privacy impacts to adjoining properties. Where windows and balconies are proposed, adequate setbacks have been maintained and privacy screening provided to restrict direct overlooking where appropriate, particularly facing west.

Screening trees and vegetation along the boundaries' fencing will assist with mitigation of visual and acoustic impacts associated with the internal hard stand car parking. Perimeter landscaping will also act as a visual and acoustic buffer between the car park and southern units and adjacent development. The landscaped setback near the southwest corner of the site provides a large deep soil area which will accommodate shade trees and dense landscape plantings which will create a pleasant outlook when viewed from neighbouring properties.

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

### Solar access and design for climate [section 101]

*The design of seniors housing should –*

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

The corner site has northern and eastern frontages. The development has been designed so that 10 out of the 14 units have living areas and private open space that capture this northern and eastern orientation and achieve good solar access. Additional clerestory windows facing east and north have been used where possible for level 1 units allowing natural sunlight to enter the living areas of the remaining units that face south and west.

Overall, the development exceeds the sustainability targets and achieves an average NatHERS rating of 8.72, with no individual unit achieving less than 7 stars and two units achieving 10 stars.

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

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

Identified requirement (No. 80) requires the provision of additional windows to Units 5, 7, 8, 11, 12 and 14 which will ensure that at least 70% of dwellings in the development will have access to natural ventilation.

#### Stormwater [section 102]

*The design of seniors housing should aim to –*

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

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

#### Crime prevention [section 103]

*Seniors housing should –*

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

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

Site planning enforces territorial reinforcement by establishing clear entry points and boundaries through fencing and landscaping. The entry points provide a secure progression from public to private spaces and will create a safe environment for residents. Ten out of the 14 units address Charles Street and Brighton Road, providing passive surveillance of public areas as well as the pedestrian and vehicle entry points.

Fencing will be constructed along the side and rear boundaries, and all areas of private open space are fenced to create security and delineate between public and private spaces, whilst allowing for passive surveillance through semi-transparent vertical battens. The design of the proposed development will also allow for general surveillance of the rear of the site and parking area, particularly units 4, 5, 11 and 12 which have their terraces and balconies looking onto these areas. Peep-holes will also be provided to the front doors of each dwelling to enable residents to view approaches to their dwelling without having to open the door.

#### Accessibility [section 104]

*Seniors housing should –*

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

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

There are numerous bus stops within the locality. The closest surveyed bus stops are on Broadarrow Road, approximately 280m and 365m from the site (Broadarrow Rd opp Mona Rd – Bus Stop ID2210291 and Broadarrow Rd at Mona Rd – Bus Stop ID2210290), and another two bus stops on Bonds Road that are approximately 354m and 395m from the site (Bonds Rd opp Meadowland Rd – Bus Stop ID2210297 and Bonds Rd at Meadowland Rd – Bus Stop ID2210296), being under the 400m maximum walking distance specified under clause 93(3)(a) of the Housing SEPP.

The formed and level footpaths are available from the site to the bus stops with appropriate gradients, subject to the construction of a new pathway at the street frontages some minor upgrading works as identified in the Access Report.

Car parking is provided for residents within the site, including 3 accessible parking spaces and accessible pathways are provided between the car parking area and the internal lobby. There is ample street parking available on both Charles Street and Brighton Road for visitors.

#### Waste management [section 105]

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

A waste storage area is provided at the rear of the development, close to the rear lobby entrance, and will accommodate general waste, recycling and green waste bins. The storage area has been appropriately screened to minimise visual impact but still retain good visibility to avoid the creation of entrapment spaces. The site will be serviced by council's standard kerb-side pickup service, with bins taken to the kerb by a LAHC contractor.

## 6.6 Other State Environmental Planning Policies

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

Table 11 Compliance with other applicable State and Environmental Planning Policies

SEPP (Building Sustainability Index: BASIX) 2004
<p>A BASIX Certificate has been obtained for the development proposal, as required under the SEPP (refer to Appendix K).</p> <p>However, Council, in its submission in response to notification raised concerns that less than 60% of units in the development achieve natural cross ventilation.</p> <p>To address Council's concern, Identified Requirement (No 80) is recommended to introduce additional windows to units 5, 7, 8, 11, 12 and 14 which results in 70% of dwellings being capable of achieving natural cross ventilation.</p> <p>However, this will require an updated BASIX Certificate/ stamped plans and NatHERS certificates. Accordingly, Identified Requirements (Nos 3 and 81) require a new BASIX certificate/ stamped plans and NatHERS certificates to be generated for the activity.</p>
SEPP (Transport and Infrastructure) 2021
<p>The Transport and Infrastructure SEPP provides planning controls relating to development for the purposes of essential services infrastructure (hospitals, roads, water supply, telecommunications and electrical networks), educational establishments and child care facilities and major infrastructure corridors.</p> <p>The site is 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.</p>
SEPP (Biodiversity and Conservation) 2021
<p>This Biodiversity and Conservation SEPP provides planning controls related to conservation and management, to ensure protection of the natural environment.</p> <p><u>2.6(1) Clearing that requires permit or approval</u></p> <p>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 5 trees within the site (refer to Arboricultural Impact Assessment Report at <b>Appendix J</b>).</p> <p>Notwithstanding, Clause 6 of Housing SEPP specifies that development permitted without consent may be carried out without another consent or a licence, permission, approval or authorisation otherwise required under another environmental planning instrument. This means the proposed removal of trees within the site can be included within the REF scope and does not require a permit from Council.</p> <p>One tree is also proposed to be removed from a neighbouring property to enable the construction of the driveway and retaining wall. Owners consent was obtained from the neighbour for the removal of this tree (refer to <b>Appendix G</b>).</p> <p>An assessment of the proposed tree removal has been undertaken within section 4.2 of this REF.</p> <p><u>Part 6.2 Development in Regulated Catchments</u></p> <p>The site is located within a regulated catchment, namely, the Georges River Catchment. Accordingly, the controls for development set out in Division 2 of Part 6.2 of the Biodiversity and Conservation SEPP apply to the activity.</p> <p>Under Section 171A(1) of the EP&amp;A Regulation, LAHC, as determining authority for the activity, when considering the likely impact on the environment of an activity proposed to be carried out in a regulated catchment, must consider <i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i>, sections 6.6, 6.7, 6.8 and 6.9.</p>

## 6.6 Water quality and quantity

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

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

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

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

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

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

Comment: Stormwater will be collected within the site, connected to an underground detention tank draining to the proposed street drainage pit within Brighton Road.

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

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

## 6.7 Aquatic ecology

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

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

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

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

Comment: The subject site is not located on riparian land and will not require a controlled activity permit. The site does not adjoin a natural waterbody. Suitable erosion and sedimentation controls will be required to minimise erosion and maintain water quality. The site does not comprise any existing significant vegetation and as

such, the proposed removal of existing trees is supported by the arborist in the accompanying Arboricultural Impact Assessment Report. The proposed development includes planting of suitable native indigenous vegetation and trees, improving the ecological value of the site. In addition, the scale and nature of the activity, together with its location, is unlikely to have significant impacts upon aquatic ecology.

### 6.8 Flooding

This clause relates to flood liable land.

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

### 6.9 Recreation and public access

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

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

## SEPP (Resilience and Hazards) 2021

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

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

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

Previous evidence of contamination	Yes/No	Response
a) Was the subject land at any time zoned for industrial, agricultural or defence purposes?	No	LAHC records indicate that the land has been used for residential purposes since the late 1940's.  Identified Requirements attached to the Determination required any evidence of contamination to be appropriately managed at that time.
(b) Do existing records held by the planning authority show that a potentially contaminating activity listed in Table 1 in Appendix 1 has previously been approved or carried out on the subject land? (The use of records held by other authorities or libraries is not required for an initial evaluation.)	No	LAHC records indicate that the land has not been used for a potentially contaminating activity listed in Table 1, Appendix 1 of the draft Guidelines.
(c) Is the subject land currently used for a potentially contaminating activity listed in Table 1 in Appendix 1?	No	Each lot currently contains a single storey detached dwelling and associated structures.

