

# REVIEW OF ENVIRONMENTAL FACTORS

Proposed Seniors Housing Development

at

98-102 Albert Street, Revesby

May 2024





# Acknowledgement of Country

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

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REVIEW OF ENVIRONMENTAL FACTORS

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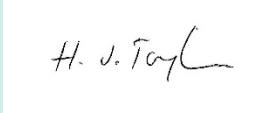

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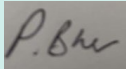
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# 1 Executive Summary

The subject site is located at 98-102 Albert Street, Revesby, and is legally described as Lots 38, 39 & 40 in Section 13 Deposited Plan 2343. The proposed seniors housing development is described as follows:

Demolition of an existing dwelling and associated structures, removal of trees, and the construction of an 18 dwelling seniors housing development comprising 12 x 1-bedroom and 6 x 2-bedroom independent living units with associated landscaping and fencing, surface parking for 9 cars, and consolidation into a single lot.

The activity is proposed to be carried out in 2 stages, in accordance with the Staging Plan (**Appendix A**).

The proposed activity is located in a R2 Low Density Residential zone (R2) under the *Canterbury-Bankstown Local Environmental Plan 2023* (C-BLEP 2023). The R2 zone is a prescribed zone under Section 79 of the Housing SEPP and therefore, seniors housing can be carried out by NSW Land and Housing Corporation (LAHC) without consent under the provisions of Chapter 3, Part 5, Division 8 of *State Environmental Planning Policy (Housing) 2021* (Housing SEPP) as it does not result in more than 40 dwellings on the site and does not exceed 9.5m in height.

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

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

The REF demonstrates the following:

- from an analysis of the potential environmental impacts associated with the proposed activity, it has been concluded that the preparation of an Environmental Impact Statement is not required;
- based on a review of the potential environmental impacts resulting from the proposed activity it has been determined that, subject to implementation of mitigation measures to be incorporated as Identified Requirements, the activity will not have any significant adverse impact on the environment;
- the proposed activity will not have any effect on matters of national significance and its approval under the *Commonwealth Environment Protection and Biodiversity Conservation Act 1999* is not required;
- the design of the proposed activity has adequately taken into account design principles and better practices set out in the *Seniors Living Policy: Urban Design Guidelines for Infill Development* and taken into consideration *Good Design for Social Housing* and *NSW Land and Housing Corporation Design Requirements*;
- the site planning and design of the proposed activity adequately address the applicable local environmental planning and development controls of the City of Canterbury Bankstown Council;
- a BASIX certificate and NatHERS certificate and stamped plans have been submitted for the proposed activity demonstrating compliance with the State Government's environmental sustainability targets;
- there are no separate approvals, authorisations or notifications required in relation to the proposed activity prior to determination under Part 5 of the EP&A Act or under any other Acts; and
- the City of Canterbury Bankstown 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 27 September

2022. Comments on the response are provided in Section 7.1 of this REF. Two submissions were received from neighbouring property owners. Comments on the submissions are provided in Section 7.2 of this REF.

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

Clause 8 (2) of Schedule 7(A) of the Housing SEPP provides that the amendments made on 14 December 2023 do not apply to an activity by the Land and Housing Corporation where notice of the activity has been provided to Council under sections 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.

## 2 Introduction

This Review of Environmental Factors (REF) under Part 5 of the EP&A Act is for an activity involving demolition of an existing dwelling and associated structures, removal of trees, and the construction of an 18 dwelling seniors housing development comprising 12 x 1-bedroom and 6 x 2-bedroom independent living units, with associated landscaping and fencing, surface parking for 9 cars, and consolidation into a single lot at 98 – 102 Albert Street, Revesby.

The subject site was previously subject to an activity approval issued by LAHC on 15 April 2016 for the following:

*Demolition of existing structures, removal of trees and the construction of a one and two storey seniors housing development comprising 12 x 1 bedroom and 6 x 2-bedroom dwellings with parking for 12 cars and consolidation into a single lot.*

Works commenced on this activity with the demolition of 100 and 102 Albert Street however, suitable alternative accommodation was not able to be found at that time for the resident of 98 Albert Street and works ceased.

The proposed activity was subsequently updated and notified in August 2022. Since notification, the activity was further amended to enable the activity to be carried out in 2 stages in accordance with the Staging Plan (**Appendix A**). It is noted that the resulting activity is substantially the same as originally notified in August 2022 and as such, re-notification was not required.

It is intended that the staging of the activity will enable the resident currently occupying 98 Albert Street to age in place whilst stage 1 is constructed and occupied. Stage 2 works will commence at an appropriate time after 98 Albert Street is vacated.

The proposed activity<sup>1</sup> will be carried out by, or on behalf of, LAHC and is considered 'development without consent' under the Housing SEPP.

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;

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

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

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## 2.2 Assessment Methodology

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

- Section 10.7 Planning Certificates were obtained for each lot comprising the site. The zoning was confirmed against the current applicable environmental planning instrument, which is the *Canterbury-Bankstown Local Environmental Plan 2023* (C-BLEP 2023).
- It was determined that seniors housing is permissible in the R2 zone as the site is located in Area 1 pursuant to clause 2.5 and Schedule 1 of the C-BLEP 2023. In addition, section 108A(b) of the Housing SEPP enables development for the purposes of seniors housing to be carried out 'without consent' in a prescribed zone. The R2 zone is a prescribed zone. The subject land is not environmentally sensitive land as defined in Section 80(1)(b) of the Housing SEPP. Accordingly, the proposal can be carried out 'without consent' under the provisions of Housing SEPP 2021.
- A desktop analysis and investigation of the site and surrounds was undertaken based on site clearance information provided by LAHC to determine the suitability of the site for the proposed development activity, particularly taking into account the existing site conditions, constraints and local context.
- A site inspection was undertaken.
- Relevant local planning controls and State and Commonwealth Government legislation were considered in the environmental assessment of the proposed development activity.
- An environmental impact analysis was undertaken to determine if an Environmental Impact Statement was required.
- Potential environmental impacts identified in the analysis and measures to mitigate these impacts were subsequently discussed in the Review of Environmental Factors.
- 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

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### 3.1 Existing Site and Immediately Adjoining Development

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



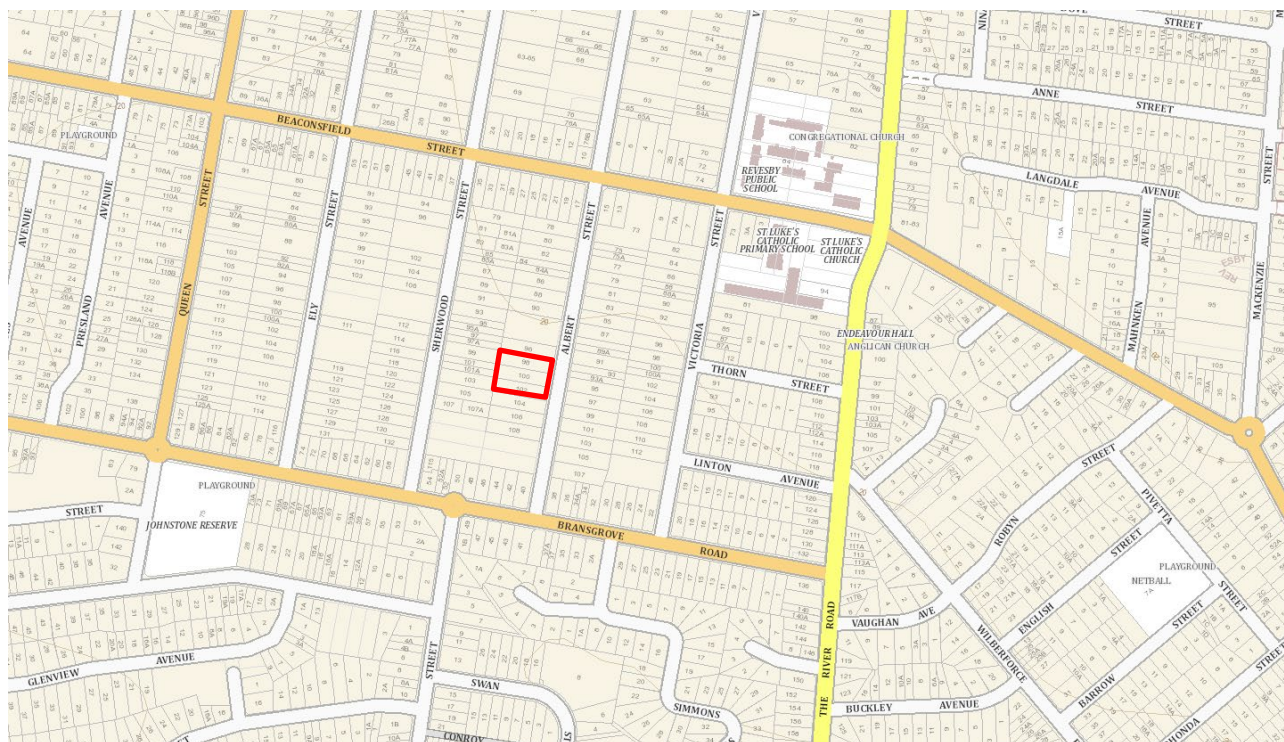


Figure 1 Location Plan (Source: SIX Maps)

Two of the allotments (100 & 102 Albert Street) are currently vacant with all buildings and structures previously demolished (refer to photograph at **Figure 2**):



Figure 2 Development site – 100 & 102 Albert Street (Source – Google Maps Street View: Image capture October 2021)

A single storey fibro clad dwelling with tiled roof and associated structures currently occupies 98 Albert Street (refer to photograph at **Figure 3**).





Figure 3 Existing detached dwelling at 98 Albert Street (Source – Google Maps Street View: Image capture October 2021)

The property immediately to the north (96 Albert Street) contains a contains a 2-storey detached brick dwelling with a tiled roof (refer to photograph at **Figure 4**).



Figure 4 Adjoining development – 96 Albert Street (Source – Google Maps Street View: Image capture October 2021)

The property to the south (104 Albert Street) contains a single storey weatherboard clad dwelling with a metal roof (refer to photograph at **Figure 5**).



Figure 5 Adjoining development – 104 Albert Street (Source – Google Maps Street View: Image capture October 2021)

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## 3.2 Site Description

Copies of the Section 10.7(2) & (5) Planning Certificates (Nos 20241930, 20241927 and 20241925) dated 14 March 2024 are provided in **Appendix F**.

The site has a total area of 2,787m<sup>2</sup>, a frontage to Albert Street of 45.72m, side boundaries of 60.96m and a western rear boundary of 45.72m (refer to the submitted Detail and Level Survey Plan in **Appendix D**).

The site falls from the north-eastern corner (front) down toward the south-western corner (rear) by approximately 2.39m. Stormwater is proposed to be directed toward the onsite detention tank located at the centre of the site, before being discharged to the existing stormwater system along Albert Street; noting that 98 Albert Street will continue to rely on the existing stormwater system whilst stage 1 is occupied. Identified requirement (No. 43) is recommended to require certification for the stormwater system constructed as part of stage 1 to be obtained prior to occupation of stage 1.

An easement for the drainage of stormwater is not required.

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

There are 24 trees located within the site, generally towards the northern half of the site and along the rear boundary. There are also 2 street trees located within the Albert Street road reserve and 8 trees located on adjoining lots.

Water, sewer, electricity, gas and telephone facilities are available to the site (refer to the submitted Contour and Detail Plan for the location of available services at **Appendix D**). All services are located within the road reserve along the Albert Street frontage of development site, except for sewer, which traverses the rear boundary of the lots adjoining the rear of the site. Identified requirement (No. 39) is recommended to ensure that service connections the requirements of the relevant service authorities prior to occupation of each stage.

Power poles are located in front of 98 Albert Street and towards the south-eastern corner of 102 Albert Street, however these will not be impacted by the proposed development.

There are no encumbrances on title, section 10.7 certificates (**Appendix F**) or indicated on the Detail and Level Survey Plan (**Appendix D**).



### 3.3 Neighbouring Development and Locality

The site is located within an established residential area which is characterised by a mix of older style single storey detached dwelling houses of fibrous and lightweight weatherboard construction with tiled or corrugated metal roofs; single and two storey brick dwellings with tiled roofs; larger more recent brick and render two storey dwellings and dual occupancy developments. One and two storey multi dwelling housing developments are also located within the surrounding area (refer to photographs at **Figure 6**; **Figure 7**; **Figure 8**; **Figure 9**; **Figure 10**; and **Figure 11**). A seniors housing development is also located nearby at 92-94 Albert Street (refer to **Figure 12**):



Figure 6 Single storey detached dwellings of brick and tiled roof construction at 95 and 97 Albert Street (east of the site) (Source – Google Maps Street View: Image capture October 2021)



Figure 7 Multi dwelling housing at 93 Albert Street (east of the site) (Source – Google Maps Street View: Image capture October 2021)





Figure 8 Multi dwelling housing at 101 Albert Street (south east of the site) (Source – Google Maps Street View: Image capture October 2021)



Figure 9 Multi dwelling housing at 110 Albert Street (south of the site) (Source – Google Maps Street View: Image capture October 2021)



Figure 10 Newer 2 storey housing (dual occupancy and detached dwelling) at 89 (left) and 91 (right) Albert Street (north east of the site) (Source – Google Maps Street View: Image capture October 2021)





Figure 11 Newer dual occupancy housing at 75 & 75A Albert Street (north of the site) (Source – Google Maps Street View: Image capture October 2021)



Figure 12 Seniors Housing at 92-94 Albert Street (north of the site) (Source – Google Maps Street View: Image capture October 2021)

There are numerous bus stops located within proximity of the site. Two bus stops, located on Bransgrove Road (Stop IDs 221298 & 2212112), are approximately 180m and 190m walking distance south-east of the site (refer to the Long Section Surveys provided at **Appendix D**). However, the Access Report (**Appendix H**) identified a non-complying kerb ramp at the northern side of Polo Road at the intersection with Bransgrove Road. Identified requirement (No. 80) is recommended, requiring the construction of a new kerb ramp in this location to provide a continuous accessible path of travel to and from the bus stops.

