

# REVIEW OF ENVIRONMENTAL FACTORS

Proposed Seniors Housing Development

at

16 - 22 Burrawong Crescent, Elderslie, including  
proposed works and easement across 22-26 Macarthur Road,  
Elderslie

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.

Published by Homes NSW

REVIEW OF ENVIRONMENTAL FACTORS

First published: May 2024

Department reference number: D24/657659

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

Homes NSW

Postal address: Locked Bag 5022, Parramatta NSW 2124

[nsw.gov.au/homes-nsw](https://nsw.gov.au/homes-nsw)

ABN 24 960 729 253



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

## DOCUMENT CONTROL REGISTER

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

No	Date	Version	Change since last version	Pages
1	10.05.2024	V1	Not applicable – initial version	-
2	30/052024	V2	Final	various

## DOCUMENT SIGN-OFF

REF prepared by:	
Having prepared the Review of Environmental Factors: <ul style="list-style-type: none"><li>I have declared any possible conflict of interests (real, potential or perceived) to the a/Executive Director of Portfolio Strategy and Origination, Housing Portfolio, Homes NSW.</li><li>I do not consider I have any personal interests that would affect my professional judgement.</li><li>I will inform the a/Executive Director of Portfolio Strategy and Origination, Housing Portfolio, Homes NSW as soon as I become aware of a possible conflict of interest.</li></ul> Name: Abena Dankwa Designation: Planner, Planning & Assessment, Homes NSW Signature:  Date: 10.05.2024	
REF reviewed by:	
Having prepared the Review of Environmental Factors: <ul style="list-style-type: none"><li>I have declared any possible conflict of interests (real, potential or perceived) to the a/Executive Director of Portfolio Strategy and Origination, Housing Portfolio, Homes NSW.</li><li>I do not consider I have any personal interests that would affect my professional judgement.</li><li>I will inform the a/Executive Director of Portfolio Strategy and Origination, Housing Portfolio, Homes NSW as soon as I become aware of a possible conflict of interest.</li></ul> Name: Deborah Gilbert Designation: Team Leader, Planning & Assessment, Homes NSW Signature:  Date: 16.05.2024	
REF reviewed and endorsed by:	
I certify that I have reviewed and endorsed the contents of this REF document and, to the best of my knowledge, it is in accordance with the EP&A Act, the EP&A Regulation and the Guidelines approved under clause 170 of the EP&A Regulation, and the information it contains is neither false nor misleading.	

Name: Carolyn Howell

Designation: Manager, Planning & Assessment, Homes NSW

Signature:



Date: 24 May 2024

**REF authorised for issue by:**

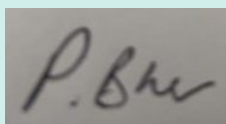
Having authorised the issuing of this Review of Environmental Factors:

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

Name: Peta Baker

Designation: Acting Director, Portfolio Services, Homes NSW

Signature:



Date: 30/05/2024

# Contents

<b>1</b>	<b>Executive Summary .....</b>	<b>9</b>
<b>2</b>	<b>Introduction.....</b>	<b>11</b>
2.1	Purpose of this Review of Environmental Factors (REF) .....	11
2.2	Assessment Methodology .....	11
<b>3</b>	<b>Existing Site &amp; Locality.....</b>	<b>13</b>
3.1	Existing Site and Immediately Adjoining Development.....	13
3.2	Site Description .....	14
3.3	Neighbouring Development and Locality.....	18
<b>4</b>	<b>Project Description .....</b>	<b>22</b>
4.1	Demolition.....	22
4.2	Removal of Trees .....	22
4.3	Proposed Dwellings.....	22
4.4	Supporting information.....	26
<b>5</b>	<b>Zoning and Permissibility .....</b>	<b>30</b>
<b>6</b>	<b>Planning and Design Framework.....</b>	<b>31</b>
6.1	Environmental Planning and Assessment Act 1979 .....	31
6.2	Biodiversity Conservation Act 2016 (BC Act) .....	31
6.3	Other Acts .....	31
6.4	Environmental Planning and Assessment Regulation 2021.....	32
6.5	State Environmental Planning Policy (Housing) 2021.....	34
6.6	Other State Environmental Planning Policies.....	54
6.7	Camden Local Environmental Plan 2010 (CLEP 2010) .....	58
6.8	Camden Development Control Plan 2019 .....	58
<b>7</b>	<b>Notification, Consultation and Consideration of Responses .....</b>	<b>61</b>
7.1	Council Notification .....	61
7.2	Notification of Occupiers of Adjoining Land and Other Persons.....	63
7.3	Notification of Specified Public Authorities .....	66
<b>8</b>	<b>Review of Environmental Factors .....</b>	<b>67</b>
8.1	Neighbourhood Character .....	67
8.2	Bulk and Density.....	67
8.3	Streetscape .....	68
8.4	Visual Impact .....	68
8.5	Privacy .....	68
8.6	Solar Access .....	70
8.7	Overshadowing .....	70
8.8	Traffic & Parking .....	70
8.9	Flora and Fauna .....	71
8.10	Heritage (European / Indigenous) .....	72
8.11	Soils / Contamination / Acid Sulfate Soils / Salinity.....	72
8.12	Drainage / Flood Prone Land / Hydrology/ Water Quality .....	73
8.13	Bushfire Prone Land.....	74
8.14	Noise and Vibration.....	74
8.15	Air Quality.....	74

8.16	Waste Minimisation.....	75
8.17	Resource Use & Availability.....	76
8.18	Community / Social Effects .....	76
8.19	Economic Impact.....	77
8.20	Cumulative Impact Assessment .....	77
<b>9</b>	<b>Conclusion.....</b>	<b>78</b>
9.1	Summary of Key Issues Raised in Assessment.....	78
9.2	Recommendation .....	78
<b>10</b>	<b>Appendices.....</b>	<b>79</b>

## List of Figures

Figure 1 Location Plan (Source: SIX Maps accessed February 2024) .....	13
Figure 2 Location Plan (Source: Nearmap accessed March 2024).....	14
Figure 3 Development site – 16 Burrawong Crescent (Source: Homes NSW, May 2024).....	15
Figure 4 Development site – 18 Burrawong Crescent (Source: Homes NSW, May 2024).....	15
Figure 5 Development site – 20 Burrawong Crescent (Source: Homes NSW, May 2024).....	16
Figure 6 Development site – 22 Burrawong Crescent (28 Macarthur Road) viewed from Burrawong Crescent (Source: Homes NSW, May 2024) .....	16
Figure 7 Development site – 22 Burrawong Crescent (28 Macarthur Road) viewed from Macarthur Road (Source: Homes NSW, July 2023).....	17
Figure 8 Adjoining development to the west- 22-26 Macarthur Road (Source: Homes NSW, July 2023).....	19
Figure 9 Adjoining development to the north - 14 Burrawong Crescent (Source: Homes NSW, July 2023) .....	19
Figure 10 Adjoining development– 33-35 Burrawong Crescent (Source: Homes NSW, May 2024).....	20
Figure 11 Adjoining development to the east – 23-27 Burrawong Crescent (Source: Homes NSW, May 2024).....	21
Figure 12 Extract from Architectural Plans - View from Burrawong Crescent (Source: Architectural Plans, Morson Group, dated 3/05/2023) .....	23
Figure 13 Extract from Architectural Plans - View from Macarthur Road (Source: Architectural Plans, Morson Group, dated 8/05/2023).....	24
Figure 14 Extract from Architectural Plans – Site Plan (Source: Architectural Plans, Morson Group, dated 11/10/2023).....	24
Figure 15 Extract from Architectural Plans – Ground Level (Source: Architectural Plans, Morson Group, dated 11/10/2023).....	25
Figure 16 Extract from Architectural Plans –Level 1(Source: Architectural Plans, Morson Group, dated 11/10/2023).....	25
Figure 17 Land zoning map (Source: Planning Portal).....	30
Figure 18 CLEP 2010 Heritage map (Source: NSW Planning Portal) .....	51
Figure 19 Nearby Local Heritage Item at 43 Macarthur Road (Source: Google Maps Streetview, March 2021) .	51
Figure 20 Map of Properties Notified of the Proposed Development (Source: LAHC).....	63