(d) Has the subject land ever been regulated through licensing or other mechanisms in relation to any potentially contaminating activity listed in Table 1 in Appendix 1?	No	LAHC records indicate that the land has not been regulated through licensing or other mechanisms.
(e) Are there any land use restrictions on the subject land relating to possible contamination, such as orders or notices issued under the CLM Act?	No	As noted in the section 10.7 certificates, there are no land use restrictions relating to contamination under the CLM Act.
(f) Has a site inspection indicated that the site may have been associated with any potentially contaminating activities listed in Table 1?	No	A site inspection has been undertaken which indicated that the site is unlikely to have been associated with potentially contaminating activities.
(g) Are there any contamination impacts on immediately adjacent land which could affect the subject land?	No	Adjoining development is residential, forming part of a larger residential subdivision carried out in the late 1940's.
(h) Are there any human or environmental receptors that could be affected by contamination?	No	A standard identified requirement (No. 17) has been recommended to cover the possibility of discovering site contamination during demolition / construction works.
(i) Is the site adjacent to a site on the EPA's list of notified sites under s60 of the CLM Act, or adjacent to a site regulated by the EPA under the CLM Act?	No	A review of the EPA's register of notified sites indicates that the land is not adjacent to a notified site under s60 of the CLM act or a site regulated by the EPA under the CLM Act.

## 6.7 Georges River Local Environmental Plan 2021 (GRLEP 2021)

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

Table 12 Georges River Local Environmental Plan 2021

Relevant Provisions / Development Standards for Seniors Housing			
Clause	Provision / Development Standard	Required	Provided
4.3	Height of Buildings	(2) The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map (9 metres)	Maximum building height (measured in accordance with the LEP definition) is 9 metres.
4.4	Floor Space Ratio	(2) The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the Floor Space Ratio Map (0:55:1).	Proposed FSR is 0.58:1. Refer to justification beneath table 7 of this REF.

## 6.8 Georges River Development Control Plan 2021

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

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

Table 13 Georges River Development Control Plan 2021

Compliance with setback controls for multi-dwelling housing (Medium Density)		
Multi-dwelling housing		
Clause	Requirement	Proposed
6.2.4 Building Setbacks	<u>Building Setbacks (Front)</u> 1. Minimum setbacks from the primary street boundary are: <ol style="list-style-type: none"> <li>4.5m to the main building facade; and</li> <li>5.5m to the front wall of a garage, carport roof or onsite parking space.</li> </ol> <u>Building Setbacks (Secondary street frontage)</u> 2. Minimum setback to a secondary frontage is 4.5m to the main building facade (5.5m to the front wall of garage, carport roof or onsite parking space).	Complies. A minimum 4.5m setback is proposed from the primary street boundary (Charles Street).  Complies. A minimum setback of 5.8m is proposed from the secondary street boundary (Brighton Road).

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

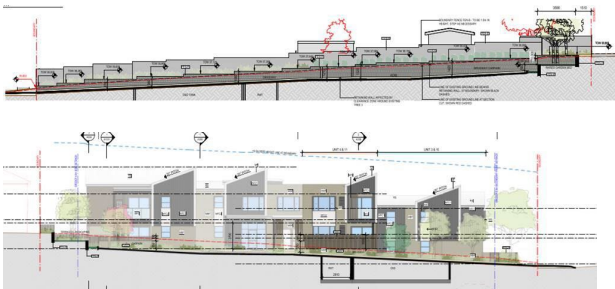
<u>Building Setbacks (Side allotment boundary)</u> 3. Minimum side boundary setback is 4m to the main building facade (multi dwelling housing).	Complies. 4.8m to western side boundary.
<u>Building Setbacks (rear allotment boundary)</u> 5. The minimum rear boundary setback is 6m to the main building facade from the rear of the allotment.	Complies. 6.5m to southern boundary.

# 7 Notification, Consultation and Consideration of Responses

## 7.1 Council Notification

In accordance with section 43 and 108C of the Housing SEPP, Georges River Council was notified of the development by letter dated 17 August 2023 (refer to **Appendix G**). The notification response period formally closed on 12 September 2023 and Council responded to the notification by letter dated 12 September 2023, with matters raised outlined in **Table 14** below.

Table 14 Issues raised in Council submission

Issues raised	Response
<p><b>Topography</b></p> <p>The site generally slopes down from the southwest corner to the northeast corner at the corner of Charles Street and Brighton Road. The site has a cross fall of around 4.1m (RL38.62 southwest corner to RL 34.52 northeast corner).</p> <p>The proposal involves a centrally located service core with apartments organised to its either side (west – Ground Upper and east – Ground Lower). The finished floor levels (FFL) of Ground Upper is at RL37.1, while the Ground Lower is at RL 35.55. Stairs are proposed to bridge the 1.55m level difference between the two ground levels as well as the to access the at grade car parking from Ground Lower. Based on the information provided (Refer Drawing A106, prepared by SARM Architects), it is established that the proposal will result in extensive excavation up to a depth of between 0.3m to 1.4m.</p> <p>In addition, excavation is also proposed along the southern boundary and the driveway off Brighton Road located around 1.4m below the existing natural ground requiring a 1.5m high retaining wall. This is considered entirely unnecessary (Refer Figure 01). Excavation to a depth of 2.7m is also proposed to accommodate a rainwater tank (RWT) and ODS, which is considered appropriate (Refer Figure 2).</p>  <p>Part 3.5.1 of GRDCP requires developments to not alter natural or existing ground levels by more than 1m in low</p>	<p>The design of the development is driven by the provision of a single lift core facilitated by a split floor plate which enables the development to respond to site levels and allow level access from both street frontages to be achieved. Excavation for the building exceeding 1m depth is generally limited to the central part of the building around the lift/ stairwell core.</p> <p>Excavation for the driveway exceeding 1m depth is generally limited to the car parking area and the part of the driveway associated with the car parking area. The non-compliance with the DCP control is considered acceptable as the driveway/ car park design achieves level access and there are no unreasonable impacts to adjoining properties given that the proposed retaining walls are located within the sites boundaries and existing site levels are maintained at the boundary.</p>

density areas. The objective is to ensure that the natural topography and landform is maintained, and the amount of excavation is minimised.

The proposal does not comply with the GRDCP requirements. It is considered that the split level / lowering of the Ground Lower is proposed not to address existing topography but for the proposal to comply with the maximum permitted building height. The proposed excavation is not considered an appropriate response to the existing topography and inconsistent with the GRDCP objectives. Hence, the extent of the proposed excavation for the driveway and the units is not supported.

It is recommended that the proposal should be amended to provide an appropriate response to the existing topography. Steps are a barrier to visual and physical engagement with the public domain, car parking and open space. Hence, the design should be amended for the proposed ground floor FFLs to be relative to the existing topography and the habitable areas above the existing natural ground to provide the required amenity. The building should be designed to minimise the number of steps across the site. The driveway should also be located above the natural ground with gradual gradients to address the slope.

#### Building Entry / Communal Circulation Space / Public Private Interface

A single pedestrian building entry is proposed off Charles Street (The FFL of the building entry is not provided). The main entry door is inset (around 14m from the street) with access from a 1.5m – 2m wide open to sky communal circulation space (CCS) between U01 and U07. The CCS leads to the main building door and the split level lift lobby (Refer Section 1.0 for detail on level changes) with the sightlines terminating at the blank wall. The stairs adjacent the lift that bridges the 1.55m level difference between the lobbies also leads to the at grade car parking and the bin room to the south of the Ground Upper lobby. The ground floor apartments along both the streets do not have direct access from the streets.

The CCS is cluttered with garden beds, while the building entry is not visible from the public domain. Accordingly, the design presents safety and trip hazard concerns for the residents. Lack of individual access to ground floor units also fails to enhance street activation. The building entry is not clearly identifiable, and its design does not contribute to the identity of the building or enhance the streetscape. In addition, the lift lobby has interface with the bin room and car parking area. This is a missed opportunity to provide landscaped area/communal open space at the interface of the lobby to provide direct visual and physical access to the landscaped area and enhance amenity.