The bus stops are serviced by Transdev Routes 923, 924 and 926, which operate at the required frequency for the site to be considered as being located in an accessible area and provide access to Revesby, Bankstown, East Hills and Panania town centres.





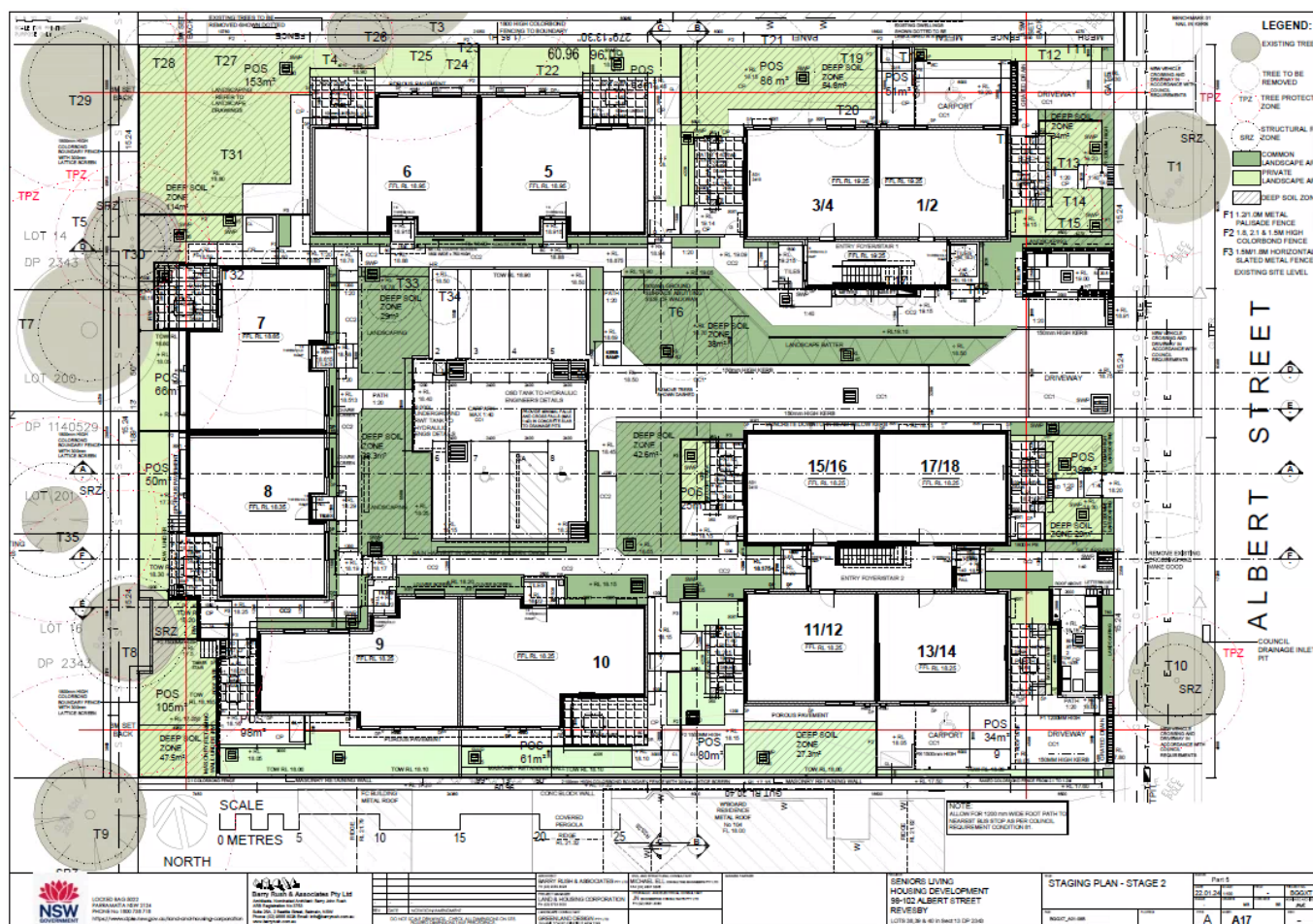


Figure 14: Extract of Architectural Plans – stage 2 (Source: Barry Rush Architects)

It is intended that the staging of the activity will enable the tenant currently occupying 98 Albert Street to age in place whilst stage 1 is constructed and occupied. Stage 2 works will commence at an appropriate time after 98 Albert Street is vacated.

## 4.2 Demolition

Demolition of the existing dwelling and associated structures at 98 Albert Street is proposed as part of stage 2 of the development.

100 and 102 Albert Street are currently vacant lots following demolition carried out as part of the following activity approved by LAHC on 15 April 2016:

*Demolition of existing structures, removal of trees and the construction of a one and two storey seniors housing development comprising 12 x 1 bedroom and 6 x 2-bedroom dwellings with parking for 12 cars and consolidation into a single lot.*

This activity included the demolition of all 3 dwellings existing on the site at that time, however, only Number 100 and 102 were demolished.

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## 4.3 Removal of Trees

Of the 24 trees on the site, 22 are considered exempt species due to their proximity to an existing dwelling, tree height, or species classification in accordance with section B11 Part 2.3 of the *Canterbury-Bankstown Development Control Plan 2023* (C-BDCP 2023) and can be removed without approval.

The proposed building footprints, hard paving areas and stormwater infrastructure result in unsustainable incursions into the Tree Protection Zones and Structural Root Zones of trees 4 and 6 requiring their removal.

Trees 6, 32, 33 and 34 are required to be removed during stage 1 with the remainder removed in stage 2, Trees 16 and 17, which are located within stage 2 and are to be retained for the duration of stage 1, adjoin the central pedestrian pathway. These trees are able to be retained in accordance with the recommendations contained in the Arborist Report (refer also to section 8.5 of this REF for additional comments from the project Arborist).

Trees external to the site within the Albert Street road reserve and adjoining properties will be retained and protected (refer to submitted Arborist Report in **Appendix J**).

More appropriate tree plantings, including trees capable of reaching mature heights over 5m, 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**).

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## 4.4 Proposed Dwellings

The proposed housing represents a contemporary, high-quality design. The use of face brick for external walls and corrugated metal roofing is consistent with the existing and developing character of the Revesby suburb. Of the 18 proposed dwellings, 6 will address the street (dwellings 1, 13 and 17 on the ground floor and dwellings 2, 14 and 18 on the first floor) with living areas and private open areas facing the street for passive surveillance.

A retaining wall, extending from the front building line to the western extent of unit 9's private open space is proposed along the southern boundary to retain the proposed fill. The retaining wall ranges in height from 500mm high at the front building line to 1m high at its western extent. Metal fencing 2.1m high is proposed along the top of the retaining wall, with an additional 300mm lattice screening alongside dwellings 10, 11 and 13 (refer to **Appendix A**).

New 1.8m high metal fencing is proposed along the rear boundary and behind the building line at the northern side boundary. A temporary 1.8m high metal fence running east-west across the site is proposed to delineate the northern extent of stage 1 (refer to Staging Plan – Stage 2 in **Appendix A**). Side boundary fencing forward of the building line is raked down to a height of 1.2m at the front property boundary. Between the building line and front boundary, metal picket fencing 1.2m high encloses the private open space areas.

A variety of new landscape plantings are proposed to offset the proposed tree removals 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 Albert Street streetscape.

Each dwelling will be provided with its own enclosed private open space area. All these spaces are directly accessible from the living areas. Reverse cycle air conditioning will be provided to the living areas of each dwelling to assist with climate control, as well as photovoltaic systems to offset energy costs.

A total of 9 surface car parking spaces will be provided on the site, including 4 accessible spaces. Two of the accessible spaces are individual car spaces dedicated to dwellings 1 and 13, noting that the accessible space allocated to unit 1 will be constructed as part of the stage 2 works.

Stormwater will be collected via a series of stormwater pits and pipes on the site connected to a 59m<sup>3</sup> capacity underground detention tank located underneath the central car parking court, draining to Council's drainage infrastructure at the site frontage. Roof water will be collected via downpipes and connected to a 6,000 litre underground rainwater tank for reuse, with overflow connected to the underground detention tank. The stormwater design for the activity enables stage 1 to be serviced independently of 98 Albert Street; and allows the stage 2 stormwater system to connect into stage 1 at the appropriate time.

Two roofed bin enclosures are proposed, with walls constructed of face brickwork up to 1.5m high and located at the front boundary. An open style roof structure is proposed over each bin enclosure, comprised of metal roofing on a timber frame. One bin enclosure will be constructed to service stage 1 of the development. The remaining bin enclosure will be constructed as part of stage 2; noting that 98 Albert Street will retain its current waste collection arrangements until the property is vacated.

Figures 15 to 18 include extracts from the architectural plans illustrating the proposed development:

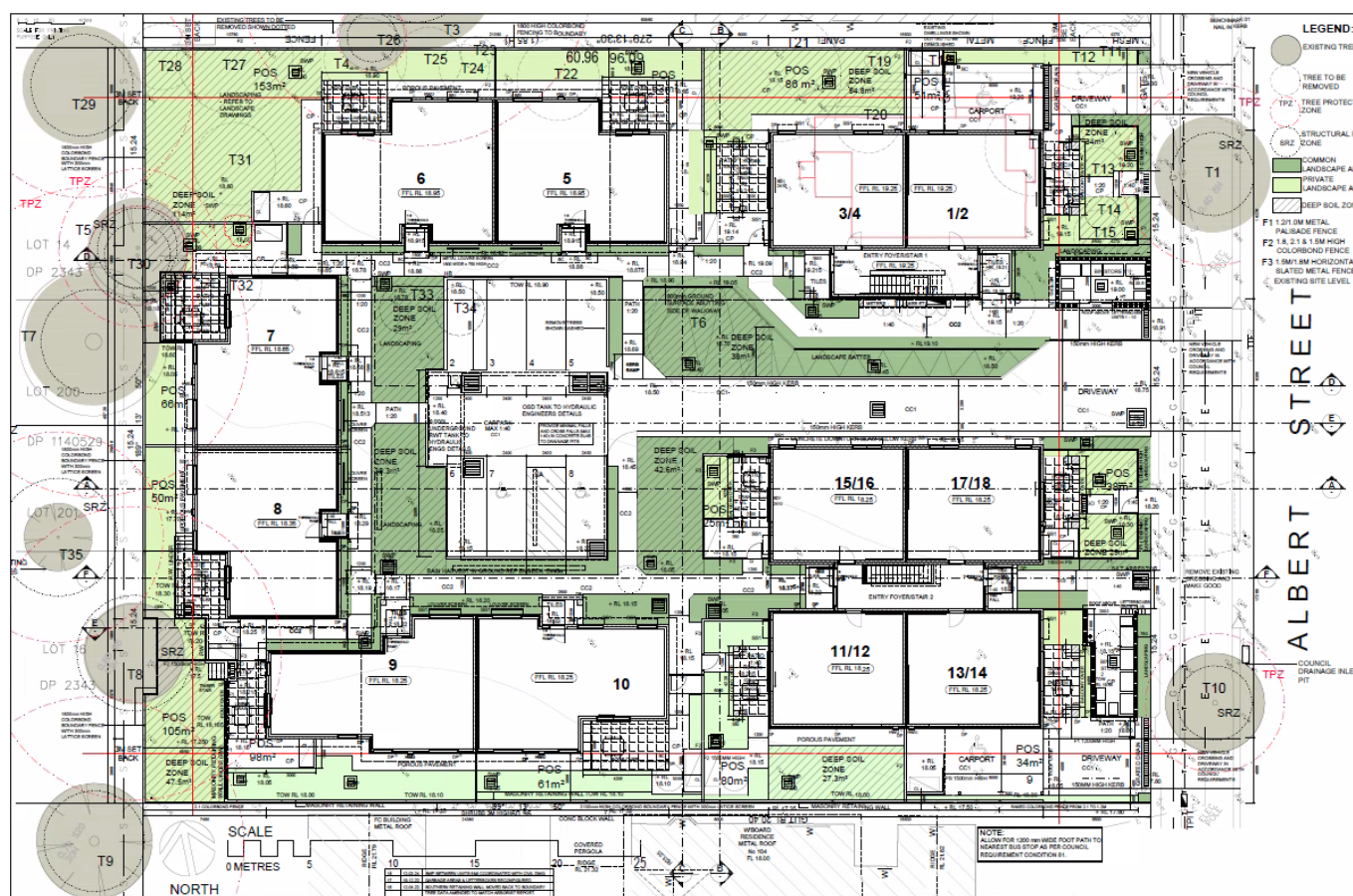


Figure 15 Extract from Architectural Plans – Site Plan (Source: Architectural Plans, Barry Rush & Associates, dated 12/03/2024)