## List of Tables

Table 1 Plans, drawings and Supporting information.....	26
Table 2 Compliance with subsection 3 of Section 5.5 of the EPA&Act 1979.....	31
Table 3 Environmental Planning and Assessment Regulation 2021 [Section 171] .....	32
Table 4 Factors to be taken into account concerning the impact of an activity on the environment .....	32
Table 5 Compliance with relevant provisions under Chapter 3, Part 5, Division 8 of the SEPP for ‘seniors housing development without consent’ carried out by LAHC.....	35
Table 6 Compliance with section 84(2) (c) (iii), 85, 88, 89 of the Housing SEPP 2021 .....	37
Table 7 Non-Discretionary standards for Independent Living units (Section 108) .....	38

Table 8 Accessibility and useability standards [Schedule 4].....	40
Table 9 Seniors Living Urban Design Guidelines departures .....	47
Table 10 Response to Design Principles (Part 5, Division 6).....	50
Table 11 Compliance with other applicable State Environmental Planning Policies.....	54
Table 12 Camden Local Environmental Plan 2010 .....	58
Table 13 Camden Development Control Plan 2019 .....	58
Table 14 Issues raised in Council submission.....	61
Table 15 Issues raised by adjoining owners / neighbours .....	64

# 1 Executive Summary

The subject site is located at 16 - 22 Burrawong Crescent, Elderslie, and is legally described as Lots 35, 36, 37 & 38 in Deposited Plan 36169. It is noted that 22 Burrawong Crescent is also known as 28 Macarthur Road. Stormwater works and an easement to drain water is proposed across part of the adjoining property at 22-26 Macarthur Road, Elderslie, described as Lot 34 in Deposited Plan 36169. The proposed seniors housing development is described as follows:

Demolition of 4 existing dwellings and associated structures, removal of trees, and the construction of 18 seniors housing units comprising 8 x 1 bedroom and 10 x 2 bedroom independent living units, surface parking for 9 cars, associated landscaping and fencing, and consolidation into a single lot; and construction of a stormwater pipe extension and easement over Lot 34 in DP 36169.

The proposed activity is located in a prescribed zone (R2 – Low Density Residential) and seniors housing is permitted with consent on the land under the *Camden Local Environmental Plan 2010* (CLEP2010). Therefore, seniors housing can be carried out by the NSW Land and Housing Corporation (LAHC) without consent under the provisions of Chapter 3, Part 5, Division 8 of the *State Environmental Planning Policy (Housing) 2021* (Housing SEPP). Pursuant to Section 108B of the Housing SEPP, the applicable development standards specified in sections 84(2)(c)(iii), 85, 88, 89 and 108 have been considered and the proposed activity does not result in more than 40 dwellings on the site and does not exceed 9.5 metres in height.

Demolition has been considered as part of the proposed activity. Demolition is permitted with consent under the provisions of the applicable local environmental planning instrument (CLEP2010) and is therefore permitted without consent under the provisions of Section 42(2) of the Housing SEPP.

The removal of trees on the site is covered by the definition of consent under Section 6 of the Housing SEPP. It has therefore been incorporated in this Review of Environmental Factors (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 Camden Council;
- a BASIX certificate and NatHERS certificate and stamped plans have been submitted for the proposed activity demonstrating compliance with the State Government's environmental sustainability targets; and

- there are no separate approvals, authorisations or notifications required in relation to the proposed activity prior to determination under Part 5 of the EP&A Act or under any other Acts.

Camden Council and occupiers of adjoining land were notified of the proposed activity under the provisions of the Housing SEPP. A response was received from Council dated 16 January 2023. Comments on the response are provided in Section 7.1 of this REF. Submissions were received from 7 occupiers of adjoining land. Comments on the submissions are provided in Section 7.2 of this REF.

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

**Note:**

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

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

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

## 2 Introduction

This Review of Environmental Factors (REF) under Part 5 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) is for an activity involving the demolition of existing dwellings and associated structures, removal of trees, and the construction of 18 independent living seniors housing units comprising 8 x 1 bedroom and 10 x 2 bedroom units, with associated landscaping and fencing, surface parking for 9 cars, consolidation of the 4 lots into a single lot at 16-22 Burrawong Crescent. The activity also includes the construction of a stormwater pipe extension and proposed easement to drain water over 22-26 Macarthur Road, Elderslie (Lot 34 DP 36169).

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

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

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

---

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

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

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

---

### 2.2 Assessment Methodology

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

- Section 10.7 Planning Certificates were obtained for each lot comprising the site. The zoning was confirmed against the current applicable environmental planning instrument, which is the *Camden Local Environmental Plan 2010* (CLEP 2010);

---

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

- it was determined that seniors housing is 'permitted with consent' in the R2 – Low Density Residential zone pursuant to the CLEP 2010, and can be carried out 'without consent' under the provisions of Chapter 3 Part 5 Division 8 of the Housing SEPP;
- a desktop analysis and investigation of the site and surrounds was undertaken to determine the suitability of the site for the proposed development activity, particularly taking into account the existing site conditions, constraints and local context;
- a site inspection was undertaken;
- relevant local planning controls and State and Commonwealth Government legislation were considered in the environmental assessment of the proposed development activity;
- an environmental impact analysis was undertaken to determine if an Environmental Impact Statement was required;
- potential environmental impacts identified in the analysis and measures to mitigate these impacts were subsequently discussed in the Review of Environmental Factors; and
- Identified Requirements incorporating the mitigation measures for undertaking the proposed development activity were identified for inclusion in the recommendation for approval of the activity.

## 3 Existing Site & Locality

### 3.1 Existing Site and Immediately Adjoining Development

The site is in the Camden local government area (LGA) and comprises 4 residential allotments legally described as Lots 35, 36, 37 and 38 in Deposited Plan 36169. An easement to drain water is proposed across an adjoining residential allotment located to the west of the development site (Lot 34 DP 36169). A location plan is provided at **Figure 1** and **Figure 2**.