It is recommended that the building entry should be designed to be identifiable and contributes to the identity of

The principal pedestrian entry path from Charles Street has been amended to align more directly with the main entry door. A planter bed has also been removed to improve the visibility of the entrance from the street. In addition, and as shown on the roof plan, the area between Unit 01 and Unit 07 is proposed to be covered, highlighting the building entry. Overall, the amended entry design provides a clearly identifiable entry point generally consistent with the character of the area.

In relation to direct entry paths to ground floor units, the plans have been amended to provide direct entry pathways to an additional 2 ground floor units (unit 02 and unit 03). Units 01, 05 and 07 have direct access from the main entrance lobby. Unit 04 is accessed from the street via a pathway from Brighton Road. Accordingly, access to ground floor units is considered to provide adequate street activation.

It is considered that sufficient landscape areas have already been provided on the site and relocation of the bin room and 3 car parking spaces is therefore not necessary.

A skylight is proposed over the lift lobby area to provide natural light. Natural cross ventilation is

<p>building and character of the streetscape. The building entry should be at the same level as the footpath to enhance public/private connection and any level changes should be incorporated within the design of the building. The ground floor units should have direct access from the street to enhance street activation.</p> <p>The pedestrian access (CCS) should be direct and devoid of obstructions providing direct sight lines between the public / private domain and lifts enhancing safety. Relocating the bin room and the 3 car parking spaces adjacent the bin room and replacing them with landscaping should be considered with visual and physical connection with the lift lobby. This will require designing the building to address existing topography as per recommendation under Section 1.0 (Landscaping is discussed further under Section 3.1). The lift lobby at ground should also have access to natural light and ventilation.</p>	<p>achieved via the entry doors located at the northern and southern ends of the lift lobby area.</p>
<p><b>Landscape Area / Communal Open Space</b></p> <p>Clause 108 (d) of State Environmental Planning Policy (Housing) 2021 (SEPP Housing) requires the following:</p> <p>(d) for a development application made by a social housing provider — at least 35m<sup>2</sup> of landscaped area per dwelling</p> <p>For the subject site minimum 490m<sup>2</sup> landscaped area / communal open space (COS) is required. Information provided has the proposed landscaped area to be 673m<sup>2</sup> (Refer Drawing A000). The proposed landscape area numerically complies with the requirement. However, concerns are raised on the quality of the majority of the landscaped area, which is not considered to be well integrated with the built form and not well designed consolidated spaces with adequate amenity. The landscaped areas in the four corners of the site have limited access. For example, Unit U04 residents will either have to go all the way outside the building to access the landscaped area in the northeast corner or through the parking to access the landscaped area in the southeast corner. This is not considered a good design outcome.</p> <p>In addition, some of the spaces are not wide enough to either grow trees or serve as passive recreational spaces / communal open spaces (COS). For example, the narrow linear space in the northwest corner between U06 and the parking space along the western boundary is neither usable nor desirable. The proposed landscaped area is more a “left over” space with no direct OR equitable access from communal circulation spaces. As discussed under Section 2.0, the lift lobby has interface with the bin room and car parking area instead of landscaped space. In addition, the level difference between the Ground Lower disconnects the landscape area from the built form and makes it less desirable.</p>	<p>Councils’ concerns in relation to common open space are noted. The development provides 670m<sup>2</sup> of landscape area which exceeds, by 180m<sup>2</sup> the amount of landscape area required under the Housing SEPP. All ground floor units have landscaping provided within their private open space areas and are generally surrounded by landscaping, noting that the majority of ground floor units are provided with private open space areas that exceed the minimum requirements. Residents also have access to the Charles Street Reserve for social interaction</p> <p>The view from sun diagrams (Appendix A) indicated that landscaped areas along each street frontage and the south west corner of the site (more than 50% of the landscape area provision of the site) receive at least 2 hours direct sunlight on June 21.</p> <p>As shown on the site plans and the material schedule, private open space areas at ground floor are enclosed with palisade fencing on top of brick walls and/ or open style vertical slat fencing allowing for passive surveillance of the street and landscaped areas. Living area and bedroom windows face their private open space/ landscaped areas.</p> <p>The car parking court and dedicated car parking space to unit 6 represent the most efficient layout for the development and result in the reduction of 1 driveway crossover. As noted above, landscaping for the site exceeds the amount required by the Housing SEPP; and</p>

<p>Lastly, lack of landscaping along the western and southern boundaries is also of concern as it does not provide appropriate transition or visual/ acoustic buffer to the neighbouring properties.</p> <p>It is recommended that the design should be amended for the landscape area to be well integrated with the design of the building with equitable and seamless access from all apartments. The landscape areas should be a network of well connected spaces providing opportunity for group and individual recreation and activities and not fragmented spaces with limited amenity. As discussed under Section 2.0, a design option could be for the main building entry / lift lobby to connect/lead to the landscaped area to the south.</p> <p>It is acknowledged that the SEPP (Housing) 2021 is silent on the sunlight access to landscaped area. However, 2 hours of sunlight to minimum 50% of landscaped areas is considered a minimum requirement for all other developments and should be adopted.</p> <p>Windows and private open spaces should be provided with aspects of landscape area to provide passive surveillance to the COS. If any fencing is proposed for the courtyards at ground, it should be a palisade fence. This will not only make the COS more appealing and usable but will also contribute to the appeal of the development.</p> <p>Lastly, parking and driveways should be consolidated and located away from the boundary to accommodate planting to provide visual / acoustic buffer as well as for the proposal to be consistent with the future desired character of the area.</p>	<p>landscaping is proposed alongside and at the end of the driveways to soften their appearance in accordance with the SLUDG.</p> <p>The landscaping strip adjacent to U06 and the western boundary is proposed to soften the appearance of the driveway, in accordance with the Seniors Living Policy: Urban Design Guidelines for Infill Development (SLUDG).</p> <p>Within the setback area along the western boundary, 21 x Brush Cherry shrubs with (mature height 3m-5m); 6 x cascade Lilly Pilly (mature height) 1.5m – 3m); and 3 Ivory curl trees (mature height 5m – 10m) are proposed in addition to a variety of ground covers. The plantings, in addition to 1.8m high metal fencing, are considered to provide adequate visual and acoustic buffering to the neighbouring properties.</p>
<p><b>Deep Soil</b></p> <p>Clause 108 (f) of (SEPP Housing) requires the following:</p> <p>(f) a deep soil zone on at least 15% of the site area, where each deep soil zone has minimum dimensions of 3m and, if practicable, at least 65% of the deep soil zone is located at the rear of the site</p> <p>The subject site requires a minimum 287.385m<sup>2</sup> deep soil area with minimum 3m dimensions. The deep soil area calculations provided has included areas between 1.2m-2m in the deep soil calculation (area along Charles Street frontage), which is not accurate. In addition, 65% of the deep soil is also not located to the rear.</p> <p>Hence, the proposal does not comply with the SEPP Housing deep soil requirement.</p> <p>It is recommended that the proposal should be amended for it to comply with the SEPP Housing minimum deep soil area requirements including the minimum 3m dimensions and location to the rear.</p>	<p>Deep soil zone provision exceeds the amount required by the Housing SEPP. The deep soil zones along the Charles Street frontage have been included in the deep soil zone calculation as the 'garden edges' are surface structures that will not impede the function of these deep soil zones.</p>