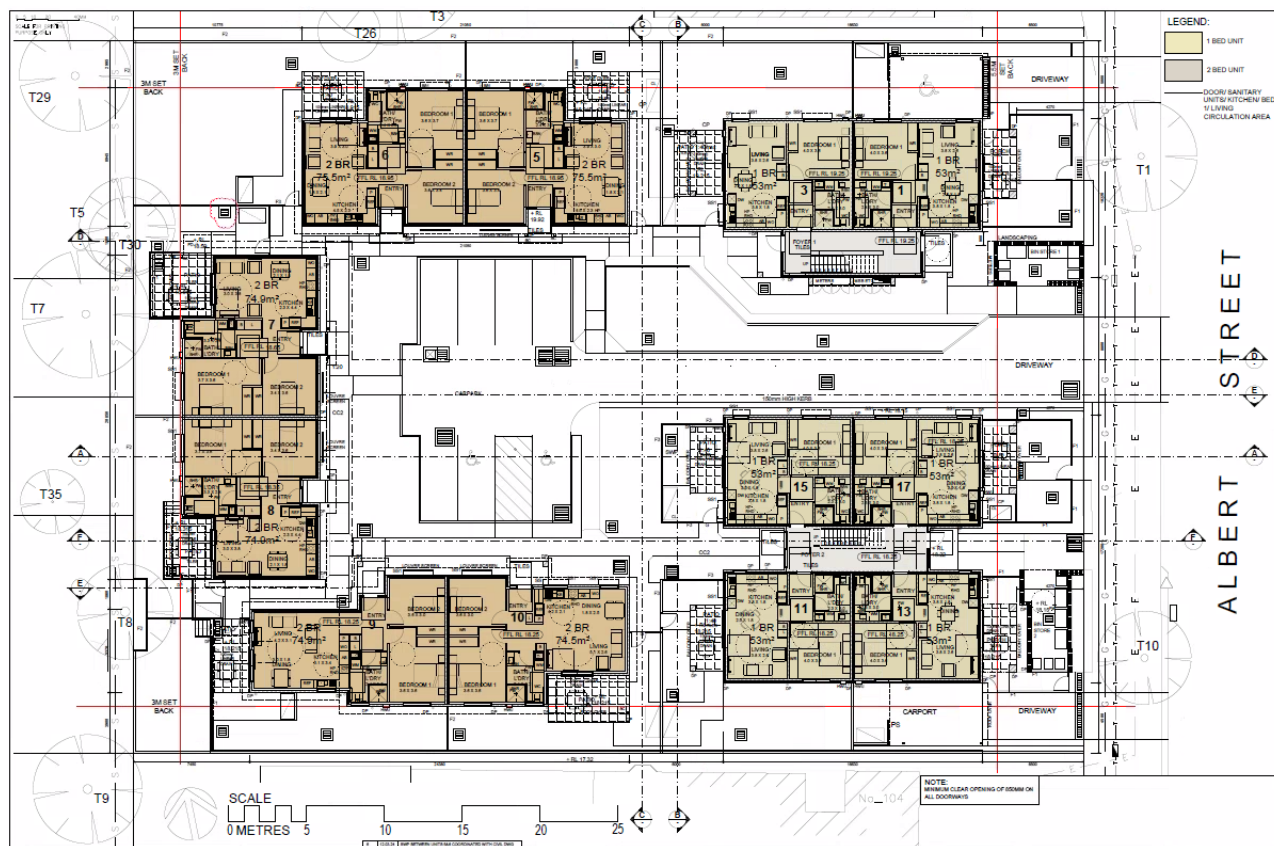


Figure 16 Extract from Architectural Plans – Ground Floor Plan (Source: Architectural Plans, Barry Rush & Associates, dated 12/03/2024)

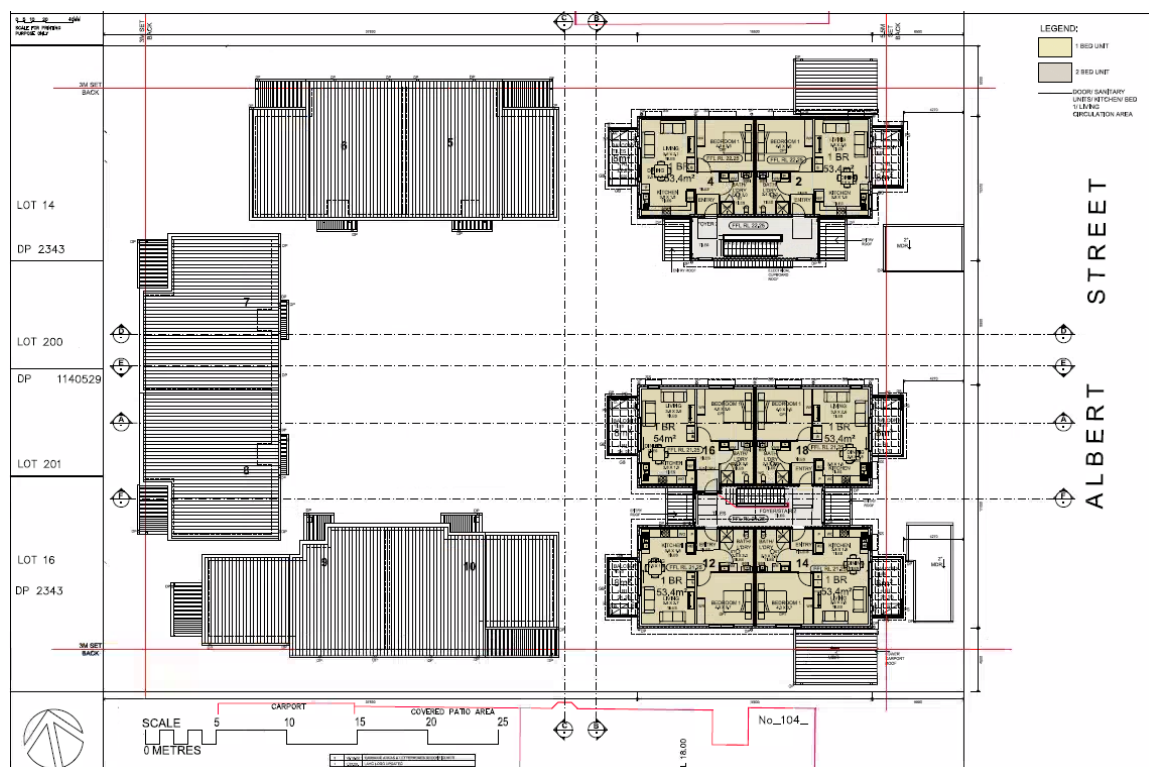


Figure 17 Extract from Architectural Plans – First Floor Plan (Source: Architectural Plans, Barry Rush & Associates, dated 19/12/2022)



Figure 18 Extract from Architectural Plans – Albert Street Perspective (Source: Architectural Plans, Barry Rush & Associates, dated 12/03/2024)

## 4.5 Supporting information

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

Table 1 Supporting information

Title / Name:	Drawing / Document Ref	Revision / Issue:	Date	Prepared by:
<b>Architectural – Appendix A</b>				
Coversheet	A00	Rev 17	12.03.2024	Barry Rush & Associates
Site Analysis Plan	A01	Rev 6	22.02.2022	Barry Rush & Associates
Site Plan	A02	Rev 18	12.03.2024	Barry Rush & Associates
Ground Floor Plan	A03	Rev 6	12.03.2024	Barry Rush & Associates
First Floor Plan	A04	Rev 8	19.12.2022	Barry Rush & Associates
Roof Plan	A05	Rev 8	19.12.2022	Barry Rush & Associates
Elevations	A06	Rev 12	19.12.2022	Barry Rush & Associates
Elevations and Sections	A07	Rev 11	12.04.2022	Barry Rush & Associates
Sections	A08	Rev 11	09.12.2022	Barry Rush & Associates
Shadow Diagrams Mid-Winter Sheet 1	A09	Rev 9	05.09.2023	Barry Rush & Associates
Demolition Plan	A10	Rev 4	22.02.2022	Barry Rush & Associates
Exterior colour schedule	A11	Rev 5	19.12.2022	Barry Rush & Associates
Areas of excavation and fill	A12	Rev 7	15.02.2023	Barry Rush & Associates
Block Analysis Plan	A13	Rev 6	15.02.2023	Barry Rush & Associates
Site Plan including access to bus stop on Bransgrove Road and Proposed Ramp Construction on Polo St Cnr	A14	-	20.10.2021	Barry Rush & Associates



Shadow Diagrams – Mid-Winter Sheet 2	A15	-	05.09.2023	Barry Rush & Associates
Staging Plan – Stage 1	A16	-	18.03.2024	Barry Rush & Associates
Staging Plan – Stage 2	A17	-	22.01.2024	Barry Rush & Associates
Landscape Plan – Appendix B				
Landscape Plan (stage 1)	LA01	1	29.02.2024	Greenland Design
Landscape Details & Specifications (stage 1)	LA02	1	29.02.2024	Greenland Design
Landscape Plan (stage 2)	LA01	1	29.02.2024	Greenland Design
Landscape Details & Specifications (stage 2)	LA02	1	29.02.2024	Greenland Design
Soil and Water Management				
Site stormwater drainage layout plan	C01	Q	22.02.2024	Michael Ell Pty Ltd
Stormwater details	C02	G	17.07.2023	Michael Ell Pty Ltd
Erosion and Sediment Control Plan	C03	H	17.07.2023	Michael Ell Pty Ltd
Erosion and Sediment Details	C04	E	17.07.2023	Michael Ell Pty Ltd
Site Stormwater Drainage Layout Plan-Stage 1	C05	-	13.05.2024	Michael Ell Pty Ltd
Contour and Detail Survey – Appendix D				
Plan showing levels, features and contours for Lots 38, 39 & 40 Section 13 in DP2342	Sheet 1 of 1	-	07.09.2021	Intrax Consulting Group
Footpath Gradient Location Plan	Sheet 1 of 3		07.09.2021	Intrax Consulting Group
Footpath Gradient	Sheet 2 of 3		07.09.2021	Intrax Consulting Group
Footpath Gradient	Sheet 3 of 3		07.09.2021	Intrax Consulting Group
Notification Plans – Appendix E				
Notification – Cover Page	No.1	J	11/01/2023	Barry Rush & Associates
Notification – Site Plan	No.2	I	19/12/2022	Barry Rush & Associates
Notification – Development Data	No.3	I	19/12/2022	Barry Rush & Associates
Notification – Elevations	No.4	I	19/12/2022	Barry Rush & Associates
Notification – Schedule of Finishes	No.5	I	19/12/2022	Barry Rush & Associates
Notification – Shadow Diagrams	No.6	I	19/12/2022	Barry Rush & Associates
Access Report – Appendix H				
Access Report	-	-	22.07.2023	Sydney Access Consultants
Arborist's Impact Assessment and Tree Management Plan – Appendix J				
Arboricultural Impact Assessment	D698	B	04.11.2021	Creative Planning Solutions
BASIX – Appendix K				
BASIX Certificate	Certificate No.582396M_08	-	12.07.2023	Building Sustainability Assessments
BCA report – Appendix L				
Design Compliance Report (Dwellings 1 to 4 and 11-18)	P230109	1	04.07.2023	BCA Vision

<b>Design Compliance Assessment (Dwellings 5 to 10)</b>	P230109	1	04.07.2023	BCA Vision
<b>NatHERS Certificate – Appendix N</b>				
<b>NatHERS Certificate</b>	Certificate No 0005174310		18.11.2021	Gavin Chambers Accreditation No DMN/13/1491
<b>Geotechnical Investigation Assessment - Appendix P</b>				
<b>Site classification report</b>	173567	A	24.09.2021	Intrax Consulting Engineers
<b>Waste Management Plan – Appendix R</b>				
<b>Waste Management Plan</b>	-	-	20.07.2023	CPS
<b>Traffic and Parking Impact Assessment - Appendix S</b>				
<b>Traffic and Parking Review</b>	20052102B-220318	-	18.03.2022	MLA Transport Planning

**Section 10.7 Planning Certificates – Appendix F**

Section 10.7(2)(5) Planning Certificate No 20241930 – 98 Albert Street, Revesby, NSW 2212, Lot 38 Sec 13 DP 2343, dated 14/03/2024 – City of Canterbury Bankstown Council

Section 10.7(2)(5) Planning Certificate No 20241927 – 100 Albert Street, Revesby, NSW 2212, Lot 39 Sec 13 DP 2343, dated 14/03/2024 – City of Canterbury Bankstown Council

Section 10.7(2)(5) Planning Certificate No 20241925 – 102 Albert Street, Revesby, NSW 2212, Lot 40 Sec 13 DP 2343, dated 14/03/2024 – City of Canterbury Bankstown Council

**Notification & consultation – Appendix G****Design compliance and checklists – Appendix M**

Architect's Certificate of Building Design Compliance – 12/03/2024

Landscape Architect's Certificate of Design Compliance – 13/12/2022

Engineer's Certificate of Design Compliance – 18/07/2023

[Note: The Landscape and Engineering Plans were subject to relatively minor amendments to accommodate the staging. Accordingly, the Design Compliance Certificates were not required to be updated.]