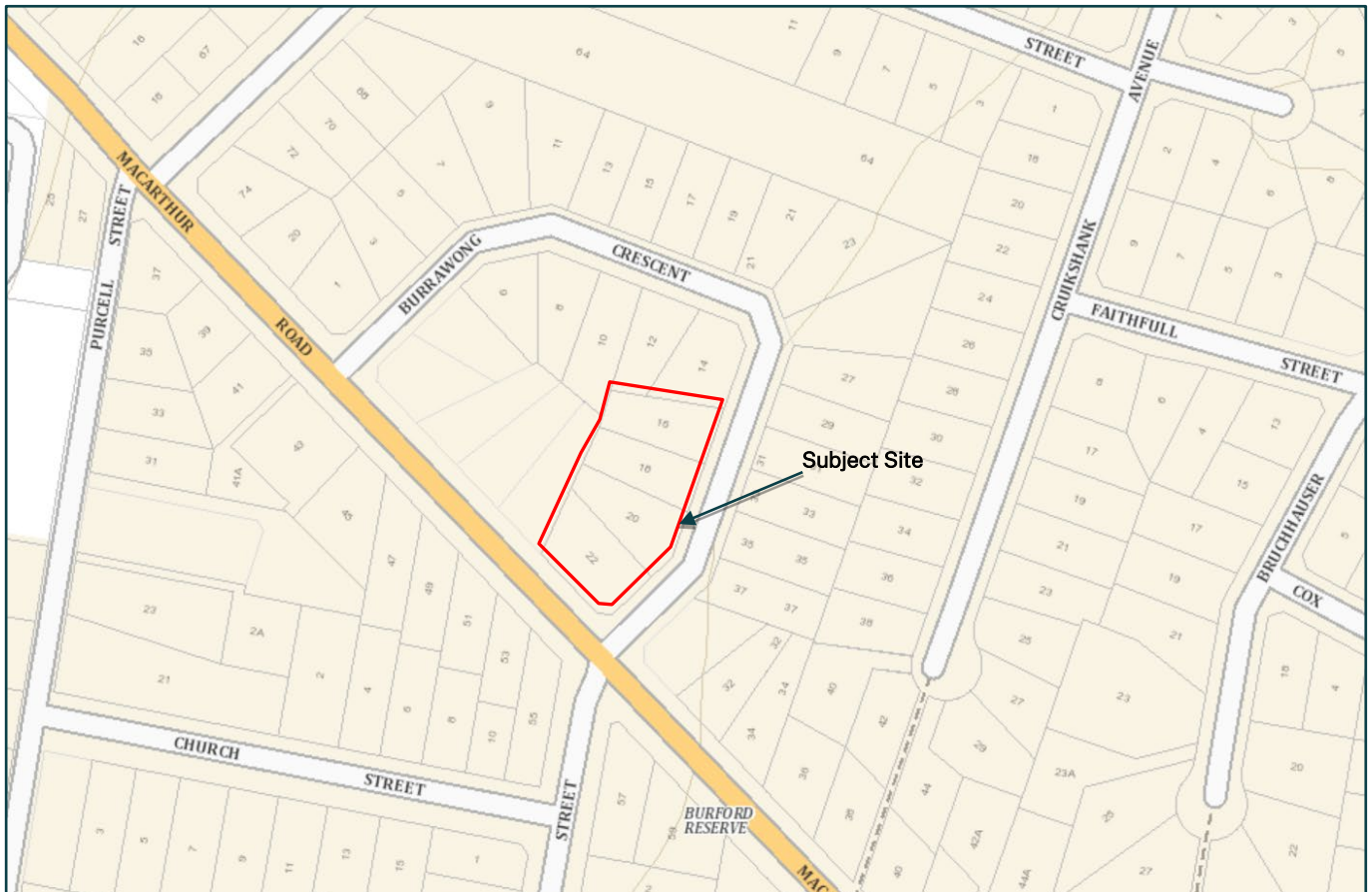


Figure 1 Location Plan (Source: SIX Maps accessed February 2024)



Figure 2 Location Plan (Source: Nearmap accessed March 2024)

## 3.2 Site Description

The site is currently occupied by 4 single storey fibro dwellings with metal roofs (refer to photographs at **Figure 3** to **Figure 7**). A variety of ornamental and indigenous trees are scattered throughout the site and around the site boundaries totalling 7 trees.



Figure 3 Development site – 16 Burrawong Crescent (Source: Homes NSW, May 2024)



Figure 4 Development site – 18 Burrawong Crescent (Source: Homes NSW, May 2024)



Figure 5 Development site – 20 Burrawong Crescent (Source: Homes NSW, May 2024)



Figure 6 Development site – 22 Burrawong Crescent (28 Macarthur Road) viewed from Burrawong Crescent (Source: Homes NSW, May 2024)



Figure 7 Development site – 22 Burrawong Crescent (28 Macarthur Road) viewed from Macarthur Road (Source: Homes NSW, July 2023)

Copies of the Section 10.7(2) & (5) Planning Certificates (Nos 20225807, 20225804, 20225805, 20225800) dated 22 November 2023 are provided in **Appendix F**.

The development site is irregular in shape and is located on the western side of Burrawong Crescent. The site has a total area of approximately 2,735.5m<sup>2</sup>, a frontage to Burrawong Crescent of 81.243m, a frontage to Burrawong Crescent and Macarthur Road corner of 5.175m and a frontage to Macarthur Road of 28m. The subject site has a northern side boundary of 39.16m, and a western rear boundary of 60.433m (refer to the submitted Detail and Contour Survey in **Appendix D**).

The site falls from a high point of RL79.88 in its western boundary to a low point of RL77.47m in the south-west corner, towards the rear of 22 Burrawong Crescent (also known as 28 Macarthur Road) thus resulting in an elevation difference of approximately 2.41m across the site.

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

There are 7 trees upon or within close proximity of the subject site, 2 wholly located within the subject site, 1 straddling the boundary of the subject site and an adjoining property and 4 located wholly on adjoining sites and public property.

### **Traffic and Access**

Vehicular access is currently provided to each dwelling, via a crossover off the public roads - Burrawong Crescent for dwellings on 16–20 Burrawong Crescent and Macarthur Road for the dwelling on 22 Burrawong Crescent (also known as 28 Macarthur Road). Unrestricted kerbside parking is permitted along both sides of Burrawong Crescent and MacArthur Road, which is signposted with a 50km/h speed limit.

## Services

Water, sewer, electricity, and telephone facilities are available to the site (refer to *Appendix D*). Water, electricity, gas, and telephone services are located along the road alignment of Burrawong Crescent and MacArthur Road. The sewer line runs along the rear/western boundary of 16 to 20 Burrawong Crescent.

## Encumbrances

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

## Acid Sulfate Soils (ASS)

According to Council's Section 10.7(2) & (5) Planning Certificates (*Appendix F*), the land is not identified as being restricted because of the likelihood of acid sulfate soils under the *Camden Local Environmental Plan 2010*.

---

## 3.3 Neighbouring Development and Locality

The site is located within an established residential area which is characterised by older style single storey detached dwelling houses of fibro cement and brick construction, with metal roofs interspersed with more recent 2-storey dwelling houses, dual occupancy, seniors housing and medium density developments (refer to photographs at **Figure 8** to **Figure 11**).

The subject site is positioned on 4 allotments, including 1 corner lot, with frontages to Burrawong Crescent and Macarthur Road.

The property immediately to the west of 22 Burrawong Crescent (also known as 28 Macarthur Road) is 22-26 Macarthur Road, which contains single and double storey multi-dwelling units, of a mix of rendered, fibro cement and brick finishes with metal sheet roofing (refer photograph at **Figure 8**).



Figure 8 Adjoining development to the west- 22-26 Macarthur Road (Source: Homes NSW, July 2023)

The property to the north of 16 Burrawong Crescent is 14 Burrawong Crescent, which contains a single storey fibro dwelling with metal roof (refer to photograph at **Figure 9**).



Figure 9 Adjoining development to the north - 14 Burrawong Crescent (Source: Homes NSW, July 2023)

There are properties to the east of the subject site, 33-35 Burrawong Crescent being one of them, which contains a double storey seniors housing development with face brick, metal wall cladding and metal roof (refer to photograph at **Figure 10**). 23-27 Burrawong Crescent also contains a double storey seniors housing development with brick construction and tile roof (refer to photograph at **Figure 11**).



Figure 10 Adjoining development– 33-35 Burrawong Crescent (Source: Homes NSW, May 2024)



Figure 11 Adjoining development to the east – 23-27 Burrawong Crescent (Source: Homes NSW, May 2024)

### Public Transport

There are numerous bus stops located within proximity of the site. On Macarthur Road there are 2 bus stops, adjacent to and opposite the site. These bus stops are approximately 40m and 45m walking distance from the site and are included in the Sydney Bus Network - routes 893, 895 and 894X. These routes provide access from Narellan and Camden through to Campbelltown, including train stations, major shopping centres, local centres, health centres and industrial centres.

The subject site is within 400m walking distance, via a safe pedestrian route, to the identified bus stops as identified on the survey plan:

- Stop ID: 257031 (Macarthur Road after Galvin Street)
- Stop ID: 257017 (Macarthur Road before Burrawong Crescent)

The frequency of bus services operating from the identified bus stops located on Macarthur Road, satisfy the criteria for seniors housing pursuant to the Housing SEPP.

### Surrounding Land Use

Surrounding land use is predominantly residential with other uses, including open space, commercial development, educational centres and rural uses. The site is located approximately 1.7km from the Elderslie Public School and approximately 700m from the Camden Preschool. Camden Surgical Hospital is located about 1.3km from the site. Burford Reserve, a public recreation site, is located approximately 80m from the site. Camden Local Centre is located about 1 to 2km north-west of the site and includes supermarkets, chemist, health centres, veterinary service, beauty services, post office, takeaway food, service station, cafes and other retail developments.