Solar Access	
<p>SEPP (Housing) 2021, Clause 108 Non-discretionary development standards for independent living units prescribes the following:</p> <p>(g) at least 70% of the dwellings receive at least 2 hours of direct solar access between 9am and 3pm at mid-winter in living rooms and private open spaces,</p> <p>(h) for a dwelling in a single storey building or a dwelling located, wholly or in part, on the ground floor of a multi-storey building —</p> <p>at least 15m<sup>2</sup> of private open space per dwelling, and</p> <p>at least 1 private open space with minimum dimensions of 3m accessible from a living area located on the ground floor,</p> <p>The Seniors Living Checklist provided states that 10/14 dwellings receive minimum 3 hours of sunlight. However, a shadow study has not been provided to confirm the solar access compliance.</p>	<p>Drawing no. A800 includes a View from Sun Study which indicates that the living and private open space areas of 71% of the dwellings in the development received a minimum 2 hours direct solar access on June 21, in accordance with the Housing SEPP.</p>
Natural Ventilation	
<p>SEPP (Housing) 2021, Clause 101 under Design Principles states the following:</p> <p>The design of seniors housing should -</p> <p>(b) involve site planning, dwelling design and landscaping that reduces energy use and makes the best practicable use of natural ventilation, solar heating and lighting by locating the windows of living and dining areas in a northerly direction.</p> <p>The Seniors Living Check List provided states that natural ventilation is used as much as possible. Landscaping design incorporates trees to help in natural ventilation, softening winds and breezes entering the building.</p> <p>However, it should be noted in addition to landscaping, appropriate window and door openings appropriately located and of appropriate size should be provided to facilitate natural cross ventilation. Unit U01, 04, 05, 07, 08, 11, 12 and 14 are considered to not have access to cross ventilation (6 of 14 - 42.85% are cross ventilated).</p> <p>It is recommended that the design should be amended for at least 60% of the units to be naturally cross ventilated as a good urban design practice.</p>	<p>Identified Requirement (No. 80) is recommended requiring additional windows to be provided to units 5, 7, 8, 11, 12 and 14.</p> <p>The additional windows will result in 70% of dwellings in the development having access to cross ventilation.</p>
Vehicular Access and Parking	
<p>The proposal in total provides for 7 at grade car parking spaces, 6 of which are located immediately south of U05 and the lift lobby. A driveway within the southern side boundary off Brighton Road provides vehicular access to the rear car</p>	<p>Generally, car parking has been consolidated for the development, with the number of driveway crossovers reduced from 3 to 2. The driveway location off Charles Street replicates the</p>

<p>parking spaces. An additional driveway is also proposed along the western boundary off Charles Street to access 1 disabled space. As discussed under Section 1.0, the driveway to the south is located below the existing natural ground requiring excavation to a depth of around 1.5m (FFLs not provided).</p> <p>The 2 at grade car parking areas, associated driveways and the footpath for the garbage bin room results in extensive area of impervious surface resulting in separating the landscape area and its potential to provide a consolidated and connected network of open space. This is inconsistent with GRDCP objective under Section 6.2.12, which requires developments to minimise the adverse impact of vehicles on the amenity of the development, streetscape and neighbourhood. Provision of two driveways especially to access a single car parking space is considered excessive. While the location of the driveways adjacent the southern and western boundaries without adequate setbacks, inhibits inclusion of planting to enhance privacy and character of the area. The driveways along the boundaries are a visual intrusion and disrupts the streetscape.</p> <p>The rear car parking also takes up the prime location with views from the lift lobby. The separation between the vehicles and the pedestrian path to the south is not considered adequate and inconsistent with GRDCP Objective under Section 6.2.12: to ensure pedestrian ways provide safe and convenient access.</p> <p>It is recommended that the 2 proposed car parking areas should be consolidated to minimise the extent of impervious surface and eliminate the need for an additional driveway off Charles Street. It is acknowledged that cut and fill is discouraged in the low density residential area. However, given the scale of the development and lack of desirable COS / landscaping; provision of basement car parking, instead of at grade car parking should be considered especially since extensive excavation is proposed for the OSD and RWT. It is considered that 7 cars can easily be accommodated under This will minimise conflict between pedestrians and vehicles and also provide opportunity for a well-connected and accessible network of open space area for the residents.</p> <p>Any basement parking and driveway should be contained within the building footprint, should be wholly below the natural ground and the proposal should comply with the deep soil and landscaping requirements especially planting along the southern and western boundaries.</p>	<p>existing pattern of driveway crossovers in the street. The appearance of driveway and car parking space to Unit 06 is softened by turf and shrubs (10 x Silver Nugget Cushion Bus; 5 x Round leaved mint bush; and 3 Tuscan blue rosemary – refer to Landscape Plan in Appendix B) either side and by a variety of shrubs that will be visible above the retaining wall at the end of the car parking space.</p> <p>It is noted that the access and traffic reports did not raise any concerns in relation to potential safety implications resulting from the design of the driveway and accessible pathway.</p> <p>Basement car parking was considered for the development, however, such a structure was not financially viable</p>
<p><b><u>Architectural Expression</u></b></p>	
<p>An effort has been made to break the horizontality and the flat roof by introducing pitched roof forms at intervals. The building Articulation also includes projecting and recessing</p>	<p>In relation to the east and west elevations, a variety of materials, colours and building elements are proposed.to provide visual interest</p>

elements, which is encouraging. However, the overall façade treatment and built form still lacks design excellence (Refer Figure 03).



Fig. 03

The east and west elevations lack thoughtful consideration of architectural detailing to make them interesting. The east and west elevations lack cohesive as the combination of built form with flat and pitched roofs appear as disconnected. The east and west elevations are dominated by brown receding metal cladding blank walls which are perceived as bulky. All elevations should be carefully designed to present interesting and aesthetically pleasing frontages and not just the street elevations. The recessing and projecting elements should follow a certain rhyme to make the facades interesting combined by change in materiality and architectural detailing.

The design of the corner of Charles Street and Brighton Road does not identify the corner / provide any prominence to identify the corner. The location of building services (substation, FH Booster etc) has not been identified on either the plans of elevations.

It is recommended that the bulk of the built form especially to the west and east should be broken by variation in architectural detailing or materiality. The roof form should add to the built form as well as the skyline and streetscape and form an integral part of the whole development. The northern façade should be enhanced by clearly distinguishable building entry and the street activated by incorporating separate building entries to the ground floor units.

Detail design of the building services required to service the proposed building should be provided. The building services included should be integrated into the development and the façade design without compromising street activation and minimise the impact on the streetscape.

and to break up the building facades. The building entry at the northern facade is identified by a covered entry pathway and mailbox. In response to Council's feedback, planters have been removed the pathway alignment modified to align more directly with the entry door.

A Juliette balcony has been added at the corner of Brighton Road and Charles Street to give prominence to the corner and to reduce the unbroken area of vertical metal cladding and to give more visual prominence to the corner.

The plans have been amended such that all ground floor units facing the street frontages have direct entry from the street.

The location of services will be determined during detailed design and their impact considered at that time.

## Conclusion

The proposal is not supported in its current form. The proposal will require considerable amendments in order for it to be supportable from an urban design perspective.

It is considered that the concerns raised by Council have been satisfactorily addressed as detailed above.