**Housing for Seniors Checklist – Appendix O**

Seniors Living Urban Design Guidelines, LAHC Design requirements & Good design for social housing, prepared by Barry Rush Architects – 18/07/2023

**Titles and Deposited Plans – Appendix Q**

Certificate of Title Folio 40/13/2343, search date 27.06.2023, First Schedule: New South Wales Land and Housing Corporation

Certificate of Title Folio 39/13/2343, search date 27.06.2023, First Schedule: New South Wales Land and Housing Corporation

Certificate of Title Folio 38/13/2343, search date 27.06.2023, First Schedule: New South Wales Land and Housing Corporation

Deposited Plan 2343

Layout Plan drawing No. L358/1, dated 28.04.1947

**AHIMS – Appendix I**

AHIMS Search Result, 100 Albert Street, Revesby – 50m search buffer, dated 6 May 2024.

## 5 Zoning and Permissibility

The site is zoned R2 Low Density Residential under the *Canterbury Bankstown Local Environmental Plan 2023* (C-BLEP 2023) (**Figure 19**). The proposed development is defined as ‘seniors housing’ under the provisions of C-BLEP 2023 and is permissible in the R2 zone.

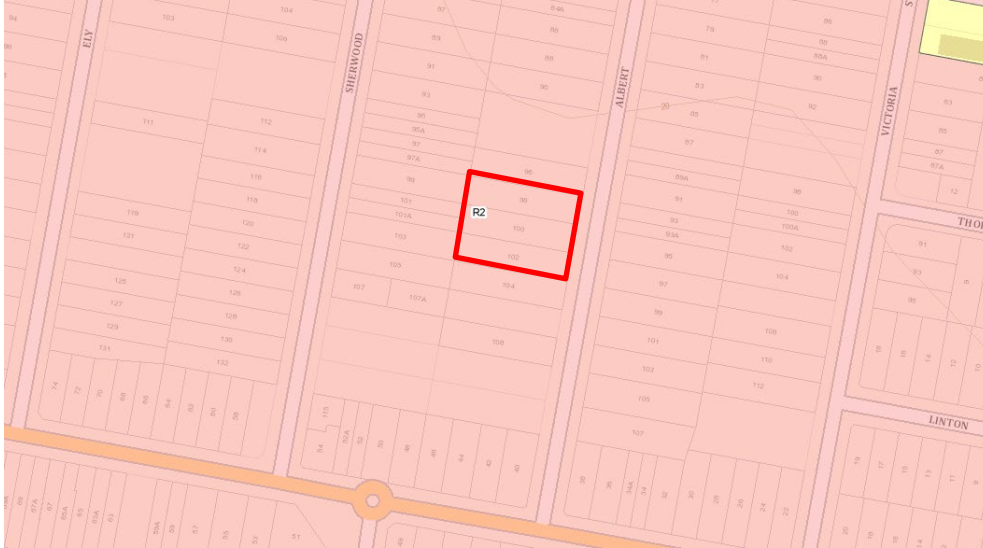


Figure 19 Land zoning map (Source: NSW Planning Portal, accessed 3 October 2023)

Seniors housing is also permitted with consent under section 81 of the Housing SEPP as the R2 zone is a prescribed zone under section 79 of the SEPP. The subject land is not excluded from the provisions of the Housing SEPP set out under section 80(1)(b). Therefore, seniors housing is permitted on the subject land with consent under the provisions of the SEPP pursuant to section 79.

The relevant objectives of the R2 zone, as set out in C-BLEP 2023 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 local amenity.
- To ensure suitable landscaping in the low density residential environment.
- To minimise and manage traffic and parking impacts.

The proposal has been designed with regard to local amenity, including traffic and parking impacts, and incorporates substantial landscaping and tree plantings throughout the site and along the Albert Street frontage. The proposed development provides housing that meets the identified needs of the community and will be consistent with the objectives.

Section 108B of the Housing SEPP permits seniors housing development to be carried out by LAHC as ‘development without consent’ subject to the provisions set out under that clause. Table 5 in subsection 6.5.1 of this REF demonstrates compliance with the relevant provisions of Chapter 3 Part 5 Division 8 of the SEPP.

## 6 Planning and Design Framework

### 6.1 Environmental Planning and Assessment Act 1979

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

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

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

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

Matters for consideration under sub-section 3 of Section 5.5 of the EP&A Act	
Matter for consideration	Effect of Activity
<b>Sub-section 3</b> <b>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.</b>	No effect, as the site and surrounding areas are not within a wilderness area (within the meaning of the <i>Wilderness Act 1987</i> ).

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

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

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

### 6.3 Other Acts

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

## 6.4 Environmental Planning and Assessment Regulation 2021

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

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

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

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

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

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

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

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

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

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

## 6.4.2 Strategic Planning Framework

### Canterbury Bankstown Connective City 2036 Local Strategic Planning Statement

The Canterbury Bankstown Local Strategic Planning Statement was endorsed by Canterbury Bankstown Council in 2016. It is a 20 year plan that identifies 10 Evolutions for the LGA, focused around infrastructure, collaboration, liveability, productivity and sustainability.

Notably, Evolution 6 seeks to promote diverse and affordable housing options especially with a growing ageing population. The proposed development will be contributing 18 seniors living units to the affordable housing supply in the Canterbury Bankstown LGA. It would be diversifying the residential uses within Revesby by introducing a seniors living housing option to accommodate the ageing population in the locality and is well serviced by existing public transport options.

The proposed development of 18 seniors living units is consistent with the objectives set out in the Canterbury Bankstown Local Strategic Planning Statement, in that it will increase the provision of affordable and seniors living units.

### Canterbury Bankstown 2036 Community Strategic Plan

The Canterbury Bankstown 2036 Community Strategic Plan was adopted from the 2028 community strategic plan. It was originally a 10 year plan that has been extended and outlines 7 broad inter-related themes that are derived from an extensive community engagement process, which identified priorities for the community's future. Under the 7 themes there are key goals and subsequent strategies for Council to facilitate in partnership with the community, government agencies and business. These 7 key strategic destinations are supported by key goals that will guide the Canterbury Bankstown LGA until 2036. The themes are focused



around; Safe & Strong, Clean & Green, Prosperous & Innovative, Moving & integrated, Healthy & Active, Liveable & Distinctive and Leading & Engaged. The proposed development for 18 seniors housing independent living units would contribute to achieving the goals outlined in the Canterbury Bankstown 2036 Community Strategic Plan.

### 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 10** of this REF. The assessment concludes that the proposed activity is unlikely to significantly impact the Georges River Catchment.

## 6.5 State Environmental Planning Policy (Housing) 2021

### State Environmental Planning Policy Amendment (Housing) 2023

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

Clause 8(2) of Schedule 7(A) of the Housing SEPP provides that the amendments made on 14 December 2023 do not apply to an activity by LAHC where notice of the activity has been provided to Council under sections 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 the land the structures are located on is 'non-heritage land' and is not 'identified in an environmental planning instrument as being within a heritage conservation area'. The subject site contains neither of these heritage notations and therefore demolition can be undertaken by LAHC as 'development without consent'. A waste management plan has been prepared, and there are several Identified Requirements recommended in the Activity Determination which deal with site safety and environmental protection during demolition and construction.

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

#### Development for Seniors Housing

The Housing SEPP is very specific in terms of the matters that LAHC must consider in determining whether or not to proceed with a seniors housing development that meets the thresholds for self-approval under the



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

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

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

Provision	Compliance
108A – Development to which Division applies This Division applies to development for purposes of senior housing involving the erection of a building on land -	
(a) on which development for purposes of seniors housing is permitted with consent under another environmental planning instrument, or	Seniors housing is permissible in the R2 Low Density Residential (R2) zone under the C-BLEP2023.
(b) in a prescribed zone or an equivalent land use zone.	The R2 zone is a prescribed zone under the SEPP.  Chapter 3, Part 5, Division 8 of the SEPP therefore applies.
108B – Seniors housing permitted without development consent (1) Development to which this Division applies may be carried out by or on behalf of a relevant authority without development consent if -	
(a) the relevant authority has considered the applicable development standards specified in sections 84(2)(c)(iii), 85, 88, 89 and 108, and	Consideration of the development standards are provided in Table 6 and Table 7 below.
(b) the development will not result in a building with a height of more than- (i) 9.5m, or (ii) if the roof of the building contains servicing equipment resulting in the building having a height of more than 9.5m and the servicing equipment complies with section 84(3) – 11.5m, and	The maximum building height is 7.315m.
(c) the seniors housing will not contain more than 40 dwellings on the site.	The development is for 18 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> not applicable to the site or development.
(a) a reference in section 2.15 to “this Chapter” is taken to be a reference to this section, and	Noted.
(b) a reference in the sections to a public authority is taken to be a reference to the relevant authority.	Noted.
108C – Requirements for carrying out seniors housing (1) Before carrying out development to which this Division applies, a relevant authority must –	

Provision	Compliance
(a) request the council to nominate a person or persons who must, in the council's opinion, be notified of the development, and	As part of the notification of the activity, advice was sought from Council regarding additional persons or properties that should be notified of the development via an email sent to Council on 8/10/2021. Council provided a response requesting LAHC to notify both owners and occupiers of surrounding properties.
(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 Council of the proposed development activity was sent by LAHC on 12/08/2022. 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 email dated 27/09/2022. Comments on the response are provided in Section 7.1 of this REF. Two submissions were received from neighbouring landowners. Comments on the submissions are provided in Section 7.2 of this REF. Re-notification of the activity was not required as the activity is substantially the same as notified, noting that the amendments to the activity relate only to its staging.
(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 M</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	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 <b>Table 10</b> .
(2) In this section, a reference to the council is a reference to the council for the land on which the development is proposed to be located.	Noted.

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

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

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

Provision	Compliance
<p>84 Development standards – general</p> <p>(2) Development consent must not be granted for development to which this section applies unless –</p> <p>(c) for development on land in a residential zone where residential flat buildings are not permitted –</p> <p>(iii) if the development results in a building with more than 2 storeys – the additional storeys are set back within planes that project at an angle of 45 degrees inwards from all side and rear boundaries of the site.</p> <p>(3) The servicing equipment must –</p> <p>(a) be fully integrated into the design of the roof or contained and suitably screened from view from public places, and</p> <p>(b) be limited to an area of no more than 20% of the surface area of the roof, and</p> <p>(c) not result in the building having a height of more than 11.5m.</p>	<p>The proposed development is in the R2 zone where residential flat buildings are not permitted.</p> <p>NA – the proposed development is two storey only.</p> <p>NA – servicing equipment on the roof is not proposed.</p>
<p>85 Development standards for hostels and independent living units</p> <p>(1) Development consent must not be granted for development for the purposes of a hostel or an independent living unit unless the hostel or independent living unit complies with the relevant standards specified in Schedule 4.</p> <p>(2) An independent living unit, or part of an independent living unit, located above the ground floor in a multi-storey building need not comply with the requirements in Schedule 4, sections 2, 7–13 and 15–20 if the development application is made by, or by a person jointly with, a social housing provider.</p> <p>Note – Development standards concerning accessibility and usability for residential care facilities are not specified in this Policy. For relevant standards, see the Building Code of Australia.</p>	<p>The proposed development complies with relevant standards specified in Schedule 4 as demonstrated in <b>Table 7</b> below.</p> <p>Noted.</p>

Provision	Compliance
<p>88 Restrictions on occupation of seniors housing</p> <p>(1) Development permitted under this Part may be carried out for the accommodation of only the following —</p> <ul style="list-style-type: none"> <li>(a) seniors or people who have a disability,</li> <li>(b) people who live in the same household with seniors or people who have a disability,</li> <li>(c) staff employed to assist in the administration and provision of services to housing provided under this Part.</li> </ul> <p>(2) Development consent must not be granted under this Part unless the consent authority is satisfied that only the kinds of people referred to in subsection (1) will occupy accommodation to which the development relates.</p>	Identified Requirement no. 75 is recommended to ensure compliance.
<p>89 Use of ground floor of seniors housing in business zones</p> <p>(1) This section applies to a building used for the purposes of seniors housing on land in a business zone.</p> <p>(2) Development consent must not be granted for development under this Part unless the part of the ground floor of the building that fronts a street will not be used for residential purposes.</p> <p>(3) Subsection (2) does not apply to a part of a building that —</p> <ul style="list-style-type: none"> <li>(a) faces a service lane that does not require active street frontages, or</li> <li>(b) is used for 1 or more of the following purposes — <ul style="list-style-type: none"> <li>(i) a lobby for a residential, serviced apartment, hotel or tenanted component of the building,</li> <li>(ii) access for fire services,</li> <li>(iii) vehicular access.</li> </ul> </li> </ul> <p>(4) Subsection (2) does not apply if another environmental planning instrument permits the use of the ground floor of the building for residential purposes.</p>	Not applicable.