## 4 Project Description

The proposed activity can be described as follows:

---

### 4.1 Demolition

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

---

### 4.2 Removal of Trees

There are 7 trees considered in relation to the subject site, 2 trees wholly located within the subject site, 1 tree straddling the boundary of the subject site and an adjoining property, and 4 trees located wholly on adjoining sites and public property. The individual species recommended for removal are trees located within the boundaries of the site (Trees 2 and 4) and a tree straddling the boundary of the subject site and adjoining LAHC-owned lot on the western boundary - 22-26 Macarthur Road (Tree 5). A tree protection zone (TPZ) will be established for retained trees T1, T3, T6 and T7.

The tree removal within the site boundaries is recommended primarily to accommodate the proposed development. Moreover, the individual species are recommended for removal as they are not considered to be significant or worthy of retention (refer to submitted Arborist Report in *Appendix J*).

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

---

### 4.3 Proposed Dwellings

The proposed development represents a contemporary, high-quality design. A total of 18 seniors housing units comprising 8 x 1 bedroom and 10 x 2 bedroom units, are proposed across 2 separate residential buildings on the site. One building form addresses the corner of Burrawong Crescent and Macarthur Road (Block A) while the other addresses Burrawong Crescent (Block B).

Within Block A, 4 out of 10 of the proposed units will address the Macarthur Road street frontage (Units 1 and 5 on the ground floor and Units 10 and 14 on the first floor) and 2 units will address the Burrawong Crescent street frontage (Unit 2 on the ground floor and Unit 11 on the first floor) with habitable rooms, ground floor terraces and upper-level balconies facing the streets for passive surveillance.

Block B addressing Burrawong Crescent contains 8 independent living units, 4 on the ground level and 4 on the first floor, with habitable rooms, ground floor terrace (for U6 and U9) and upper-level balconies (for U15 and U18) facing the street for passive surveillance.

All units are capable of being adapted to suit persons with a disability should the need arise in the future. 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.

Cut and fill is proposed to provide level building platforms and suitable access throughout the site. Retaining walls are proposed throughout the site as shown on the Architectural Plans to provide level private open spaces and suitable gradients to pathways and ramps (refer to *Appendix A*).

A variety of new landscape plantings, including trees capable of reaching a mature height of 5 to 15m (refer to Landscape Plan in **Appendix B**), are proposed to offset tree removal and enhance the appearance, privacy and microclimate of the site. New plantings will consist of a mixture of new trees, shrubs and groundcovers, which will enhance landscaped setbacks and contribute to the streetscape.

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

A total of 9 surface car parking spaces, including 4 compliant accessible parking spaces are proposed within the shared central parking area.

Stormwater will be collected via a series of stormwater pits and pipes on the site connected to a 33.85m<sup>3</sup> underground on site detention tank draining to a new kerb inlet pit in Macarthur Road via a proposed 3m wide easement through the adjoining LAHC-owned property (22-26 Macarthur Road). Roof water will be collected from downpipes and connected to a 10.23m<sup>3</sup> underground rainwater tank for recycling with overflow connected to the underground detention tank.

Timber-look powder coated aluminium vertical battened front fence of height 1.2m interspersed with face brickwork fence of height 1.2m is proposed within the front setback for Block A addressing Macarthur Road and Block B addressing Burrawong Crescent.

Private open space (POS) screening to a height of 1.6m consisting of combined brick wall (0.6m) and metal vertical battened fence (1m) is proposed for each ground floor unit. However, proposed clothing line locations within POS areas for all ground floor units of Block A have screening to a height of 1.9m, consisting of combined brick wall (0.6m) and metal fence (1.3m). For Block B, clothing line locations for ground floor units are proposed for rear-facing POS areas only with screening to a height of 1.9m, consisting of combined brick wall (0.6m) and metal fence (1.3m).

**Figure 12 to Figure 16** include extracts from the architectural plans illustrating the proposed development.



Figure 12 Extract from Architectural Plans - View from Burrawong Crescent (Source: Architectural Plans, Morson Group, dated 3/05/2023)



Figure 13 Extract from Architectural Plans - View from Macarthur Road (Source: Architectural Plans, Morson Group, dated 8/05/2023)



Figure 14 Extract from Architectural Plans – Site Plan (Source: Architectural Plans, Morson Group, dated 11/10/2023)

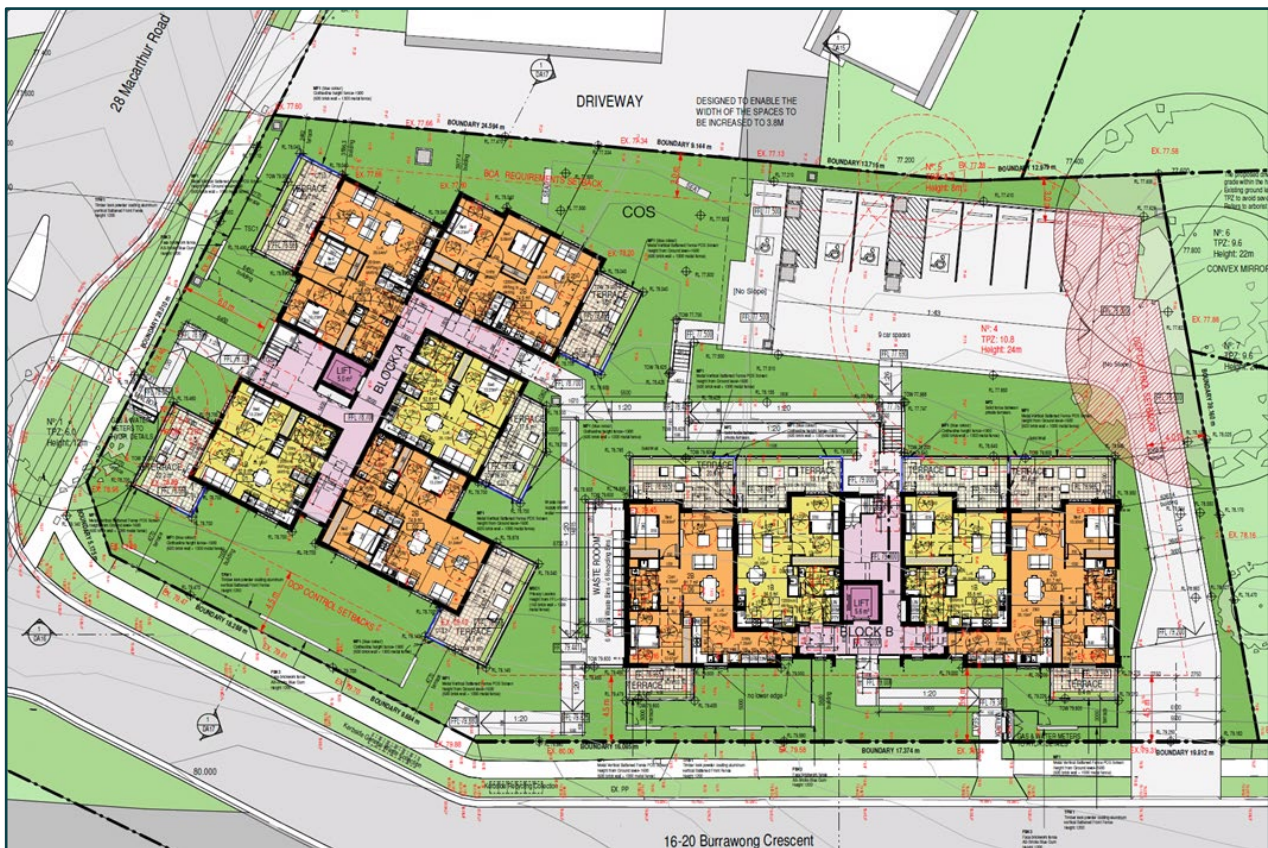


Figure 15 Extract from Architectural Plans – Ground Level (Source: Architectural Plans, Morson Group, dated 11/10/2023)



Figure 16 Extract from Architectural Plans –Level 1(Source: Architectural Plans, Morson Group, dated 11/10/2023)