Landscape Comments	
<p>The proposed landscaping is insufficient and does not meet the minimum SEPP Housing deep soil area requirements.</p> <p>The landscape plans propose eleven (11) <i>Hymenosporum flavum</i> (Native Frangipanni) trees along the south-western boundary in a raised narrow garden bed between the boundary fence and retaining wall. This is an inappropriate growing environment that lacks sufficient soil volumes for these trees to reach their full growth potential (approx. 12 metres tall with a canopy spread of 6 metres). It is recommended that the proposed design is amended to better incorporate tree planting with the adjacent carpark, which would provide much needed canopy cover / shade and aid in reducing the effects of 'Urban Heat Island Effect'.</p> <p>The proposed tree species on the Landscape Plans are predominately small canopy spread with a maximum spread of 5-6meters (2.5m / 3m radius). Given the scale of the project and many of the trees being located adjacent Brighton Road and Charles Street, there is scope to plant larger canopy trees that will provide greater benefits to the local area and to the amenity of the housing users. An opportunity exists to provide new street tree plantings on both Brighton Road and Charles Street.</p>	<p>As noted above, deep soil zone provision exceeds the amount required by the Housing SEPP. The deep soil zones along the Charles Street frontage have been included in the deep soil zone calculation as the 'garden edges' are surface structures that will not impede the function of these deep soil zones.</p> <p>The proposed tree species specified within the Landscape Plan are appropriate to the local area and the canopy size is suitable for the proposed built form, noting that the LAHC Design Requirements specify that trees should not be planted within 3m of a building for future maintenance purposes.</p> <p>A Identified Requirement (No.79) is recommended requiring tree plantings to be provided for the street frontages in consultation with Georges River Council.</p>
Arboriculture Comments	
<p>The Arboricultural Impact Assessment (AIA) report assessed nine (9) existing trees within or adjacent the site that will be impacted by the proposed development. All existing trees within the site (5 trees) are proposed to be removed. These trees are not considered high value or a development constraint.</p> <p>The AIA has not assessed the proposed Landscape Plans or any other subsurface Plans (except for Stormwater).</p> <p>T1 is a large mature <i>Juniperus communis</i> (Juniper) located in the neighbouring yard of 40 Bungalow Road. The tree has grown hard against the existing boundary fence with the subject site. The Juniper tree has a medium retention value and landscape rating. The proposed soil cut to construct the new retaining wall (carpark) will have a 'major' encroachment within the Tree Protection Zone (TPZ).</p> <p>T2 is a mature <i>Ligustrum lucidum</i> (Broad-leaf Privet) located in the rear yard of No. 40 Bungalow Road. The AIA states that a 'major' encroachment within the TPZ to facilitate the new retaining wall (carpark) will result in the Broad-leaf Privet becoming unstable and requiring removed. This species is on Council exempt species list; however landowners' consent will be required before the tree can be removed.</p>	<p>As noted above, deep soil zone provision exceeds the amount required by the Housing SEPP. The deep soil zones along the Charles Street frontage have been included in the deep soil zone calculation as the 'garden edges' are surface structures that will not impede the function of these deep soil zones.</p> <p>The proposed tree species specified within the Landscape Plan are appropriate to the local area and the canopy size is suitable for the proposed built form, noting that the LAHC Design Requirements specify that trees should not be planted within 3m of a building for future maintenance purposes.</p> <p>The Arborist Report notes the following about T1:</p> <p><i>'Encroachment: 13%; based on drawing A200 (J), the encroachment consists of excavation for the retaining wall, see Assumption 1. This is three percentage points in excess of a minor encroachment and will not adversely impact on the tree. Taking into account the existing shed on concrete slab exists within the similar footprint as the proposed excavation, the extent of impact is</i></p>

<p>T3 is a mature <i>Syzygium paniculatum</i> (Magenta Lilly Pilly), that also located in the rear yard of No. 40 Bungalow Road. The proposed soil cut to construct the new retaining wall (carpark) will have a 'major' encroachment within the Tree Protection Zone (TPZ).</p> <p>T4 is a mature <i>Archontophoenix cunninghamiana</i> (Bangalow Palm) in the front yard of No. 19A Charles Street. The Bangalow Palm has a high retention value and landscape rating. Due to the dense bulbous root system, unlike the branching roots systems of typical trees, the Bangalow Palm is unlikely to be affect by the proposed development if adequate tree protection measures are in place.</p> <p>Recommendations</p> <ol style="list-style-type: none"> <li>1) That the proposed landscaping is amended to meet the minimum SEPP Housing deep soil area requirements.</li> <li>2) That the design of the south-western retaining wall is amended to provide adequate soil volumes for tree planting adjacent carpark, that would provide much needed canopy cover / shade and aid in reducing the effects of 'Urban Heat Island Effect'.</li> <li>3) As recommended above, that the south-western retain wall be amended to reduce the 'major' impacts to neighbouring trees in the rear yard of No. 40 Bungalow Road. Note: T2 in rear yard of No. 40 Bungalow Road cannot be removed without Landowners Consent – if consent is not given, the proposed design must be amended to facilitate its retention.</li> <li>4) Recommended that the Architect liaise with an AQF Level 5 Arborist to reduce 'major' impacts to neighbouring trees and to provide greater tree planning opportunities.</li> <li>5) That the proposed tree species as detailed in the Landscape Plans are amended to tree species with larger canopies that will provide greater benefits to the local area and to the amenity of the housing users.</li> <li>6) That the Landscape Plans are amended to include new street tree plantings on both Brighton Road and Charles Street.</li> </ol> <p>From an Arboricultural and Landscape perspective the proposal is not supported in its current form.</p>	<p><i>low. The crown structure poses no conflict and no pruning is required.'</i></p> <p>Accordingly, T1 is able to be retained subject to the recommendations contained in the AIA.</p> <p>Note: Assumption 1 in the AIA assumes that the cut for the retaining wall does not exceed 300mm from the retaining wall. The project civil engineer has confirmed that the cut to enable construction for the retaining wall does not exceed 300mm, indicating compliance with assumption 1 in the AIA</p> <p>Owners consent for the removal of T2 has been provided from the owners of 40 Bungalow Road (refer Appendix G).</p> <p>The Landscape Plan has been prepared by an appropriately qualified Landscape Architect. The proposed tree species specified within the Landscape Plan are appropriate to the local area and the canopy size is suitable for the proposed built form, noting that the LAHC Design Requirements specify that trees should not be planted within 3m of a building for future maintenance purposes.</p> <p>An identified requirement is recommended requiring street trees to be planted across the sites frontages in consultation with Georges River Council.</p> <p>It is considered that the concerns raised by Council's Arborist have been satisfactorily addressed as detailed above.</p>
<p><b>Car Parking Areas – Access, Layout and Design</b></p> <p>The 7 on site car parking spaces are provided in two, separate at grade car parks with one car park catering for the parking of 6 vehicles and the other catering for the parking of 1 vehicle.</p> <p>The largest car parking area containing 6 car spaces (with 2 being accessible) is located in the south-western corner of</p>	<p>The car parking court and dedicated car parking space to unit 6 represent the most efficient layout for the development and result in the reduction of 1 driveway crossover from the existing site conditions. As noted above, landscaping for the site exceeds the amount required by the Housing SEPP, which will assist in stormwater infiltration noting that the</p>

the site accessed via a single vehicle width driveway from Brighton Road.

The second car parking area providing a single vehicle (accessible) parking space is located adjacent to the western boundary with access via a single vehicle crossing from Charles Street.

Both car park area parking space dimensions, access aisle widths, driveway widths, driveway gradients and vehicle manoeuvring are considered satisfy the technical requirements of AS/NZS 2890.1:2004 Parking Facilities Part 1 – off street car parking.

COMMENT: Although the layout and design of the car parking areas satisfy the technical requirements of the Australian Standard, the proposed parking arrangements are unsatisfactory and the proposal is not supported for the following reasons:

(a) The proposal for at grade parking in the south-west corner of the site with its associated 26m long driveway from Brighton Road and single vehicle space with associated 9m long driveway from Charles Street is considered creates an excessive area of hard paved surfacing and is contrary to the requirements of GRDCP2021- s6.2.7 (c) "Landscaped Area and Private Open Space" which states at (c) "Minimise the extent of hard paved areas and facilitate rainwater infiltration to the water table"

(b) The car parking area and driveway adjacent to the southern boundary involves excavating existing ground levels to a depth of some 1.4m. Such excavation is contrary to the objectives and controls of s3.5.1 and s6.2.11 of GRDCP2021 whereby excavation is to be minimized and the depth of excavation must not exceed 1m from existing ground levels. It is considered the depth of excavation proposed is as a result of the ground floor level of the building being lowered in order for the building to comply with maximum building heights. The southern boundary when viewed from within the site will have retaining walls of some 1.4m in height with a 1.8m high fence on top of that again. A boundary fencing height over 3m is excessive and unnecessary.

It is considered the topography of the site does not justify the extent of excavation proposed and proposed driveways and car parking areas should better match existing ground levels.

(c) The proposal for two points of vehicle entry to this corner site is contrary to the requirements of GRDCP 2021 s6.2.12 (3) which states for corner sites, vehicular access should be provided to the street with the lesser traffic volumes which in this case is Brighton Road and s6.2.12 (6) which states vehicle crossings are to be positioned so that on street parking is maximised. The additional crossing on Charles

stormwater design for the development is designed in accordance with Council's policies and technical guidelines.