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

Development Standard	Required	Comment
Building Height:	9.5m or less	Maximum height 7.315m
Density and Scale:	Floor Space Ratio 0.5:1 or less	0.43:1
Landscaped Area:	Minimum 35m <sup>2</sup> per dwelling (18 x 35m <sup>2</sup> = 630m <sup>2</sup> )	829m <sup>2</sup>
Deep Soil Zone:	Minimum 15% of area of site (15% x 2,787m <sup>2</sup> = 418m <sup>2</sup> )	454m <sup>2</sup> or 16%

Development Standard	Required	Comment
	Minimum 65% to be preferably located at rear of site (64% x 418m <sup>2</sup> = 271m <sup>2</sup> )	391.5m <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	94% provided to living areas and private open space (17/18 units). With the exception of Unit 8, all units comply
Private Open Space:	Ground level:	
	Minimum 15m <sup>2</sup> per dwelling	Minimum 25m <sup>2</sup>
	One area minimum 3m x 3m, accessible from living area	Minimum 3m x 3m
	Upper level/s:	
	1 bedroom: Minimum 6m <sup>2</sup> Minimum dimensions 2m	Minimum 8m <sup>2</sup> Minimum 2m
	2 or more bedrooms: Minimum 10m <sup>2</sup> Minimum dimensions 2m	NA
Car parking:	Minimum 1 car parking space for each 5 dwellings (LAHC concession)	18/5 = 3.6 = 4 4 accessible parking spaces provided.

## 6.5.2 Development Standards for Accessibility

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

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

Table 8 Accessibility and useability standards [Schedule 4]

Development Standard (Sch 4)	Required	Comment
2.Siting Standards:		
Wheelchair access 'Non-sloping' sites i.e. with gradients entirely <1:10	100% of ground floor dwellings to have wheelchair access by a continuous accessible path of travel as per AS 1428.1 to an adjoining public road	Compliance readily achievable.
'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	Not applicable, as the site does not have a gradient of more than 1 in 10.

	access by a continuous accessible path of travel as per AS1428.1 to driveway or public road that is accessible to all residents	
Common areas	All common areas and facilities to have wheelchair accessibility as per AS1428.1	Compliance readily achievable.  All common areas have accessible paths of travel in accordance with AS1428.1.
<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	Compliance readily achievable.  All lighting will be designed as per requirements at detailed construction documentation stage (subject to Identified Requirement No. 74).
<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 wheelchair access and circulation by a continuous path of travel (as per AS1428.1)	Letterboxes have been provided in two locations adjacent to street entries on hardstand areas with adequate circulation space and have wheelchair access by a continuous path of travel in accordance with AS1428.1. Further specification to be provided at detailed construction documentation stage.  The proposed letter boxes identified on the stage 1 plan are adequate to service the units constructed in stage 1, whilst 98 Albert St will continue to rely on existing arrangements.
<b>5. Private car accommodation:</b>		
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	Four accessible car parking spaces are provided, which meet the requirements of AS2890.6. Two designated spaces are located adjacent to Units 1 & 13 and have a carport. A clearance of 2.5m to the underside of the carports is noted thus allowing for top loading of mobility devices.
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 or doors to carports.
<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. 74).

## 7. Interior: general

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

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

Door circulation and corridors will be required to comply (refer to identified requirement No 74)

Circulation spaces will be required to comply (refer to Identified Requirement No 74)

## 8. Bedroom

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

At least one bedroom within each dwelling must have:

(a) an area sufficient to accommodate a wardrobe and a bed sized as follows:

(i) in the case of a dwelling in a hostel-a single - size bed,

(ii) in the case of a self-contained dwelling - a queen size bed, and

(b) a clear area for the bed of at least:

(i) 1,200mm wide at the foot of the bed, and

(ii) 1,000mm wide beside the bed between it and the wall, wardrobe or any other obstruction, and

(c) 2 double general power outlets on the wall where the head of the bed is likely to be, and

(d) at least 1 general power outlet on the wall opposite the wall where the head of the bed is likely to be, and

(e) a telephone outlet next to the bed on the side closest to the door and a general power outlet beside the telephone outlet, and

(f) wiring to allow a potential illumination level of at least 300 lux

Compliance readily achievable.

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.

Further detailed information will be required at construction documentation stage (refer to Identified Requirement No. 74).

## 9. Bathroom

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

	<p>At least 1 bathroom within a dwelling must be on the ground (or main) floor and have the following facilities arranged within an area that provides for circulation space for sanitary facilities in accordance with AS1428.1:</p> <ul style="list-style-type: none"> <li>(a) a slip-resistant floor surface,</li> <li>(b) a washbasin with plumbing that would allow, either immediately or in the future, clearances that comply with AS1428.1,</li> <li>(c) a shower that complies with AS1428.1, except that the following must be accommodated either immediately or in the future: <ul style="list-style-type: none"> <li>(i) a grab rail,</li> <li>(ii) portable shower head,</li> <li>(iii) folding seat,</li> <li>(d) a wall cabinet that is sufficiently illuminated to be able to read the labels of items stored in it,</li> </ul> </li> <li>(e) a double general power outlet beside the mirror</li> </ul> <p>The requirement under item (c) does not prevent the installation of a shower screen that can easily be removed to facilitate future accessibility</p>	<p>Compliance readily achievable.</p> <p>Suitable provisioning has been made to accommodate the clearances required for bathrooms within ground floor dwellings.</p> <p>Further detailed information will be required at construction documentation stage (refer to Identified Requirement No. 74).</p>
<b>10. Toilet</b> Note: consideration only required for ground floor units in accordance with clause 85(2)		
	<p>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>	<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 construction documentation stage.</p>
<b>11. Surface finishes</b> Note: consideration only required for ground floor units in accordance with clause 85(2)		
	<p>Balconies and external paved areas must have slip-resistant surfaces</p>	<p>Compliance readily achievable.</p> <p>Further detailed information will be required at construction documentation stage to ensure compliance (refer to Identified Requirement No. 74).</p>
<b>12. Door Hardware</b> Note: consideration only required for ground floor units in accordance with clause 85(2)		



	Door handles and hardware for all doors (including entry doors and other external doors) must be provided in accordance with AS4299	Compliance readily achievable.  Further detailed information will be required at construction documentation stage to ensure compliance (refer to Identified Requirement No. 74).
<b>13. Ancillary Items</b>		
Note: consideration only required for ground floor units in accordance with clause 85(2)		
	Switches and power points must be provided in accordance with AS4299	Compliance readily achievable.  Further detailed information will be required at construction documentation stage to ensure compliance (refer to Identified Requirement No. 74).
<b>15. Living and dining room</b>		
Note: consideration only required for ground floor units in accordance with clause 85(2)		
	<p>A living room in a self-contained dwelling must have:</p> <p>(a) a circulation space in accordance with clause 4.7.1 of AS4299, and</p> <p>(b) a telephone adjacent to a general power outlet.</p> <p>A living room and dining room must have wiring to allow a potential illumination level of at least 300 lux</p>	<p>Compliance readily achievable.</p> <p>Suitable provision is made within the living room design to comply with circulation requirements.</p> <p>Further detailed information will be required at construction documentation stage to ensure compliance (refer to Identified Requirement No. 74).</p>
<b>16. Kitchen</b>		
Note: consideration only required for ground floor units in accordance with clause 85(2)		
	<p>A kitchen in a self-contained dwelling must have:</p> <p>(a) a circulation space in accordance with clause 4.5.2 of AS4299, and</p> <p>(b) a width at door approaches complying with clause 7 of this Schedule, and</p> <p>(c) the following fittings in accordance with the relevant subclauses of clause 4.5 of AS4299:</p> <p>(i) benches that include at least one work surface at least 800mm in length that comply with clause 4.5.5 (a),</p> <p>(ii) a tap set (see clause 4.5.6),</p> <p>(iii) cooktops (see clause 4.5.7), except that an isolating switch must be included,</p> <p>(iv) an oven (see clause 4.5.8), and</p>	<p>Compliance readily achievable.</p> <p>Suitable provision is made within the kitchen design to ensure that appropriate arrangements can be achieved.</p> <p>Further detailed information will be required at construction documentation stage to ensure compliance (refer to Identified Requirement No. 74).</p>

- (d) "D" pull cupboard handles that are located towards the top of below-bench cupboards and towards the bottom of overhead cupboards, and
- (e) general power outlets:
  - (i) at least one of which is a double general power outlet within 300mm of the front of a work surface, and
  - (ii) one of which is provided for a refrigerator in such a position as to be easily accessible after the refrigerator is installed

#### 17. Access to kitchen, main bedroom, bathroom and toilet

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

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

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

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 clause E3.6 of the Building Code of Australia.

NA

#### 19. Laundry

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

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 clothesline provided in relation to the dwelling

Compliance readily achievable.

Laundries are located within bathrooms and comply with AS1428.

Further detailed information will be required at construction documentation stage to ensure compliance (refer to Identified Requirement No. 74).

#### 20. Storage for Linen

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

A self-contained dwelling must be provided with a linen storage in accordance with Clause 4.11.5 of AS 4299

Compliance readily achievable.

		Linen storage (min 600mm wide) will be available in all of the proposed dwellings.
21. Garbage	A garbage storage area must be provided in an accessible location.	<p>Compliance readily achievable.</p> <p>Two bin storage areas have been provided at the pedestrian entries of the site along Albert Street adjacent to the letterboxes. The proposed bin storage area identified on the stage 1 plan is adequate to service the units constructed in stage 1, whilst 98 Albert St will continue to rely on existing waste collection arrangements.</p> <p>At detailed construction documentation stage the storage areas will be designed with a maximum grade of 1:40 to be compliant with AS1428.</p>

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

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 5 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.

Section 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 Chapter 3, 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
2.08 Retain trees and planting at the rear of the lot to minimise the impact of new development on neighbours and maintain the pattern of mid-block deep soil planting.	Existing trees within the adjoining property to the west are proposed to be retained. A White Feather Honey myrtle with a mature height of 8-10m (5-8m spread) and 3 Bottlebrush trees with a mature height of 3-6m (2-3.5m spread) are proposed to be planted along the rear boundary of the site. Additional shrub screen planting is proposed along the sides and rear of the site to minimise the impact of the new development on neighbours.
2.09 – Retain large or otherwise significant trees on other parts of the site through sensitive site planning.	The existing trees on the site are not proposed to be retained due to the impacts arising from the proposed building footprint, hard paving areas and stormwater infrastructure. Proposed replacement plantings include 15 native trees in 75 litre pot sizes. Refer to Landscape Plan ( <b>Appendix B</b> ).
3.06 Setback upper levels behind the front building façade?	The upper level is not set back behind the building line at ground level as this is not typically a characteristic in the locality and for efficiency of layout and construction. A mixture of materials and finishes are provided for the front façade including use of articulation which makes a positive contribution to the streetscape and provides the variety needed to fit within the locality. The stepping of the first floor is not considered desirable or appropriate for the scale of the building.
3.22 – Vary the alignment of driveways to avoid a “gun barrel” effect	A straight driveway is required due to the configuration of the site and the need to optimise the number of dwellings. The inclusion of deep soil zones at the sides and rear of the driveway and car court reduces the ‘gun barrel’ effect.
3.27 Vary the driveway surface material to break it up into a series of smaller spaces? (eg to delineate individual dwellings)	The proposed concrete driveway is coloured differently to the pedestrian pathways. Landscaping is proposed on either side of the driveway and surrounding the central car parking area to break up the site and soften the appearance of the driveway.
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 Set upper storeys back behind the side or rear building line	Second storeys behind the building line or within roof spaces are not a characteristic in the locality. The proposed second storey complies with the height and side and rear setback requirements and does not give rise to any adverse streetscape or amenity impacts.
4.05 Incorporate second stories within the roof space and provide dormer windows?	

Guideline Requirement	Response
5.09 Locate habitable rooms, particularly bedrooms, away from driveways, parking areas and pedestrian paths, or where this is not possible use physical separation, planting, screening devices or louvers to achieve adequate privacy	Habitable room windows within the northern elevation of units 15 and 17 are located adjacent to the main driveway. However, the windows are secondary to the main living area windows and are relatively small in size. In addition, they are separated by the driveway from the pedestrian pathway and the Landscape Plan proposes 25 x 'Blue Gem' with a mature height of 1m to provide a vegetative buffer to the driveway.
5.30 Provide communal open space that is clearly and easily accessible to all residents and easy to maintain and includes shared facilities, such as seating and barbeques to permit resident interaction	The proposed dwellings allow for generous private outdoor spaces rather than a communal open space.

## 6.5.4 Good Design for Social Housing

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

Section 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 Chapter 3, Part 5, Division 8 of the Housing SEPP.