## 4.4 Supporting information

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

Table 1 Plans, drawings and Supporting information

Title / Name:	Drawing No. / Document Ref	Revision / Issue:	Date [dd/mm/yyyy]:	Prepared by:
<b>Architectural Plans – Appendix A</b>				
Cover + Data Tables	DA01	P15	11/10/2023	Morson Group
3D Views	DA02	P15	3/05/2023	Morson Group
3D Views	DA03	P16	8/05/2023	Morson Group
3D Views	DA04	P12	15/05/2023	Morson Group
Unit Schedule	DA05	P9	10/05/2023	Morson Group
Block Analysis Study	DA06	P1	11/05/2022	Morson Group
Site Analysis Plan	DA07	P6	11/10/2023	Morson Group
Site Plan	DA08	P14	11/10/2023	Morson Group
Demolition Plan	DA09	P3	18/09/2023	Morson Group
Ground Level	DA10	P16	11/10/2023	Morson Group
Level 1	DA11	P18	11/10/2023	Morson Group
Roof Level	DA12	P15	15/04/2024	Morson Group
Macarthur Building Elevations	DA13	P16	15/04/2024	Morson Group
Burrawong Building Elevations	DA14	P22	15/04/2024	Morson Group
Cross Section 1	DA15	P11	15/04/2024	Morson Group
Long Section 1	DA16	P12	15/04/2024	Morson Group
Long Section 2	DA17	P8	22/03/2023	Morson Group
Streetscape Elevation	DA18	P10	15/04/2024	Morson Group
Cut – Fill Plan	DA19	P8	3/05/2023	Morson Group
Solar Study	DA20	P12	15/04/2024	Morson Group
Shadow Diagram	DA21	P5	15/04/2024	Morson Group
Schedule of External Finishes	DA22	P10	3/05/2023	Morson Group
Window Schedule	DA23	P2	21/12/2022	Morson Group
Retaining Walls	DA24	P4	29/03/2023	Morson Group
<b>Landscape Plans – Appendix B</b>				
Landscape Site Plan	1 of 3	D	27/09/2023	Paul Scrivener Landscape
Planting Plan	2 of 3	D	27/09/2023	Paul Scrivener Landscape
Details & Notes	3 of 3	D	27/09/2023	Paul Scrivener Landscape
<b>Civil Plans – Appendix C</b>				
Cover Sheet, Legend & Drawing Schedule	D00	B	8/06/2023	Smart Structures Australia
Ground Level Stormwater Drainage Plan	D01	D	30/01/2024	Smart Structures Australia
Level 1 Stormwater Drainage Plan	D02	B	8/06/2023	Smart Structures Australia
Roof Stormwater Drainage Plan	D03	B	8/06/2023	Smart Structures Australia

Title / Name:	Drawing No. / Document Ref	Revision / Issue:	Date [dd/mm/yyyy]:	Prepared by:
Pre & Post Development Catchment Plans and Music Model Results	D04	B	8/06/2023	Smart Structures Australia
Stormwater Drainage Sections and Details Sheet 1	D09	B	8/06/2023	Smart Structures Australia
Stormwater Drainage Sections and Details Sheet 2	D10	B	8/06/2023	Smart Structures Australia
Erosion and Sediment Control Plan and Details	D15	B	8/06/2023	Smart Structures Australia

**Survey Plans – Appendix D**

Detail & Contour Survey	0 of 8	2	6/12/2021	Total Surveying Solutions
Detail & Contour Survey	1 of 8	2	6/12/2021	Total Surveying Solutions
Detail & Contour Survey	2 of 8	2	6/12/2021	Total Surveying Solutions
Detail & Contour Survey	3 of 8	2	6/12/2021	Total Surveying Solutions
Detail & Contour Survey	4 of 8	2	6/12/2021	Total Surveying Solutions
Detail & Contour Survey	5 of 8	2	6/12/2021	Total Surveying Solutions
Detail & Contour Survey	6 of 8	2	6/12/2021	Total Surveying Solutions
Long Section Tables	7 of 8	2	6/12/2021	Total Surveying Solutions
Long Section Location Plan	8 of 8	2	6/12/2021	Total Surveying Solutions

**Notification Plans – Appendix E**

Cover Page	NP01	P5	14/06/2023	Morson Group
Site/Landscape Plan	NP02	P6	11/10/2023	Morson Group
Development Data	NP03	P6	11/10/2023	Morson Group
Elevations Building A - Schedule of Finishes	NP04	P6	11/10/2023	Morson Group
Elevations Building B - Schedule of Finishes	NP05	P8	11/10/2023	Morson Group
Schedule of Finishes	NP06	P3	3/05/2023	Morson Group
Shadow Diagrams	NP07	P3	3/05/2023	Morson Group

**Access Report – Appendix H**

Development Application Access Report	21356	C	17/11/2023	Vista Access Architects
---------------------------------------	-------	---	------------	-------------------------

**AHIMS – Appendix I**

AHIMS search	-	-	16/05/2024	NSW Government
--------------	---	---	------------	----------------

**Arborist's Report – Appendix J**

Arboricultural Impact Appraisal and Method Statement	-	-	22/09/2023	Naturally Trees
--	---	---	------------	-----------------

**BASIX Certificate – Appendix K**

BASIX Certificate	1377849M	-	29/11/2023	PEM Group Co Pty Ltd
-------------------	----------	---	------------	----------------------

**BCA Report – Appendix L**

BCA Compliance Assessment	P220207	5	21/11/2023	BCA Vision
---------------------------	---------	---	------------	------------

**NatHERS Certificate – Appendix N**

Title / Name:	Drawing No. / Document Ref	Revision / Issue:	Date [dd/mm/yyyy]:	Prepared by:
Nationwide house energy rating scheme – Unit 1	No. 0008694317	-	7/06/2023	Partners Energy Management
Nationwide house energy rating scheme – Unit 2	No. 0008694309	-	7/06/2023	Partners Energy Management
Nationwide house energy rating scheme – Unit 3	No. 0008694333	-	7/06/2023	Partners Energy Management
Nationwide house energy rating scheme – Unit 4	No. 0008694366	-	7/06/2023	Partners Energy Management
Nationwide house energy rating scheme – Unit 5	No. 0008694390	-	7/06/2023	Partners Energy Management
Nationwide house energy rating scheme – Unit 6	No. 0008694424	-	7/06/2023	Partners Energy Management
Nationwide house energy rating scheme – Unit 7	No. 0008694440	-	7/06/2023	Partners Energy Management
Nationwide house energy rating scheme – Unit 8	No. 0008694465	-	7/06/2023	Partners Energy Management
Nationwide house energy rating scheme – Unit 9	No. 0008694325	-	7/06/2023	Partners Energy Management
Nationwide house energy rating scheme – Unit 10	No. 0008694374-01	-	29/11/2023	Partners Energy Management
Nationwide house energy rating scheme – Unit 11	No. 0008694408-01	-	29/11/2023	Partners Energy Management
Nationwide house energy rating scheme – Unit 12	No. 0008694432-01	-	29/11/2023	Partners Energy Management
Nationwide house energy rating scheme – Unit 13	No. 0008694457-01	-	29/11/2023	Partners Energy Management
Nationwide house energy rating scheme – Unit 14	No. 0008694473-01	-	29/11/2023	Partners Energy Management
Nationwide house energy rating scheme – Unit 15	No. 0008694341-01	-	29/11/2023	Partners Energy Management
Nationwide house energy rating scheme – Unit 16	No. 0008694358-01	-	29/11/2023	Partners Energy Management
Nationwide house energy rating scheme – Unit 17	No. 0008694382-01	-	29/11/2023	Partners Energy Management
Nationwide house energy rating scheme – Unit 18	No. 0008694416-01	-	29/11/2023	Partners Energy Management
<b>Geotechnical Investigation– Appendix P</b>				
Geotechnical Investigation	21/2604	-	September 2021	STS Geotechnics Pty Ltd
<b>Waste Management Plan – Appendix R</b>				
Demolition, Construction and Operational Waste Management Plan	G019	A	September 2023	Creative Planning Solutions
<b>Traffic Report - Appendix S</b>				
Traffic and Parking Impact Assessment	21-234-4	-	November 2023	Stanbury Traffic Planning

Title / Name:	Drawing No. / Document Ref	Revision / Issue:	Date [dd/mm/yyyy]:	Prepared by:
<b>Fire Engineering – Appendix T</b>				
Fire Engineering Supporting Letter	22-116V076	-	2/08/2023	i-Fire Engineers

**Section 10.7 Planning Certificates – Appendix F**

Lot 35 DP 36169, Cert no. 20225807, dated 22.11.2023 – Camden Council

Lot 36 DP 36169, Cert no. 20225804, dated 22.11.2023 – Camden Council

Lot 37 DP 36169, Cert no. 20225805, dated 22.11.2023 – Camden Council

Lot 38 DP 36169, Cert no. 20225800, dated 22.11.2023 – Camden Council

**Notification letters & submissions – Appendix G****Design Compliance Certificates – Appendix M**

Architect's Certificate of Building Design Compliance – 17/11/2023

Certificate of Landscape Documentation Compliance – 03/10/2023

Certificate of Stormwater Drainage – 08/06/2023

**Housing for Senior's Checklist – Appendix O**

Seniors Living Urban Design Guidelines, LAHC Design requirements & Good design for social housing – prepared by Morson Group, undated.