Excavation for the driveway exceeds 1m depth and is limited to the car parking area. The non-compliance with the DCP control is considered acceptable as the driveway/ car park design achieves level access and there are no unreasonable impacts to adjoining properties given that the proposed retaining walls are located within the sites boundaries and existing site levels are maintained at the boundary.

Council's concerns in relation to the boundary fencing and retaining wall at the southern boundary are noted. The boundary fencing does not sit directly on top of the retaining wall but rather is set 240mm behind, allowing for a variety of shrubs including Common Hop Bush (37x); Grevillia Moonlight (11x); and Cascade Lilly Pilly (31x). These plantings are considered sufficient to soften the visual impact of the retaining wall and fencing.

The proposal results in a reduction of 1 driveway crossover and any loss of on street car parking is offset by the car parking provision for the development which exceeds, by 4 spaces, the number of car parking spaces required to be provided by a social housing provider for seniors housing developments.

The Traffic and Parking Assessment report indicates that the design of the car parking areas comply with the relevant Australian Standards; and that the design does not result in any safety concerns and that adequate sight distances have been provided.

LAHC does not provide car wash bays for its developments. However, the stormwater plans have been updated to include a stormwater treatment device in the event that cars are washed.

A basement car park was considered, however this was found not to be financially viable.

Street unnecessarily reduces the availability for parking by other residents of that street.

(d) Reversing a vehicle out of the site from the single, accessible parking space adjacent to the western boundary is considered unsatisfactory on pedestrian safety grounds. The resident using the space may have severe mobility issues and restricted movements and unable to sight pedestrians when crossing the Charles Street footpath. It is considered vehicle movements into and out of this accessible space should be in a forward direction at all times with manoeuvring to cater for such taking place within the site.

(e) The washing of vehicles in the car park area without proper pollution control facilities results in pollutants entering the stormwater system and local waterways. Council's GRDCP2021 requires multi-unit developments be provided with a designated vehicle wash bay.

Having regard to the above, it is considered the proposal should be amended in design to cater for the parking of all 7 vehicles, including the provision a separate vehicle wash bay, in a basement under the footprint of the building.

Such parking will improve landscaping and outside recreational areas for residents and have waste and recyclable storage areas removed from view and away from the southern, resident and visitor entry/exit point.

#### Survey Plan prepared by TSS dated 26/5/2022

Survey to show boundary lines as per DP (intersection of Brighton Road and Charles Street is curved on the DP).

Incorrect site areas – lot 14 and lot 15: There are discrepancies in the survey plan for the site areas of lots 14 and 15 compared to the DP as follows:

Lot Number in DP35818	DP Site Area (Perches)	DP Site Area (Conversion to sqm)	TSS Survey Plan Site Area (sqm)	Survey Plan Difference (sqm)
14	24.5	619.67	625.9	+6.23
15	26.75	676.58	669.9	-6.68

COMMENT: It is considered the survey plan should be amended to reflect correct boundary lines for Lot 15 and correct site areas for lots 14 and 15.

The Survey Plan has been updated to show a curvilinear boundary at the intersection of Charles Street with Brighton Road, consistent with the Deposited Plan (DP).

The areas shown for lots 14 and 15 refer to the area of each lot as survey. Noting that the activity proposes consolidation of the 3 lots, there is a very minor discrepancy of 0.45m<sup>2</sup> between the consolidated survey area and the consolidated DP areas.

Stormwater Management	
To be provided under separate cover when received.	Noted. Refer to comments beneath this table under the heading 'Georges River Council Engineering section comments'.

### Georges River Council Engineering section comments:

On 19 September 2023, Council's engineering section provided comments in the form of handwritten notes on the submitted stormwater plans (refer to **Appendix G**).

In summary, the civil engineer for the project noted that Council did not object to the proposed method of stormwater management for the site, and that the comments on the plans were relatively minor in nature, relating to the provision of additional clarification about certain parts of the design. In this regard, the stormwater plans have been updated to include the additional design information requested by Council.

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

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

Advice was sought from Council regarding additional persons or properties that should be notified of the development via an email dated 25 October 2022. Council provided an email response on 8 November 2022 requesting that the following additional properties also be notified of the proposal:

- 11 to 15 Charles Street, Riverwood
- 54 to 48 Bungalow Road, Peakhurst
- 24 to 30 Bungalow Road, Peakhurst

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

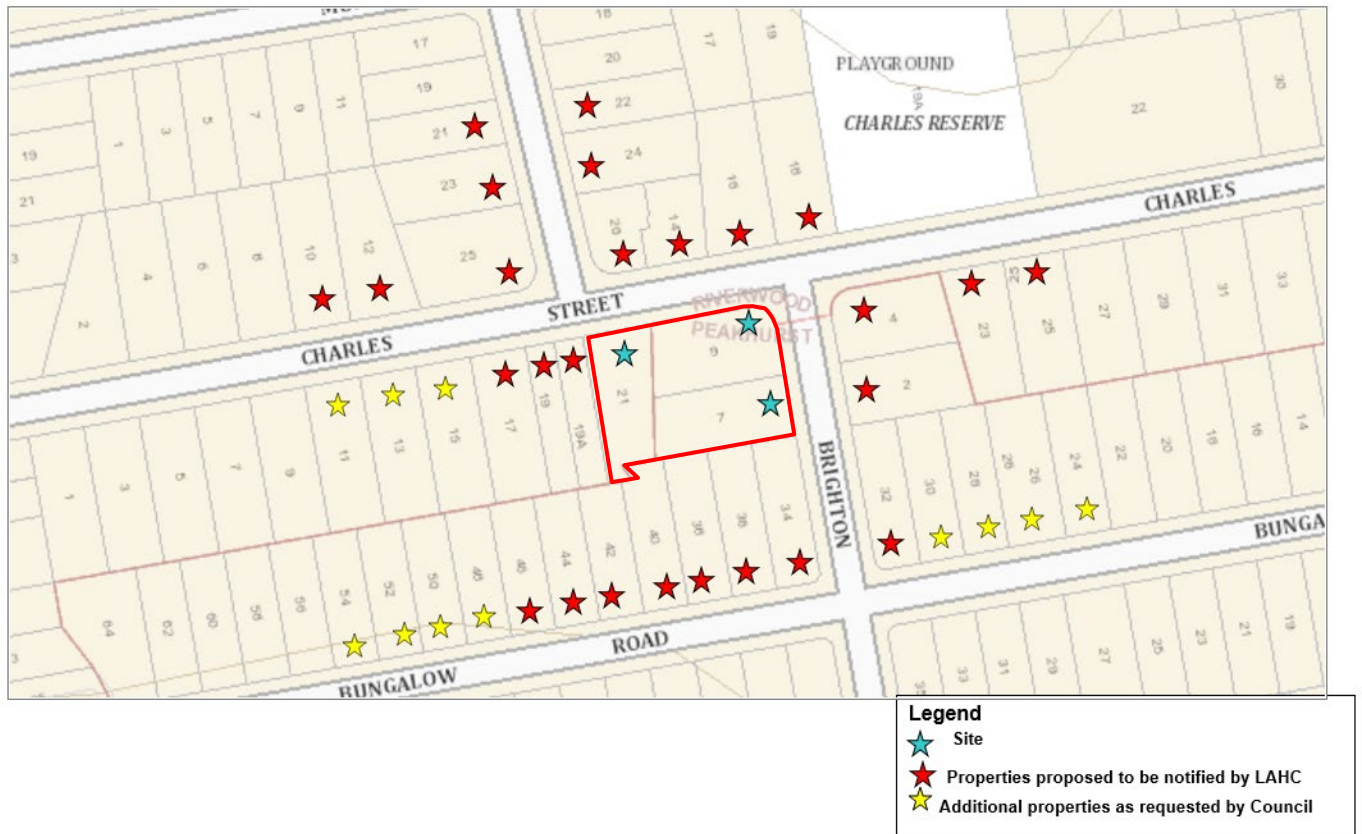


Figure 20 Map of Properties Notified of the Proposed Development (Source: LAHC)

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

The notification response period formally closed on 12 September 2023. One submission was received and the issues raised in the submission are discussed in **Table 15**.