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

### Wellbeing

The proposed development supports the wellbeing of future tenants by providing safe and accessible housing where residents have privacy and feel safe. Safe access is provided from the car park to building entries. The floor plan design allows for future adaptation to accommodate the changing needs of tenants over time and allowing them to age in place.

The development incorporates passive and active sustainable design, durable and low maintenance materials and appropriately sized units to reduce running costs. The proposal meets relevant BASIX requirements and achieves a NatHERS rating of 7.5 stars across the development and a minimum rating of 6.3 stars for each dwelling. For additional amenity, identified requirement (No 82) is recommended such that each dwelling is provided with a Photovoltaic Energy System and an Air Conditioning Unit.

Each unit is provided with a high quality private open space area. High quality landscaping across the site will enhance the amenity for residents.

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

### Belonging

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

The pedestrian entries are easily identified, and communal spaces 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 or people with a disability and their household members.

### Value

The scheme incorporates sustainable features including insulation, clothes lines, native plantings, ceiling fans, and good solar access and cross-ventilation. Rainwater re-use will assist in minimising the use and cost of access to natural resources.

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

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

### Collaboration

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

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

## 6.5.5 Land and Housing Corporation Design Requirements

The proposed development was designed in accordance with the *Land and Housing Corporation Dwelling Requirements* (refer to Certificate of Design Compliance from the Architect in **Appendix M**). These requirements were replaced by the *Land and Housing Corporation Design Requirements* (LAHC Design Requirements) (February 2023).

These requirements are used to inform the design and development of the LAHC social housing portfolio. These requirements apply to all new LAHC developments and are driven by tenant wellbeing, design quality, environmental performance and operational effectiveness within cost parameters.

Section 108C(1)(e)(ii) of the Housing SEPP requires the relevant authority to consider the relevant provisions of the *Land and Housing Corporation Design Requirements* (the *Land and Housing Corporation Dwelling Requirements* at the time of lodgement), when assessing a proposed seniors housing development under Chapter 3, Part 5, Division 8 of the Housing SEPP.

The development exceeds the NatHERS targets specified in the current LAHC Design Requirements as it achieves an average NatHERS rating of 7.5 stars across the development and a minimum rating of 6.3 stars for each dwelling. The Design Requirements note that light-coloured metal roofs are preferred, however a dark-coloured roof is proposed (Basalt). The Design Requirements also specify the provision of electric appliances; however gas cooktops and instantaneous gas water heaters are proposed. Whilst it is noted that the development achieves BASIX and NatHERS targets, Identified Requirement (No. 82) is recommended requiring the installation of electrical appliances. Identified Requirement (No. 83) is recommended requiring a revised BASIX and NatHERS certificates to be prepared.

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

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

Neighbourhood amenity and streetscape [section 99]	
Seniors housing should be designed to –	
(a) recognise the operational, functional and economic requirements of residential care facilities, which typically require a different building shape from other residential accommodation, and	
N/A no residential care facility proposed.	
(b) recognise the desirable elements of –	
(i) the location's current character, or	
(ii) for precincts undergoing a transition – the future character of the location so new buildings contribute to the quality and identity of the area, and	
The existing character is predominantly characterised by a mix of older style single storey detached dwelling houses of fibrous and lightweight weatherboard construction with tiled or corrugated metal roofs; single and two storey brick dwellings with tiled roofs; larger more recent brick and render two storey dwellings and dual occupancy developments. One and two storey multi dwelling housing developments are also located within the surrounding area.	
The proposal incorporates low scale 1 and 2-storey residential development with an FSR 0.43:1 which is within the permissible FSR of 0.5:1.	
The proposal is generally compatible in form, scale and character with more contemporary residential development in the locality as illustrated in Figures 10 and 11 above.	
(c) complement heritage conservation areas and heritage items in the area, and	
The site is not located within a heritage conservation area nor are there any heritage items that adjoin the site.	
(d) maintain reasonable neighbourhood amenity and appropriate residential character by –	
(i) providing building setbacks to reduce bulk and overshadowing, and	
(ii) using building form and siting that relates to the site's landform, and	
(iii) adopting building heights at the street frontage that are compatible in scale with adjacent buildings, and	
(iv) considering, where buildings are located on the boundary, the impact of the boundary walls on neighbours, and	
The development has been designed to reflect the desirable characteristics of the area which include landscaped front setbacks, prominent entry points and face brick to external elevations.	
The proposed building setbacks are compatible with the streetscape character of the locality and are consistent with Council's DCP requirements.	
The development is below the height limit permitted under the Housing SEPP and C-BLEP 2023 and retains more than 2 hours solar access to the living areas and private open space of neighbouring dwellings in mid-winter.	
A suitable balance of cut and fill is proposed to address the access requirements for seniors housing under the Housing SEPP.	
(e) set back the front building on the site generally in line with the existing building line, and	
The building line is generally consistent with the setbacks of residential development in the streetscape (refer Block Analysis Plan in <b>Appendix A</b> ).	
(f) include plants reasonably similar to other plants in the street, and	



Refer to the submitted Landscape Plan in Appendix B. The proposed high quality landscape design will enhance the appearance of the site and represents a positive outcome for the streetscape and includes 15 native trees; 514 native shrubs; and 1076 native ground covers that are considered generally consistent with existing plantings within Albert Street. Ten trees, including a Lemon Scented Gum, a Loquat, a Eucalyptus, a Coral tree, 2 Silky Oak and 4 White Feather Honeymyrtle trees, are in neighbouring properties close to the site's boundaries which contribute to the landscaped setting of the proposed development. These trees are to be retained and will be protected during construction in accordance with the recommendations in the Arboricultural Impact Assessment report (refer *Appendix J*). Within the Albert Street road reserve 2 street trees are also proposed to be retained.

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

All 24 trees within the site are proposed to be removed. Twenty-two of the trees to be removed are considered exempt species due to their proximity to an existing dwelling, tree height, or species classification in accordance with section B11 Part 2.3 of the C-BDCP2023; and 2 trees (T4 and T6) will be impacted by the proposed building footprint, hard paving areas and stormwater infrastructure.

All trees on adjoining lots and within the road reserve are to be protected and retained.

(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 single storey development toward the rear of the site, appropriate building setbacks and heights, dwelling layouts, placement and sizes of window openings, the use of privacy screens and the location and future mature height of landscaping.

Boundary fencing to a height of 1.8m along the northern and rear boundaries, and 2.1m with an additional 300mm lattice screen along the southern boundary will further assist with mitigation of visual and acoustic impacts associated with the proposed development. Perimeter landscaping will also act as a visual and acoustic buffer between the proposed buildings, car park and adjacent development. Tree planting and screen planting around the internal carparking area will further reduce acoustic and privacy impacts of the use of the car parking area for future tenants.

The temporary 1.8m high metal fence delineating the northern extent of Stage 1 is strategically placed to provide a buffer between the stage 1 development and 98 Albert St.

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 proposed development will provide adequate daylight access to residents while not adversely impacting upon the living areas and private open spaces of neighbouring properties. 94% of the proposed dwellings will receive a minimum of three hours sunlight between 9am and 3pm on June 21 to their living and private open space areas.



Overshadowing impacts to adjoining properties are considered acceptable and within the parameters for residential development, as demonstrated in the shadow diagrams in **Appendix A**. Refer also to the more detailed discussion at section 8.3 – Overshadowing, of this REF.

The proposed living and open space areas are orientated towards the east, north and west to maximise solar access. The proposed landscaping across the site will also assist in microclimate management.

#### 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.

Impervious surfaces have been minimised in the design to reduce the potential impact from stormwater.

Site stormwater will be drained as shown on the submitted stormwater drainage plans and incorporates on-site detention and a rainwater tank (refer to the submitted stormwater drainage plans at (**Appendix C**).

As noted earlier in this REF, the stormwater design for the activity enables stage 1 to be serviced independently of 98 Albert Street; and allows the stage 2 stormwater system to connect into stage 1 at the appropriate time.

#### 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. Fencing will be constructed along the side and rear site boundaries, and along the edges of the ground floor private open space area to each dwelling to provide an appropriate level of safety and security for the residents.

The buildings, private open space and landscaping of each proposed seniors housing dwelling seeks to provide personal property security for residents and visitors.

The design of the proposed development will allow for general surveillance of common areas from all dwellings. Units 1, 2, 13, 14, 17 and 18 will allow for general observation of Albert Street as they are orientated to the east, facing the street.

Entries to units 1-4 and 11-18 will include shared spaces that will be able to be locked.

Peep-holes will be provided on 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.

There are numerous bus stops located within proximity of the site. Two bus stops, located on Bransgrove Road (Stop IDs 221298 & 2212112), are approximately 180m and 190m walking distance south-east of the site (refer to the Long Section Surveys provided at **Appendix D**).

The bus stops are serviced by Transdev Routes 923, 924 and 926, which operate at the required frequency for the site to be considered as being located within an accessible area and provide access to Revesby, Bankstown, East Hills and Panania town centres.

Subject to a new kerb ramp being constructed at the northern side of Polo Road at the intersection with Bransgrove Road, 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.

#### Waste management [section 105]

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

Waste and recycling facilities will be provided generally in accordance with Council's requirements. The proposed development provides shared waste and recycling collection facilities on the site.

## 6.6 Other State Environmental Planning Policies

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

Table 11 Compliance with other applicable State Environmental Planning Policies

#### SEPP (Sustainable Buildings) 2022 (formerly SEPP (Building Sustainability Index: BASIX) 2004)

A BASIX Certificate has been obtained for the development proposal, as required under the SEPP (refer to **Appendix K**). As noted at sections 6.5.4 and 6.5.5 of this REF, a revised BASIX certificate will be required due to the requirement to provide electrical appliances, Photovoltaic Panels and Air Conditioning Units for each dwelling

#### SEPP (Transport and Infrastructure) 2021

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

In relation to sections 2.98–2.100 of the Transport and Infrastructure SEPP, the site is not adjacent to a rail corridor.

Albert Street is not a classified road, hence Section 2.119 of the Transport and Infrastructure SEPP is not applicable.

The site is not located in close proximity to a road corridor with an annual average daily traffic volume of more than 20,000 vehicles, hence Section 2.120 of the Transport and Infrastructure SEPP is not applicable.

#### SEPP (Biodiversity and Conservation) 2021

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

#### Tree Removal:

The proposed development includes the removal of 24 trees on site, 2 of which are protected by C-BDCP.

In accordance with Part 2.2 and Part 2.3 of the SEPP, the clearing of trees on site requires Council approval.

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.

An assessment of the proposed tree removal has been undertaken within Section 8.5 of this REF.

Georges River Catchment:

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

Under Section 171A(1) of the EP&A Regulation, LAHC, as determining authority for the activity, when considering the likely impact on the environment of an activity proposed to be carried out in a regulated catchment, must consider the Biodiversity and Conservation SEPP, sections 6.6(1), 6.7(1), 6.8(1) and 6.9(1).

Further, as the determining authority, LAHC must be satisfied under the Biodiversity and Conservation SEPP, sections 6.6(2), 6.7(2), 6.8(2) and 6.9(2).

**6.6 Water quality and quantity**

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

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

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

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

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

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

Comment: Identified Requirement (No. 14) recommends that sediment control measures be implemented during demolition/ construction in accordance with Council requirements and/or the guidelines contained in the Blue Book Managing Urban Stormwater: Soils and Construction (4th edition, Landcom, 2004).

Identified Requirements (Nos 7 and 43) are applied to the activity determination recommending that stormwater management of the activity is designed in accordance with City of Canterbury Bankstown 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 proposed development includes planting of suitable native indigenous vegetation. In addition, the scale and nature of the activity, together with its location, is unlikely to have significant impacts upon aquatic ecology.

## 6.8 Flooding

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

Resilience and Hazard SEPP provides provisions for development in the coastal zone, management of hazardous and offensive development and remediation of contaminated land. The site is not located in the mapped coastal zone.

Section 4.6 of this SEPP requires the consent authority to consider whether land is contaminated prior to granting development consent.

The site is located within a developed residential area of Revesby. The s10.7 Planning Certificates do not identify the site as potentially contaminated (refer to **Appendix F**). Notwithstanding, the *draft Contaminated Land Planning Guidelines* (draft Guidelines) prepared by the Department of Planning and Environment and the Environment Protection Authority provides a checklist of matters to be considered in an initial evaluation of land in relation to potential for contamination. These matters are considered in **Table 11a**, below:

**Table 11a:** Matters to be considered in an initial evaluation:

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 1946.
(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	Two of the lots are currently vacant and one 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 standard identified requirement (No. 18) has been recommended to cover the possibility of discovering site contamination during demolition / construction works.
(g) Are there any contamination impacts on immediately adjacent land which could affect the subject land?	No	Adjoining development is residential, forming part of a larger residential subdivision carried out in 1946.
(h) Are there any human or environmental receptors that could be affected by contamination?	No	A standard identified requirement (No. 18) 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 notified sites indicate 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 Canterbury-Bankstown Local Environmental Plan 2023 (C-BLEP 2023)

Compliance with the relevant provisions / development standards set out in the C-BLEP 2023 is demonstrated in **Table 12** below.