**Title Search and Deposited Plans – Appendix Q**

Title Search, Folio: 35/36169, Search date 21.11.2023, First Schedule: NSW Land and Housing Corporation

Title Search, Folio: 36/36169, Search date 21.11.2023, First Schedule: NSW Land and Housing Corporation

Title Search, Folio: 37/36169, Search date 21.11.2023, First Schedule: NSW Land and Housing Corporation

Title Search, Folio: 38/36169, Search date 21.11.2023, First Schedule: NSW Land and Housing Corporation

Deposited Plan 36169

**Titles (Lots affected by easements) – Appendix Q**

Title Search, Folio: 30/36169, Search date 27.07.2023, First Schedule: NSW Land and Housing Corporation

Title Search, Folio: 31/36169, Search date 27.07.2023, First Schedule: NSW Land and Housing Corporation

Title Search, Folio: 33/36169, Search date 27.07.2023, First Schedule: NSW Land and Housing Corporation

Title Search, Folio: 34/36169, Search date 27.07.2023, First Schedule: NSW Land and Housing Corporation

Positive Covenant 5517216R

## 5 Zoning and Permissibility

The site is zoned R2 Low Density Residential under *Camden Local Environmental Plan 2010* (CLEP 2010) (**Figure 17**). The proposed development is defined as ‘seniors housing’ under the provisions of CLEP 2010 and is permissible with consent in the R2 zone.

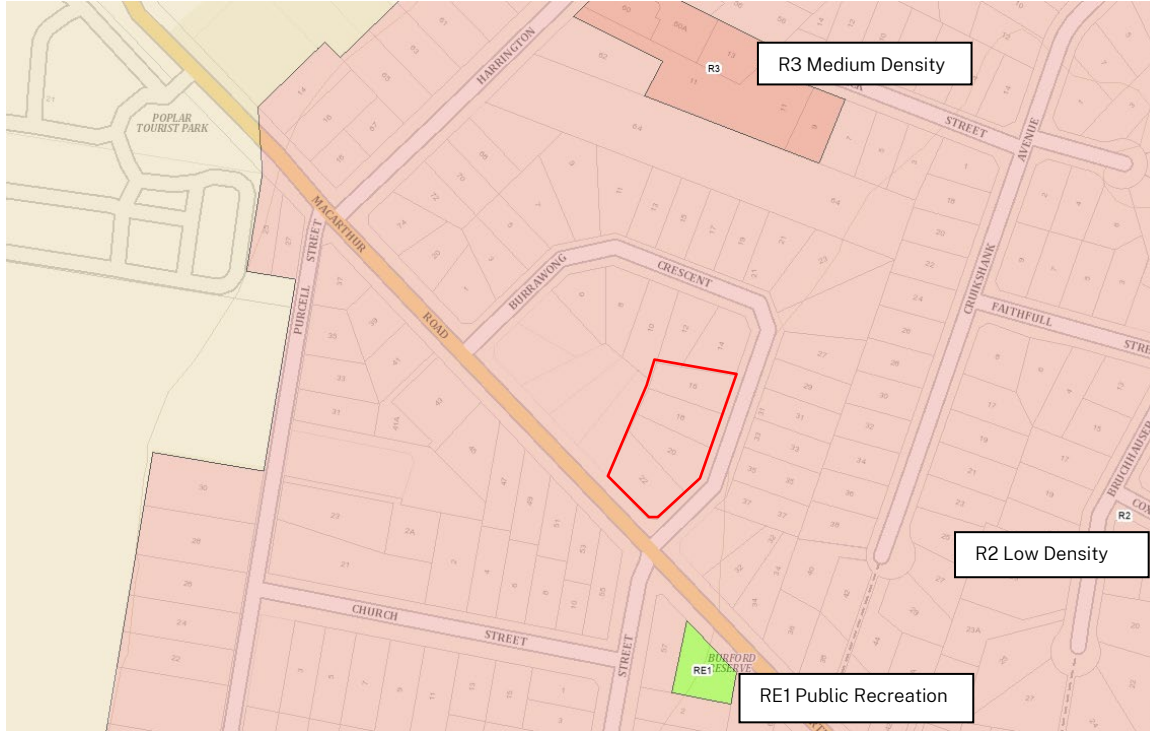


Figure 17 Land zoning map (Source: Planning Portal)

The objectives of the R2 – Low Density Residential zone are provided below.

- To provide for the housing needs of the community within a low density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To allow for educational, recreational, community and religious activities that support the wellbeing of the community.
- To minimise conflict between land uses within the zone and land uses within adjoining zones.

The proposed development provides seniors housing that meets the identified needs of the community for social housing. The proposal has also been sympathetically designed to fit within its context and complement the surrounding area. The proposal is intended to improve housing stock and diversity in the Camden LGA. The proposal is therefore consistent with the relevant objectives of the R2 zone.

A Part 5 approval pathway is being pursued in accordance with the Housing SEPP. 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.

Demolition is permitted with consent under the provisions of CLEP2010 and is therefore permitted without consent under the provisions of Section 42(2) of the Housing SEPP.

## 6 Planning and Design Framework

### 6.1 Environmental Planning and Assessment Act 1979

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

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

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

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

Matters for consideration under sub-section 3 of Section 5.5 of the EP&A Act	
Matter for consideration	Effect of Activity
<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;	NA			
(d) reduction of the aesthetic, recreational, scientific or other environmental quality or value of a locality;	Yes	x	x	
(e) effect on a locality, place or building having aesthetic, anthropological, architectural, cultural, historical, scientific or social significance or other special value for present or future generations;	NA			
(f) impact on the habitat of protected animals (within the meaning of Biodiversity Conservation Act 2016);	NA			
(g) endangering of any species of animal, plant or other form of life, whether living on land, in water or in the air;	NA			
(h) long-term effects on the environment;	Yes		x	
(i) degradation of the quality of the environment;	Yes	x	x	
(j) risk to the safety of the environment;	Yes	x	x	
(k) reduction in the range of beneficial uses of the environment;	NA			
(l) pollution of the environment;	Yes	x	x	
(m) environmental problems associated with the disposal of waste;	Yes		x	

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

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

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

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

## 6.4.2 Strategic Planning Framework

### Camden 2040 Local Strategic Planning Statement

The Camden Local Strategic Planning Statement was endorsed by Camden Council in March 2020. It is a 20-year plan that identifies 21 Planning Priorities for the LGA, focused on collaboration, liveability, productivity and sustainability.

Notably, Planning Priority 1 under the theme “Liveability”, seeks to provide housing choice and affordability for Camden’s growing and changing population. The proposed development will be contributing 18 seniors living units to the affordable housing supply in the Camden LGA. It is diversifying the residential uses in Camden by introducing a seniors living housing development to accommodate the ageing population in the locality and is well serviced by existing public transport options and essential services.

The proposed development of 18 seniors living units contributes to the objectives of the Camden Local Strategic Planning Statement and will increase the provision of affordable and independent seniors living units.