Table 15 Issues raised by adjoining owners / neighbours

Issues raised	LAHC Response
<i>Submission 1:</i>	
Insufficient car parking for the development	The development provides 7 spaces which exceeds, by 4 spaces, the number of spaces required to be provided by a social housing provider in accordance with HSEPP.
Street lighting	Street lighting is provided and maintained by Georges River Council, and adequate lighting has been provided within the development to ensure resident safety and minimise light spillage to surrounding properties.

Construction noise and inconvenience of accessing property during construction.	<p>Standard Identified Requirement (No 58) is recommended to limit the hours of construction work to between 7.00am and 5.00pm Monday to Saturday with no work permitted on Sundays or public holidays.</p> <p>Standard Identified Requirement (No 60) is recommended to require any noise generated during construction of the development not to exceed the limits specified in the July 2009 Interim Construction Noise Guidelines, published by the former Department of Environment and Climate Change.</p> <p>It is not anticipated that the works will unreasonably impact access to the submitter's property. Nevertheless, the contact details of the building contractor will be visible to the public for the duration of the works.</p>
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## 7.3 Notification of Specified Public Authorities

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

## 8 Review of Environmental Factors

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

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### 8.1 Neighbourhood Character

The site is located within an established residential area generally supporting single and 2-storey detached dwelling houses with associated structures, such as garages, carports and sheds. The older residences are predominantly constructed of brick with tiled roofs. The character of the area is evolving with a number of newer 2-storey dwellings, semi-detached dwellings and multi-unit developments interspersed throughout the locality. Currently there is a moderate level of transition from low density housing to medium density development within the zone. This is noted by the existing multi-dwelling housing development at 22-28 Charles Street for 12 units and the approved residential housing development for 11 units at 2-4 Brighton Road & 23-25 Charles Street, opposite the site.

The bulk and scale of the proposed development will be generally compatible with the character of the neighbourhood and will deliver a built form outcome consistent with the planning controls for the locality and character statement. The 2-storey design, siting, layout and landscape setting of the proposed development generally aligns with that of emerging development in the locality.

#### Mitigation Measures

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

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### 8.2 Bulk and Density

The proposed development is generally consistent with the bulk and scale of surrounding development in the locality. The 2-storey development incorporates appropriate setbacks with substantial separation distance from adjacent buildings, distinguished by a variety of articulation features, external finishes and materials to reduce the visual bulk of the development. The development is designed to address the dual frontages with suitable façade articulation and roof form to minimize bulk and scale.

The proposal incorporates a maximum floor space ratio of 0.58:1 which exceeds the FSR of 0.5:1 under the Housing SEPP. Justification for the variation to the FSR control is provided beneath table 7 of this REF, which found that despite the non-compliance, the development is considered consistent with the objectives of the Housing SEPP in that it:

- contributes to the increase in supply of suitable accommodation for seniors;
- meets the current and future accommodation needs of Sydney's ageing population;

- delivers a well-designed development which reflects and enhances the locality while providing a reasonable level of amenity for residents;
- provides seniors accommodation close to existing infrastructure;
- is well located to public transport connections.

The proposed exceedance of the floor space ratio therefore has significant environmental benefits as the development increases the supply of seniors housing while positively contributing to the streetscape and surrounding area; and is not considered to result in any unacceptable overshadowing or privacy impacts to adjoining dwellings.

#### **Mitigation measures**

No mitigation measures required.

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## **8.3 Streetscape**

The architectural style of the proposed development activity is generally compatible with the form of medium density development emerging in the surrounding locality. The proposed design, which integrates substantial landscaping into the sites frontages (including street trees to be planted in consultation with Council as discussed at section 7.1 of this REF), enhancing the aesthetic of the building and improving the experience for pedestrians and occupants through a finer grained streetscape appearance. In addition, the hard stand car parking area will be obscured from street view, resulting in a built form that has been designed with consideration of the dwellings surrounding.

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

The built form has been designed to address the street frontages through incorporation of street facing windows and doors, as well as courtyards and balconies within the front setback; including a Juliette balcony on the street corner.

#### **Mitigation Measures**

Identified Requirement (No. 79) is recommended requiring street trees to be planted in the road reserve at the sites frontages in consultation with Georges River Council staff.

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## **8.4 Visual Impact**

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

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

Substantial new landscaping is proposed within the front setbacks, incorporating the planting of 4 x Tuckeroo (*Cupaniopsis anacardioides*) trees (10-15m mature height) along Charles Street, 2 x Tuscarora Crepe Myrtle

(*Langerstroemia indica* 'Tuscarora') trees (5-10m mature height) within the corner of the site and 2 x Chinese Elm (*Ulmus parvifolia* Todd) trees (10-15m mature height) along Brighton Road. These canopy trees provide shade to pedestrians, improve the aesthetic quality of the streetscape and soften the visual impact of the dwellings when viewed from the public domain. The rear and side setbacks will also be landscaped adding to the long-term visual amenity of the surrounding properties and further improving the appearance of the site from the street.

#### **Mitigation Measures**

No mitigation measures are required.

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## **8.5 Privacy**

A high level of internal and external privacy is maintained by the proposed development activity through a range of measures including careful and considered site landscaping, new 1.8m high boundary fencing and 1.5m high terrace fencing, adequate site setbacks and strategic placement of windows so as to avoid direct overlooking of neighbours. In particular:

Balconies associated with Units 08, 09, 10, 13 and 14 are orientated toward the street frontages, with landscaping, including trees and shrubs, proposed within the front setback to improve streetscape amenity and privacy for future residents. Overlooking is mitigated to adjacent development at 19A Charles Street and 34 and 36 Bungalow Road with vertical angled 'timber look' aluminum blades to windows and balconies (units 11 and 12).

Extensive landscaping has been provided within rear and side setbacks to act as a visual buffer between the windows, balconies and terraces on the subject site and properties to the south and west, which ensures the privacy for adjacent developments in Charles Street and Bungalow Road is maintained and overlooking potential is minimised.

High-quality landscape design, which incorporates trees, shrubs, climbers and fencing, is proposed within the site, around the development perimeter and integrated with the architectural design to ensure adequate privacy between the units and proposed communal spaces, such as pathways, building entrances, and the car parking.

The proposed 1.8m high metal fencing will mitigate unacceptable overlooking from ground level units into properties to the west. Patios within the development are separated by fencing 1.5m high.

As noted in section 7.1 of this REF, additional windows are to be provided for units 5, 7, 8, 11, 12 and 14 to address Council's concerns about access to natural cross ventilation. The additional windows are not considered to result in any additional privacy concerns given that:

- the additional bedroom 2 window to Units 5 and 12 is relatively small and face internally to the development.
- the additional kitchen window to Units 5 and 12 is relatively small, is sited behind a kitchen bench top and is set back from the southern boundary by approximately 16m.
- the additional bathroom windows to Units 8 and 11 are relatively small, have sill levels of 1.5m above finished floor level and face internally to the development.
- the additional window to Units 7 and 14 is relatively small and face internally to the development.

#### **Mitigation Measures**

No mitigation measures are required.

## 8.6 Solar Access

The design and siting of the proposed development will provide adequate daylight access to the proposed dwellings living areas, private open spaces, and the private open space areas of neighbouring properties in accordance with the *Seniors Living Policy: Urban Design Guidelines for Infill Development*. The submitted Architectural Plans indicate that 71% of dwellings (10 of 14) receive at least 2 hours direct solar access to the living and private open space areas on June 21, which meets the requirement for 70% of dwellings to achieve 2 hours of direct solar access to the living and private open space areas on June 21.

Shadow diagrams also confirm the proposed development will facilitate sunlight to living areas and private open space of the dwellings on adjoining sites.