Table 12 Canterbury-Bankstown Local Environmental Plan 2023

Relevant Provisions / Development Standards for Seniors Housing			
Clause	Provision / Development Standard	Required	Provided

Relevant Provisions / Development Standards for Seniors Housing			
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 (9m)	Maximum building height (measured in accordance with the LEP definition) is 7.315m.
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. The site is not mapped as containing a maximum floor space ratio on the Floor Space Ratio Map. (0.5:1)	Proposed FSR is 0.43:1
6.2	Earthworks	<p>(3) In deciding whether to grant development consent for earthworks (or for development involving ancillary earthworks), the consent authority must consider the following matters —</p> <p>(a) the likely disruption of, or any detrimental effect on, drainage patterns and soil stability in the locality of the development,</p> <p>(b) the effect of the development on the likely future use or redevelopment of the land,</p> <p>(c) the quality of the fill or the soil to be excavated, or both,</p> <p>(d) the effect of the development on the existing and likely amenity of adjoining properties,</p>	<p>A Geotechnical Report (<b>Appendix P</b>) was undertaken for the site and informed the design of the proposed development.</p> <p>Generally, the central part of the site is proposed to contain fill up to 600mm in depth and fill up to 1000mm in depth is proposed beneath Units 9 and 10 and their private open space areas; and the private open space area of Unit 11. This level of fill is not considered to be significant.</p> <p>The proposed development has been designed to ensure minimal disruption/ detrimental effects on the existing drainage patterns or soil stability in the locality. The hydraulics consultant has certified that site drainage has been designed generally in accordance with Council's requirements.</p> <p>The amount of proposed fill will create a level building platform that will facilitate the residential use of the land.</p> <p>Any fill will be virgin excavated natural matter, as required by Standard Identified Requirement No.45.</p> <p>It is considered that the proposed level changes are minor and will not adversely impact the existing and likely amenity of adjoining properties.</p>

### Relevant Provisions / Development Standards for Seniors Housing

			<p>The existing fence along the southern boundary (shared with 104 Albert Street) will be replaced by a new retaining wall and fence by LAHC. The landowner at 104 Albert Street has provided written consent for this approach. Refer to section 7.2 of this REF.</p>
		(e) the source of any fill material and the destination of any excavated material,	<p>All fill will be virgin excavated natural material. Any excess excavated material will be transported to an appropriate facility in accordance with a final waste management plan.</p>
		(f) the likelihood of disturbing relics,	<p>Identified requirements have been applied to cover the potential disturbance of any relics found on the site during demolition/ construction (refer to Identified Requirements 47 and 48).</p>
		(g) the proximity to, and potential for adverse impacts on, any waterway, drinking water catchment or environmentally sensitive area,	<p>The development has been designed in accordance with the relevant stormwater management and drainage requirements (<b>Appendix C</b>) and includes on-site detention, a rainwater tank and trash screens to outlet pipes. In addition, soil erosion and sedimentation measures will be implemented during works.</p>
		(h) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.	<p>Cut and fill to provide a level development platform, compliant stormwater system design and the appropriate management of any sediment and runoff during construction will ensure impacts of the development are minimised and mitigated.</p>

## 6.8 Canterbury-Bankstown Development Control Plan 2023

*Canterbury-Bankstown Development Control Plan 2023* (C-BDCP 2023) does not contain specific development controls for seniors housing. As such, the building setbacks for multi-unit housing have been used for comparative purposes to demonstrate the suitability of the site for the proposed scale of the development as shown in **Table 13** below.

The general controls for all development set out in C-BDCP 2023 have generally been addressed in the various sections of this REF that address compliance with the provisions of the Housing SEPP.

Table 13 Canterbury-Bankstown Development Control Plan 2023

### Compliance with setback controls for multi-unit housing

#### Multi-unit housing

Clause	Requirement	Proposed
<b>Setbacks</b>	<p><u>Front setbacks:</u></p> <p>The minimum setback for a building wall to the primary and secondary frontages is 5.5m.</p> <p><u>Side setbacks:</u></p> <p>The minimum setback for a building wall to the side boundary is 0.9m except for east-west orientated allotments of land where the minimum side setback to the southern boundary is 3m. The intended outcome of the 3m setback is to minimise overshadowing on adjoining properties.</p>	<p>6.5m to the building line and 4.27m to the balconies, which is generally consistent with prevailing setbacks in the street.</p> <p>The setback variations are supported, on balance of the following:</p> <ul style="list-style-type: none"> <li>• The building elements forward of the 6.5m setback line provide facade articulation and are integral to the architectural expression along this frontage.</li> <li>• The proposed front setbacks will be landscaped with deep soil zones provided within these areas capable of supporting trees with mature heights between 4m and 5m.</li> </ul> <p>The site has an east – west orientation, as such a 3m setback is provided to both side boundaries; and to the temporary fence delineating the northern extent of stage 1. Overshadowing impacts to adjoining properties are considered acceptable and within the parameters for residential development.</p>



## 7 Notification, Consultation and Consideration of Responses

### 7.1 Council Notification

In accordance with sections 43 and 108C of the Housing SEPP, City of Canterbury Bankstown Council was notified of the development by letter dated 12 August 2022 (refer to **Appendix G**). The notification response period formally closed on 4 September 2022 and Council responded to the notification by email dated 27 September 2022. The response provided Council's requirements in relation to waste storage. Following discussions with Council staff about waste storage and collections, a further response was provided by Council's waste section on 14 October 2022 and this is considered in **Table 14** below.

Table 14 Issues raised in Council submission

Issues raised	Response
<p>Each bin room needs to be of a sufficient size to fit the following allocation of bins:</p> <ul style="list-style-type: none"> <li>- 2 x 660L Garbage bins;</li> <li>- 2 x 660L Recycling bins; and</li> <li>- 1 x 240L Green bin.</li> </ul> <p>The bin rooms need to have 2m wide doorways (with doors opening outwards) and a 1.5m aisle between bins and have a roof with a minimum ceiling height of 2.1m.</p> <p>Additional information on the requirements can be found in Section 3.6.2 in the Waste Management Guide for New Developments.</p> <p>The bin carting routes from the kerbside to the bin rooms need to meet the following requirements:</p> <ul style="list-style-type: none"> <li>• A maximum 10m;</li> <li>• Solid, concrete and non-slip;</li> <li>• Not within the driveway;</li> <li>• A minimum of 2m wide;</li> <li>• Free from obstructions and steps; and</li> <li>• To be a maximum grade of 1:30.</li> </ul> <p>A 4m<sup>2</sup> bulky waste room is also required, which can be a 2m<sup>2</sup> caged area within each bin room. This room/area also requires a 2m wide doorway</p>	<p>The Architectural Plans have been updated to:</p> <ul style="list-style-type: none"> <li>- provide the required number of bins to service each stage of the development, noting that adequate bin storage capacity is provided in the southern bin enclosure to service stage 1</li> <li>- include 2m wide entrances and 1.5m wide aisle widths</li> <li>- include a roof structure over each bin storage area with ceiling heights greater than 2.1m</li> </ul> <p>Each bin area is less than 10m from the kerbside.</p> <p>The bin carting routes from the kerbside to the bin enclosures will be solid, non-slip concrete, and are not located within the driveway.</p> <p>The carting routes are at least 2m wide, are free of obstructions and steps and have a gradient less than 1:30 to the front property boundary.</p> <p>A bulky waste storage area has not been provided for the following reasons:</p> <ul style="list-style-type: none"> <li>- LAHC tenants are typically long term and therefore movements in and out of properties are minimal when compared to the private rental market.</li> <li>- Large storage areas can attract illegal dumping or storage of personal items and can become a maintenance, safety and security issue for LAHC.</li> <li>- LAHC maintenance contractors will manage any bulky waste generated by tenants.</li> </ul>

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

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

Advice was sought from Council regarding additional persons or property that should be notified of the development via an email dated 8 October 2021. Council provided an email response on 20 October 2021 advising that the notification map is consistent with Council's Community Participation Plan and acceptable to Council, subject to both owners and occupiers being notified. On 17 March 2022, further advice was sought from Council confirming notification details continued to be correct, given the time elapsed since the first request. On 21 March 2022, Council responded with an updated list of owners and occupiers. **Figure 20** 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, owners and occupiers of adjoining land, as identified in the above map, were notified of the proposed development activity by letter dated 12 August 2022. A sample of the notification letter is provided at **Appendix G**.

The notification response period formally closed on 4 September 2022 and submissions are discussed in **Table 15**.

Table 15 Issues raised by adjoining owners / neighbours

Issues raised	LAHC Response
<p><u><b>Parking availability</b></u></p> <p><i>9 parking spots are not enough. Only 1 of the 6, two-bedroom units needs to have a couple that has 2 cars and most likely, someone will be parking in the street. As a result of developers being allowed to put granny flats behind duplexes and not providing enough parking for the duplexes and zero parking for the granny flats, it is difficult to drive up the street. There is wall to wall parking with a narrow strip up the centre.</i></p> <p><i>Recommendation for providing at least one car park space for each dwelling unit. The Site Plan and the Development Data should be amended to include five more car park spaces. Street side car parking may not be a long-term good proposition because Albert Street is not very wide road and already residents are doing double parking which makes the street even narrower at times. As the nearby schools' students and population of Revesby increases year after year, the future traffic congestion in the vicinity will be even more pronounced.</i></p>	<p>The proposed seniors housing development is compliant and exceeds the minimum car parking rate required by the Housing SEPP by 5 spaces.</p> <p>A Traffic and Parking Review (<b>Appendix S</b>) prepared by a suitably qualified access consultant noted that:</p> <p>'The net additional development traffic would be 4 vehicle trips per peak hour. This level of development traffic is considered to be low and is unlikely to create any noticeable traffic impacts. The local road network will continue to operate satisfactorily following the completion of the proposed development.'</p>
<p><u><b>Resident welfare</b></u></p> <p><i>How will the old lady at No.98 be taken care of? Is she being moved?</i></p>	<p>Relocation of residents is managed by the Housing Services, Homes NSW. In addition, the construction of this project is being staged to enable an existing resident to age in place.</p>
<p><u><b>Green energy</b></u></p> <p><i>It is recommended that renewable energy from solar systems are used to power the electricity requirements of the proposed project compliant with the push toward a greener environment.</i></p>	<p>The proposal has been designed to meet energy efficiency targets as demonstrated by the BASIX certificate for the proposal. As noted elsewhere in this REF, Identified Requirements are recommended requiring each dwelling to be provided with Photovoltaic Panels and an Air Conditioning Unit; and for the BASIX and NatHERS Certificates to be re-issued accordingly.</p>
<p><u><b>Footpath and pathway</b></u></p> <p><i>It is recommended that the walk lanes on the ground level going to the respective block of nine units each be covered with adequate transparent PVC or galvanized roof tops.</i></p>	<p>Pathways throughout the site are proposed to remain uncovered, to ensure adequate solar access to ground floor units.</p>
<p><u><b>Design examples</b></u></p> <p><i>It is requested that if the Architectural Firm, Barry Rush and Associates Pty Ltd, have a similar architectural design of a Senior Housing Project already in existence, a site visit be made possible.</i></p>	<p>Barry Rush Architects are registered Architects, are an approved supplier for LAHC and have completed a significant number of residential projects for LAHC.</p> <p>Examples of Barry Rush &amp; Associates' previous work can be viewed online at: <a href="http://barryrush.com.au">barryrush.com.au</a></p>

Issues raised	LAHC Response
<p><b><u>Accessibility</u></b></p> <p><i>A positive aspect of this proposed development location is its nearness to the bus stop location along Beaconsfield Street and relatively it can be considered a walking distance to the Revesby Train Station (though maybe over 10 minutes). It is achieving the three objectives in redeveloping the site which are to reduce the waitlist for social housing, providing families with a safe place to call home and ultimately to provide better suited housing for elderly residents in the locality.</i></p>	Noted.

### **Owners Consent – retaining wall**

On 29 March 2022, representatives of LAHC met with the owners of 104 Albert Street to present plans and details of the proposed fence and retaining wall at the common southern boundary.

At the meeting, the owners of 104 Albert Street provided their written consent for the retaining wall and fence as originally notified.

## **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 Visual impact

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

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

The front setback area proposes 4 Water Gums with mature heights of between 4m and 5m, and a range of shrubs and ground covers. Considered tree and shrub planting along the side and rear boundaries of the site will add to the long-term visual amenity of the surrounding properties and improve the appearance of the site from the street.

#### Mitigation Measures

No mitigation measures are required.

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### 8.2 Privacy

A high level of internal and external privacy is maintained by the proposed development activity through a range of measures including careful and considered site landscaping, new 1.2 to 2.4m high fencing, adequate site setbacks and strategic placement of windows to avoid direct overlooking of neighbours. In particular:

#### Balconies – Units 2, 14 and 18:

Are screened with face brickwork, orientated toward Albert Street with landscaping, including trees and shrubs, proposed within the front setback to improve streetscape amenity and privacy for future residents.