### Camden 2022-2036 Community Strategic Plan

The 2022-2036 Camden Plan is a 14-year plan that outlines 5 directions upon which the Camden vision is built to make Camden ‘Welcoming’, ‘Liveable’, ‘Prosperous’, ‘Balanced’ and ‘Leading’. These directions are derived from an extensive community engagement process, which identifies priorities for the community’s future. Each of the 5 key directions responds to the following questions:

- Where are we now
- Where we want to be

- How are we going to get there
- Our plan in action and measures for success

The 2022-2036 Camden Plan identifies housing diversity and affordability as a concern that needs improvement. The following direction includes an objective which is relevant to the proposed development:

Liveable: LB2.1 - *Ensure homes, infrastructure and facilities are well planned, delivered and maintained to create high quality urban and rural environments that meet our diverse needs and respond to our climate.*

The proposed development for 18 seniors living units is consistent with this goal as it provides affordable housing that integrates renewable practices, such as rainwater reuse, and provides a high quality development that will contribute to the character of the local area. As such, the proposal is not in conflict with the Camden 2032 Community Strategic Plan and will provide new affordable housing within the LGA.

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

Regulated catchments in Sydney include the Sydney Drinking Water Catchment, the Sydney Harbour Catchment, the Georges River Catchment and the Hawkesbury-Nepean Catchment. The site is located in Hawkesbury-Nepean 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 in relation to the proposed development is provided in **Table 11** of this REF. The assessment concludes that the proposed activity is unlikely to significantly impact the Hawkesbury-Nepean Catchment.

---

## 6.5 State Environmental Planning Policy (Housing) 2021

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

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

### 6.5.1 Development without Consent

#### Demolition

The proposed activity includes demolition of existing structures on the site. Section 42(2)(a) of the Housing SEPP permits LAHC to undertake demolition as “*development without consent*” provided the land the structures are located on is “*non-heritage land*” and is not “*identified in an environmental planning instrument as being within a heritage conservation area*”. The subject site contains neither of these heritage notations and therefore demolition can be undertaken by LAHC as “*development without consent*”. A waste management plan has been

prepared, and there are several Identified Requirements recommended in the Activity Determination which deal with site safety and environmental protection during demolition and construction.

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

### Development for Seniors Housing

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

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

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

Provision	Compliance
108A – Development to which Division applies This Division applies to development for purposes of senior housing involving the erection of a building on land -	
(a) on which development for purposes of seniors housing is permitted with consent under another environmental planning instrument, or	The development is permissible with consent within the R2 Low Density Residential zone under the CLEP 2010.
(b) in a prescribed zone or an equivalent land use zone.	The R2 zone is also a prescribed zone under the SEPP.  Chapter 3, Part 5, Division 8 of the SEPP therefore applies.
108B – Seniors housing permitted without development consent (1) Development to which this Division applies may be carried out by or on behalf of a relevant authority without development consent if -	
(a) the relevant authority has considered the applicable development standards specified in sections 84(2)(c)(iii), 85, 88, 89 and 108, and	Consideration of the development standards are provided in <b>Table 6</b> and <b>Table 7</b> 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 9.405m.
(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> are not applicable to the site or development.
(a) a reference in section 2.15 to “this Chapter” is taken to be a reference to this section, and	Noted.

Provision	Compliance
(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 –	
(a) request the council to nominate a person or persons who must, in the council's opinion, be notified of the development, and	Advice was sought from Camden Council regarding additional persons or properties that should be notified of the development via an email sent to Council on 4 November 2022. Council responded by email on the same date and did not nominate any additional persons or properties that should be notified.
(b) give written notice of the intention to carry out the development to – (i) the council, and (ii) the person or any persons nominated by the council, and (iii) the occupiers of adjoining land, and	An initial letter dated 29 November 2023 was sent by LAHC to notify Camden Council of the proposed development activity. An amended letter dated 5 December 2023 was later issued to Camden Council detailing the accurate due date for receipt of submissions. Letters notifying occupiers of adjoining land of the proposed development activity were sent by LAHC on the same dates.
(c) take into account the responses to the notice that are received within 21 days after the notice is given., and	Council responded to LAHC's notification by letter dated 16 January 2024. Comments on the response are provided in Section 7.1 of this REF. 7 submissions were received from adjoining owners or occupiers. Comments on these submissions are provided in Section 7.2 of this REF.
(d) take into account the relevant provisions of the <i>Seniors Living Policy: Urban Design Guidelines for Infill Development</i> , published by the Department in March 2004, and	Refer to checklist in <b>Appendix O</b> and subsection 6.5.3 of this REF. These conclude that the development complies with all relevant development standards relating to the <i>Seniors Living Policy: Urban Design Guidelines for Infill Development</i> with the exception of the minor variations discussed in subsection 6.5.3 of this report. In these cases, suitable alternatives are proposed which are necessary due to site specific constraints, site and locality characteristics and specific LAHC design requirements and policies.
(d1) if the relevant authority is the Aboriginal Housing Office – consider the relevant provisions of the <i>Aboriginal Housing Design Guidelines</i> , published by the Aboriginal Housing Office in January 2020, and	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> .

Provision	Compliance
(2) In this section, a reference to the council is a reference to the council for the land on which the development is proposed to be located.	Noted.
108D - Exempt development Development for purposes of landscaping and gardening is exempt development if it is carried out by or on behalf of a relevant authority in relation to seniors housing	Noted
108E - Subdivision of seniors housing not permitted Development consent must not be granted for subdivision of seniors housing.	No subdivision proposed, only lot amalgamation.

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

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

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

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

Development Standard	Required	Comment
Building Height:	9.5m or less	Complies - Maximum height 9.405m
Density and Scale:	Floor Space Ratio 0.5:1 or less	1,464m <sup>2</sup> or 0.535:1 However, non-compliance does not result in any adverse impacts on adjoining properties or the streetscape (refer to discussion of variation below).
Landscaped Area:	Minimum 35m <sup>2</sup> per dwelling (18 x 35m <sup>2</sup> = 630m <sup>2</sup> )	Complies - 951.8m <sup>2</sup>
Deep Soil Zone:	Minimum 15% of area of site (15% x 2735.5m <sup>2</sup> = 410.3m <sup>2</sup> )	Complies - 700m <sup>2</sup> or 25.6%
	Minimum 65% to be preferably located at rear of site (410.3 x 65% = 266.7m <sup>2</sup> )	Complies - 341.2m <sup>2</sup> or 83.1%
	Minimum dimension 3m	Complies - 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	Complies – 77.8% of dwellings (14 units) receive at least 2 hours of direct solar access to between 9am and 3pm mid-winter to living areas and private open space areas.
Private Open Space:	Ground level:	
	Minimum 15m <sup>2</sup> per dwelling	Complies - Minimum 17m <sup>2</sup>
	One area minimum 3m x 3m, accessible from living area	Complies - Minimum 3m x 3m

Development Standard	Required	Comment
	Upper level/s:	Complies -
	1 bedroom: Minimum 6m <sup>2</sup> Minimum dimensions 2m	Minimum 8.9m <sup>2</sup> Minimum 2m
	2 or more bedrooms: Minimum 10m <sup>2</sup> Minimum dimensions 2m	Minimum 10m <sup>2</sup> Minimum 2m
Car parking:	Minimum 1 car parking space for each 5 dwellings (LAHC concession) – 4 car parking spaces required	Complies - 9 car parking spaces, including 4 accessible parking spaces.

## Non-Compliance with FSR Standard

The development proposes a total gross floor area (GFA) of approximately 1464.3m<sup>2</sup> calculated in accordance with the Housing SEPP definition. This translates to an FSR of 0.535:1 and represents an exceedance of 96.75m<sup>2</sup> to the 0.5:1 FSR development standard under section 108(2)(c).

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

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

- siting of building form to reflect the nature of existing development within the locality;
- significant landscaping within the site, along perimeters with adjoining properties and between elements of the buildings to break up hard surfaces and building bulk;
- provision of considered dwelling layouts, including the careful placement and sizes of window/door openings, the treatment of windows and balconies with privacy screens and substantial buffer landscaping along boundaries to ensure no unacceptable overlooking of adjoining residential private open space areas or living areas occurs;
- articulation along the facades of the development to break up the built form and minimise any visual impact to the streetscape and adjoining properties;
- ensuring dwellings are provided with a high level of amenity demonstrated through compliance with the seniors housing design principles and standards prescribed by the Housing SEPP, e.g. high levels of solar access, natural ventilation, accessibility etc; and
- materials and finishes including face brick walls and metal roofing are similar to the materials and finishes of recent developments in the area with a variety of materials used for external walls, balcony balustrades and external privacy screens to add visual interest to the development.