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

### Mitigation Measures

No mitigation measures are required.

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## 8.7 Overshadowing

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

At 9am, shadows generated by the proposed development are generally contained on the south side of the site, with minor impacts to adjoining neighbouring properties to the west. At 12pm, shadows are mainly contained within the subject site, with only minor overshadowing of adjoining properties to the south. From 3pm onwards, shadows are cast within the site and across the rear yard of 34 Bungalow Road.

The adjoining properties will therefore maintain a minimum 3 hours of sunlight to living and principal private open space areas between 9am and 3pm at the mid-winter solstice.

### Mitigation Measures

No mitigation measures are required.

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## 8.8 Traffic & Parking

A total of 7 surface car parking spaces, including 3 accessible spaces, will be available on site to serve the proposed development. The provision of on-site car parking complies with the parking requirements set out in the Housing SEPP for developments carried out by LAHC. Unrestricted street parking is available on Charles Street and Brighton Road to accommodate any overflow parking demand generated by the proposed development.

The Traffic and Parking Assessment Report (**Appendix S**) indicates that the traffic generation potential of the proposal is considered to be minor and not expected to have any noteworthy impact on the existing traffic operations on the nearby intersections. The low number of additional trips during peak hours can be accommodated within the capacity of the existing local street network.

The Traffic and Parking Assessment Report also examined the adequacy of the proposed internal driveway and parking arrangement. The assessment confirmed that the internal configuration of the car park areas has been suitably designed and complies with the relevant Australian Standards.

#### **Mitigation Measures**

No mitigation measures are required.

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## **8.9 Flora and Fauna**

There are 5 trees located within the site and 4 within neighbouring properties. The proposal includes the removal of all trees within the site and 1 tree within an adjoining property to the south. Consent has been obtained from the adjoining owner for its removal. Other trees located within adjoining properties will be retained and protected.

Tree removal within the site is recommended primarily to accommodate the proposed development or the individual species are recommended for removal as they are not considered to be significant or worthy of retention (refer to submitted Arboricultural Impact Assessment).

More appropriate tree plantings, including trees capable of reaching mature heights between 5m and 15m, will be provided as part of the proposed landscaping plan to compensate for the loss of these trees (refer to submitted Landscape Plan in **Appendix B**). In addition, as noted a section 7.1 of this REF, Council requested street trees to be provided along both street frontages.

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

#### **Mitigation Measures**

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

Identified Requirement (No. 79) requires the provision of street trees along both street frontages in consultation with Georges River Council.

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## **8.10 Heritage (European / Indigenous)**

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

#### **Aboriginal Heritage**

An Aboriginal Heritage Information Management System (AHIMS) search, dated 7 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 Georges River Council's Section 10.7(2) & (5) Planning Certificates and the likelihood of any heritage relics being discovered during excavation / construction is considered to be minimal.

### Mitigation Measures

A standard Identified Requirement (Nos. 46 & 47) has been applied should any cultural heritage relics be discovered on the site during excavation / construction.

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

### Geotechnical

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

- The subsurface conditions generally consist of topsoil or fill overlying silty clays and weathered rock. The topsoil is present to depths of 0.2 to 0.3m. Soft to firm becoming stiff and very stiff silty clays underlie the topsoil to depths of 0.7 to 1.7m. In BH2 and BH5, hand auger refusal occurred at a depth of 0.7 and 1.7m. Weathered rock underlies these soils to the depth of drilling, 3m.
- Groundwater was not observed during drilling works.

### Mitigation Measures

No mitigation measures required.

### Soil and Erosion

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

### Mitigation Measures

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

### Contamination

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

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

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

### Mitigation Measures

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

### Acid Sulfate Soils

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

### Mitigation Measures

No mitigation measures are required.

### Salinity

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

### Mitigation Measures

No mitigation measures are required.

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

Stormwater drainage for the proposed development has been designed in accordance with Council's requirements as confirmed by the civil engineers comments marked up on the Ground Floor Drainage Plan and Site Stormwater Details Sheet 1 (refer **Appendix G**) in response to feedback received from Council's engineering section during consultation.

Generally, stormwater will be collected via a series of stormwater pits and gutters on the site connected to an underground detention tank draining to the proposed street drainage pit within Brighton Road, near the intersection with Charles Street. Roof water from the subject development will be collected from downpipes and connected to an underground rainwater tank for recycling with overflow connected to the underground detention tank.

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

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

### Mitigation Measures

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

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## 8.13 Bushfire Prone Land

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

### Mitigation Measures

No mitigation measures are required.

## 8.14 Noise and Vibration

### During Demolition / Construction

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

### During Occupation

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

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, 58 & 60) have been applied to ensure compliance with the above mitigation measures.

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## 8.15 Air Quality

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

### Mitigation Measures

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

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## 8.16 Waste Minimisation

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

### During Demolition

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

- concrete and bricks will be transported to an approved building waste collection facility;
- any asbestos sheeting will be handled according to SafeWork NSW requirements and disposed of to an approved building waste collection facility;

- metal will be transported to metal recyclers for sale and reuse; and
- timber, plasterboard and other salvageable materials will be resold to various salvage yards where appropriate or disposed of at an approved building waste collection facility.

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

#### **During Construction**

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

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

#### **During Occupation**

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

#### **Mitigation Measures**

Standard Identified Requirements (Nos. 49-56) 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.

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## **8.17 Resource Use & Availability**

The proposed activity will not result in any discernable depletion or degradation of natural resources. The proposal has been designed to meet water and energy efficiency targets as demonstrated by the BASIX certificate for the proposal, noting that identified requirements Nos 3 and 81 require a new BASIX certificate and stamped plans to be generated due to the requirement to provide an additional window/ windows to Units 5, 7, 12 and 14 such that 70% of the dwellings in the development are capable of providing natural ventilation.

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

The proposed development is for the replacement of existing housing that has reached the end of its economic lifespan. The proposed development will provide contemporary housing that will satisfy current

State Government environmental sustainability requirements, particularly through improved energy and water efficiency. These factors will ensure reduced depletion and degradation of natural resources in the long term.

#### **Mitigation Measures**

Identified Requirements (Nos 3 and 81) includes the requirement to regenerate a new BASIX certificate/ stamped plans and NatHERS certificates.

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## **8.18 Community / Social Effects**

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

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

#### **Mitigation Measures**

No mitigation measures are required.

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## **8.19 Economic Impact**

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

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

#### **Mitigation Measures**

No mitigation measures are required.

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## **8.20 Cumulative Impact Assessment**

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

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

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

#### Mitigation Measures

No mitigation measures are required.

## 9 Conclusion

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### 9.1 Summary of Key Issues Raised in Assessment

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

The proposed activity has been considered in terms of the provisions of Section 5.5 of the EP&A Act and Sections 171 and 171A of the EP&A Regulation. Following an analysis of the potential impacts associated with the proposed activity it was determined that an environmental impact statement is not required.

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

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

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

### 9.2 Recommendation

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

# Appendices

APPENDIX A – ARCHITECTURAL PLANS

APPENDIX B – LANDSCAPE PLAN

APPENDIX C – CIVIL & STRUCTURAL PLANS

APPENDIX D – SURVEY PLAN

APPENDIX E – NOTIFICATION PLANS

APPENDIX F – SECTION 10.7 CERTIFICATES

APPENDIX G – NOTIFICATION & CONSULTATION

APPENDIX H – ACCESS REPORT

APPENDIX I – AHIMS SEARCH

APPENDIX J – ARBORIST REPORT

APPENDIX K – BASIX REPORT

APPENDIX L – BCA REPORT

APPENDIX M – DESIGN COMPLIANCE CERTIFICATES

APPENDIX N – NatHERS CERTIFICATE

APPENDIX O – HOUSING FOR SENIORS CHECKLIST

APPENDIX P – GEOTECHNICAL INVESTIGATION

APPENDIX Q – TITLE SEARCH AND DP

APPENDIX R – WASTE MANAGEMENT PLAN

APPENDIX S – TRAFFIC REPORT