#### Balconies – Units 4, 12 and 16:

These balconies are orientated inward and include privacy screens to prevent overlooking of adjoining properties, and between internal balconies and ground floor private open space areas. However, it is noted that the balconies to Units 12 and 16 are sited approximately 7.5m apart, which may result in overlooking. An identified requirement (No. 81) is recommended requiring a privacy screen to be fixed to the southern side of Unit 16 balcony.

#### Ground floor private open space areas:

Units 3, 5, 6, 7 and 10 will be screened from neighboring properties by fencing and landscape treatments. The private open space area to Unit 15 faces internally and is screened by 1.5-1.8m high metal slat fencing.

The finished level of Units 8 and 9 private open space patios are elevated approximately 300-500mm above existing ground levels, thereby reducing the effective height of the boundary fence. As such, an identified



requirement (No. 81) is recommended requiring the proposed F1 fence to be replaced with a privacy screen measuring 1.65m in height (from finished floor level of the patio) at the western edge of Unit 8 and Unit 9 patios.

The remaining units face the street and are screened by a combination of 1.2m high metal fencing and landscaping (Callistemon) 1.5m height, and face brickwork associated with the waste enclosures.

#### Windows – ground floor:

A combination of finished floor levels and fence heights together with landscape treatments will screen ground floor windows.

#### Windows – upper storey:

The south facing upper storey windows to Units 12 and 14 are bedroom windows which are generally less used than living area windows and are set back between 4m and 5m from the southern side boundary.

The north facing upper storey windows to Units 16 and 18 are located approximately 12.5m from 98 Albert St during stage 1, which is considered to provide adequate separation to maintain privacy. At stage 2, these windows will face the southern elevation of units 2 and 4, which does contain any window openings. South facing windows to the lobby of Units 2 and 4 have generally been offset from the north facing windows of Units 16 and 18 and are not anticipated to result in unacceptable privacy impacts.

### **Mitigation Measures**

Identified requirement (No. 81) is recommended requiring:

- The replacement of the proposed F1 fence for Unit 8 and 9 patios with a fixed privacy screen measuring 1.65m high (from finished floor level of the patio).
- Privacy screen measuring 1.65m high from finished floor level to be fixed to the southern side of unit 16 balcony

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## **8.3 Overshadowing**

Shadow diagrams in *Appendix A* confirm the proposed development will not generate unacceptable shadow impacts to living areas and private open space of adjoining dwellings.

Given the orientation of the site, shadows cast by the proposed development predominately fall to the adjoining property to the south and the Albert St road reserve. Currently, the existing fence casts shadows across a significant portion of the private open space area directly adjoining the rear elevation of 104 Albert Street. The proposed retaining wall, fence and lattice screening will create some additional shadows over this open space area, however, it is noted that a significant portion of open space adjoining the rear boundary remains largely unaffected between noon and 3pm on June 21.

The elevational shadow diagrams also indicate that the clerestory window located at the rear part of the dwelling and in relative close proximity to the private open space area of 104 Albert Street is not impacted by overshadowing throughout the day.

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

### **Mitigation Measures**

No mitigation measures are required.

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## 8.4 Traffic & Parking

A total of 9 car parking spaces for residents, including 4 accessible spaces, will be available on site to serve the proposed development. Two of the accessible spaces have been dedicated to Units 1 and 13. The level of provision of on-site car parking will exceed the parking requirements set out in the Housing SEPP for seniors housing developments carried out by LAHC by 5 spaces. Unrestricted street parking is available on Albert Street directly adjacent to the site to accommodate any overflow parking demand generated by the proposed development.

The Traffic and Parking Assessment Report (**Appendix S**) indicates that the projected net increase in traffic as a consequence of the proposed development is acceptable and any increase can be accommodated within the capacity of the existing local street network.

The Traffic and Parking Assessment Report examined the adequacy of a single lane internal driveway and confirmed the proposed design is suitable based on an assessment of projected vehicle movements and the length of the driveway. The proposed development is only expected to generate 7 peak hour vehicle trips (less at other times), which is significantly less than the 30 vehicles per hour threshold for two-lane roadways.

In addition, the likelihood of two cars entering and exiting the site at the same moment in time is statistically insignificant and a single lane internal roadway arrangement with passing area at the entrance to the site is therefore considered acceptable, noting that cars are able to enter and leave the site in a forward direction.

The Traffic and Parking Assessment Report has also assessed the design of the parking spaces, and concludes that the spaces have been designed in accordance with the relevant Australian Standards.

### Mitigation Measures

No mitigation measures required.

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## 8.5 Flora and Fauna

An Arboricultural Impact Assessment has been prepared for the site by Creative Planning Solutions (**Appendix J**). The report considers 36 trees, of which 24 are located within the subject site, 10 are located within neighbouring properties and two are located in the Albert Street road reserve.

The report recommends the removal of 24 existing trees that are located within the proposed development footprint and recommends retention of 12 existing trees (Tree Nos. 1, 3, 5, 7, 8, 9, 10, 26, 29, 30, 35 and 36) within neighbouring properties and in the road reserve.

Tree Nos. 2, 4, 6, 11-25, 27-28 and 31-34 will be impacted by the building, stormwater infrastructure and hard paving areas within the site. It should be noted however that 22 of these species are considered exempt under the C-BDCP2023 due to their proximity to an existing dwelling, tree height or species classification. As noted above at section 4.3 of this REF, trees 6, 32, 33 and 34 are required to be removed during stage 1 with the remainder removed in stage 2.

In relation to trees 16 and 17, which are located within stage 2 and are to be retained for the duration of stage 1, adjoin the central pedestrian pathway. The project arborist provided the following advice in relation to trees 16 and 17:

*'Tree 16 (Ligustrum lucidum) & Tree 17 (Cinnamomum camphora) are both classified as 'exempt' weed species under Chapter 2.3 Tree Management of the Canterbury-Bankstown Council DCP 2023. Both species are highly tolerant of disturbance and will not be affected by the proposed staging of the development as per Staging Plan – Stage 1 (Sheet A16 dated 19.02.24) prepared by Barry Rush & Associates. To minimise any potential negative*

*impacts from construction works, protection as specified within Appendix 5 of the Arboricultural Impact Assessment'*

More appropriate replacement planting of tree species is proposed, as indicated on the landscape plan and details. The new plantings will provide replacement tree cover on the site and increase the variety of species, including flowering trees, which will provide additional habitat for fauna in the long-term.

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 recommended Tree Retention and Protection measures detailed in section 7.2 of the Arboricultural Impact Assessment (**Appendix J**).

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

No heritage items are identified in City of Canterbury Bankstown 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 26 May 2024 (**Appendix I**) did not find any record of Aboriginal Sites or Places on the site or in the surrounding locality and the site is considered to be disturbed land. 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 City of Canterbury Bankstown Council's Section 10.7(2) & (5) Planning Certificates and the likelihood of any heritage relics being discovered during excavation / construction is considered to be minimal.

#### **Mitigation Measures**

Standard Identified Requirements (Nos. 47 & 48) have been applied should any cultural heritage relics be discovered on the site during excavation / construction.

## **8.7 Soils / Contamination / Acid Sulfate Soils / Salinity**

#### Geotechnical

A Site Classification Report, prepared by Intrax Consulting Engineers indicates the following:

- The subsurface conditions consist of topsoil and fill overlying silty clays. The topsoil and fill are present to depths of 0.2 to 0.3m. Hand auger refusal occurred in BH1 and BH2 at depths of 1.2 and 1.4m. Natural clay trace gravel underlie the topsoil and fill and are present to the depth of drilling, 2.8m. The consistency of these materials vary between hard to very stiff.
- No groundwater was observed in the boreholes during the fieldwork.

**Mitigation Measures**

No mitigation measures required.

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.

An evaluation of these matters in **Table 11a**, above reveals that the site is unlikely to be contaminated. However, an identified requirement is recommended to cover the possibility of discovering site contamination.

**Mitigation Measures**

Standard Identified Requirement (No. 18) is recommended to cover the possibility of discovering site contamination during demolition / construction works.

Acid Sulfate Soils

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

**Mitigation Measures**

No mitigation measures are required.

Soil Erosion and Sediment Control

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**

Identified requirement (No. 14) 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).

Salinity

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

**Mitigation Measures**

No mitigation measures are required.

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

Stormwater will be collected via a series of stormwater pits and pipes on the site connected to a 59m<sup>3</sup> capacity underground detention tank located underneath the central car parking court, draining to Council's drainage infrastructure at the site frontage. Roof water will be collected via downpipes and connected to a 6,000 litre underground rainwater tank for reuse, with overflow connected to the underground detention tank. Stormwater management for the activity enables stage 1 of the development to operate independently of 98

Albert Street and allows the stage 2 stormwater system to connect to the stormwater system constructed in stage 1. Refer to the Site Stormwater Drainage Layout Plan-Stage 1 (**Appendix C**).

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

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. 7-10, 14, 43 and 73) have been recommended to ensure that stormwater drainage is managed in accordance with legislative requirements and to ensure that stormwater management for stage 1 complies with all relevant requirements prior to occupation of stage 1

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## 8.9 Bushfire Prone Land

The Section 10.7(2) & (5) Planning Certificates indicate that the land is not bushfire prone.

#### **Mitigation Measures**

No mitigation measures are required.

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## 8.10 Noise and Vibration

#### During Demolition / Construction

During demolition/construction typical noise levels associated with demolition/ building works will be generated within the hours consistent with the requirements for Complying Development throughout NSW, being 7am to 5pm Monday to Saturday with no work on Sundays or public holidays.

#### During Occupation

Noise generated when the proposed buildings are completed and occupied will be entirely in keeping with their residential surroundings. As noted at sections 6.5.4 and 6.5.5, Air Conditioning Units (ACUs) are to be provided for each dwelling. Accordingly, identified requirement (No 84) is recommended in relation to criteria to be met in regard to their location and operation in accordance with the *Protection of the Environment Operations (Noise Control) Regulations 2017*.

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

#### **Mitigation Measures**

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

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

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

Identified Requirement (No 84) is recommended in relation to criteria to be met in regard to the location of the ACUs; and their operation in accordance with the *Protection of the Environment Operations (Noise Control) Regulations 2017*.



## 8.11 Air Quality

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

### Mitigation Measures

Appropriate standard Identified Requirements (Nos. 57, 65 and 66) have been applied that will satisfactorily mitigate any potential or adverse impacts on air quality.

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## 8.12 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 crushed to be reused for filling, levelling or temporary road base;
- any asbestos sheeting and fibrous insulation will be handled according to SafeWork NSW requirements and disposed of to an approved building waste collection facility;
- mixed demolition materials will be transported to an approved building waste collection facility; and
- timber, metal, wall and roof cladding and other salvageable materials will be recycled 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 shall be crushed and reused for filling, levelling or temporary road base;
- 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 re-used on site, where possible, or mulched or sent to second hand suppliers;
- plasterboard shall be returned to the supplier for recycling; 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 waste storage bins (as specified in Council's submission) and located in the garbage storage enclosures and collected and returned 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 residents for collection by Council's waste services.

As discussed at section 7.1 of this REF, adequate bin storage capacity is provided in the southern bin enclosure to service stage 1 of the development. The occupier of 98 Albert Street will continue to utilise existing waste storage and collection arrangements until stage 2 of the development is undertaken.

#### **Mitigation Measures**

Standard Identified Requirements (Nos. 51 - 53) are recommended to ensure construction/demolition waste is appropriately managed and disposed of.

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

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## **8.13 Resource Use & Availability**

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

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

#### **Mitigation Measures**

No mitigation measures are required.

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## **8.14 Community / Social Effects**

The proposed development will generate a number of positive community and social effects.

The proposed development will:

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

#### **Mitigation Measures**

No mitigation measures are required.

## 8.15 Economic Impact

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

- more efficient use of land resources, existing infrastructure and existing services;
- local sourcing of construction materials;
- the local sourcing of tradespeople and other construction-related professionals;
- 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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## 8.16 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 additional 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, C-BLEP 2023, and the design principles and better practices set out in the relevant guidelines.

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

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

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### 9.2 Recommendation

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

## 10 Appendices

APPENDIX A – ARCHITECTURAL PLANS

APPENDIX B – LANDSCAPE PLAN

APPENDIX C – CIVIL & STRUCTURAL PLANS

APPENDIX D – SURVEY PLAN

APPENDIX E – NOTIFICATION PLANS

APPENDIX F – SECTION 10.7 CERTIFICATES

APPENDIX G – NOTIFICATION & CONSULTATION

APPENDIX H – ACCESS REPORT

APPENDIX I – AHIMS SEARCH

APPENDIX J – ARBORIST REPORT

APPENDIX K – BASIX CERTIFICATE

APPENDIX L – BCA REPORT

APPENDIX M – DESIGN COMPLIANCE CERTIFICATES

APPENDIX N – NatHERS CERTIFICATE

APPENDIX O – HOUSING FOR SENIORS CHECKLIST

APPENDIX P – GEOTECHNICAL INVESTIGATIONS

APPENDIX Q – TITLE SEARCH AND DP

APPENDIX R – WASTE MANAGEMENT PLAN

APPENDIX S – TRAFFIC REPORT