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

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

The proposed development will also not generate any significant adverse amenity impacts on surrounding properties in terms of overlooking or overshadowing. Shadows generated by the development do not adversely impact neighbouring properties. They are generally contained within the site and extend into Macarthur Road and Burrawong Crescent. Therefore, minimal solar impact will be generated from the proposed development to surrounding sites, irrespective of the numerical non-compliance with the FSR control.

Furthermore, adequate side setbacks are provided to mitigate overlooking and privacy impacts with perimeter landscaping to be implemented to further soften the built form.

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

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

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

## 6.5.2 Development standards for Accessibility

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

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

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	100% of ground floor units have accessible paths of travel in accordance with AS1428.1 to the adjoining public road as per the submitted Access Report prepared by Vista Access Architects ( <i>Appendix H</i> ).
'Sloping' sites i.e. with gradients entirely or partially >1:10	% of ground floor dwellings, equal to % of site with gradient <1:10 or minimum 50% (whichever is greater), to have wheelchair access by a continuous accessible path of travel as per AS1428.1 to driveway or public	Not applicable – The site does not have a gradient of more than 1 in 10.

	road that is accessible to all residents	
Common areas	All common areas and facilities to have wheelchair accessibility as per AS1428.1	All common areas have accessible paths of travel in accordance with AS1428.1. Compliance indicated as per the submitted Access Report prepared by Vista Access Architects ( <i>Appendix H</i> ).
<b>3. Security:</b>		
Pathway lighting	Pathway lighting to be designed and located to avoid glare for pedestrians and adjacent dwellings and to provide min 20 lux at ground level	All lighting will be designed as per requirements at construction documentation stage (Identified Requirement No. 75 imposed to ensure compliance).
<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 on the accessible entry pathway to Building A and Building B. Further specification to be provided at detailed construction documentation stage. Compliance indicated as per the submitted Access Report prepared by Vista Access Architects ( <i>Appendix H</i> ).
<b>5. Private car accommodation:</b>		
Disabled car parking	Car parking spaces must comply with the requirements for parking for persons with a disability set out in AS2890 and at least 5% of the total number of car parking spaces (or at least 1 space if there are fewer than 20 spaces) must be designed to enable the width of the spaces to be increased to 3.8m	4 accessible car parking spaces are provided, which meet the requirements of AS2890. Compliance indicated as per the Access Report prepared by Vista Access Architects ( <i>Appendix H</i> ).
Garages	Must have power-operated door or there must be a power point and an area for motor or control rods to enable a power-operated door to be installed at a later date	Not applicable, as the proposal does not incorporate garages.
<b>6. Accessible entry</b>		
Every entry, whether front entry or not:	Must comply with clauses 4.3.1 and 4.3.2 of AS4299	Details will be required at construction documentation stage (subject to Identified Requirement No. 73). Compliance readily achievable as per the submitted Access Report prepared by Vista Access Architects ( <i>Appendix H</i> ).
<b>7. Interior: general</b>		
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 are suitably wide, with compliance indicated in the Access Report prepared by Vista Access Architects (*Appendix H*). Identified Requirement No. 73 recommended to ensure compliance.

## 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

The bedroom layout in each dwelling is suitably detailed for compliance with this clause subject to review of the finer design details at the construction documentation stage as per the Access Report prepared by Vista Access Architects (*Appendix H*).

Further detailed information will be required at construction documentation stage (refer to Identified Requirement No. 73).

## 9. Bathroom

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

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:

- (a) a slip-resistant floor surface,
- (b) a washbasin with plumbing that would allow, either immediately or in the future, clearances that comply with AS1428.1,
- (c) a shower that complies with AS1428.1, except that the following must be accommodated either immediately or in the future:
  - (i) a grab rail,
  - (ii) portable shower head,
  - (iii) folding seat,
  - (d) a wall cabinet that is sufficiently illuminated to be able to read the labels of items stored in it,
- (e) a double general power outlet beside the mirror

The requirement under item (c) does not prevent the installation of a shower screen that can easily be removed to facilitate future accessibility

The bathroom layout in each dwelling is suitably detailed for compliance with this clause subject to review of the finer design details at the construction documentation stage as per the Access Report prepared by Vista Access Architects (*Appendix H*).

Further detailed information relating to fixtures and fittings will be required to be assessed at the construction documentation stage (Identified Requirement No. 73 imposed to ensure compliance).

#### 10. Toilet

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

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

Toilets in each dwelling are suitably detailed for compliance with this clause subject to review of the finer design details at the construction documentation stage as per the Access Report prepared by Vista Access Architects (*Appendix H*).

Further detailed information relating to fixtures and fittings will be required to be assessed at the construction documentation stage (Identified Requirement No. 73 imposed to ensure compliance).

#### 11. Surface finishes

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

Balconies and external paved areas must have slip-resistant surfaces

Slip resistance to balconies and external paved areas is readily capable of compliance with this clause subject to review of the finer design details at the construction documentation stage as per the Access Report prepared by Vista Access Architects (*Appendix H*). Identified Requirement No. 73 imposed to ensure compliance.

## 12. Door Hardware

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

The door hardware throughout all dwellings is capable of compliance with this clause subject to review of the finer design details at the construction documentation stage as per the Access Report prepared by Vista Access Architects (*Appendix H*). Identified Requirement No. 73 imposed to ensure compliance.

## 13. Ancillary Items

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

Switches and power points throughout all dwellings are capable of compliance with this clause subject to review of the finer design details at the construction documentation stage as per the Access Report prepared by Vista Access Architects (*Appendix H*). Identified Requirement No. 73 imposed to ensure compliance.

## 15. Living and dining room

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

A living room in a self-contained dwelling must have:

- (a) a circulation space in accordance with clause 4.7.1 of AS4299, and
- (b) a telephone adjacent to a general power outlet.

The living room layout in each unit is readily capable of compliance with this clause subject to review of the finer design details at the construction documentation stage as per the Access Report prepared by Vista Access Architects (*Appendix H*). Identified Requirement No. 73 imposed to ensure compliance.

A living room and dining room must have wiring to allow a potential illumination level of at least 300 lux

## 16. Kitchen

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

A kitchen in a self-contained dwelling must have:

- (a) a circulation space in accordance with clause 4.5.2 of AS4299, and
- (b) a width at door approaches complying with clause 7 of this Schedule, and
- (c) the following fittings in accordance with the relevant subclauses of clause 4.5 of AS4299:
  - (i) benches that include at least one work surface at least 800mm in length that comply with clause 4.5.5 (a),
  - (ii) a tap set (see clause 4.5.6),
  - (iii) cooktops (see clause 4.5.7), except that an isolating switch must be included,
  - (iv) an oven (see clause 4.5.8), and
- (d) "D" pull cupboard handles that are located towards the top of below-bench cupboards and towards the bottom of overhead cupboards, and
- (e) general power outlets:
  - (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

The kitchen layout in each unit is suitably detailed for compliance with this clause subject to review of the finer design details at the construction documentation stage as per the Access Report prepared by Vista Access Architects (*Appendix H*).  
Identified Requirement No. 73 imposed to ensure compliance.

## 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 the 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.

Lifts have been provided.

**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 clothes line provided in relation to the dwelling

The laundry layout in each unit is readily capable of compliance with this clause subject to review of the finer design details at the construction documentation stage as per the Access Report prepared by Vista Access Architects (*Appendix H*).

Identified Requirement No. 73 imposed to ensure compliance.

**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

Capable of compliance, to be detailed in the construction documentation stage as per the Access Report prepared by Vista Access Architects (*Appendix H*). Identified Requirement No. 73 imposed to ensure compliance.

**21. Garbage**

A garbage storage area must be provided in an accessible location.

The garbage storage area is centrally located adjacent to Block B and is connected by an accessible path of travel.

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

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

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

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

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?	There are 2 trees at the rear of the site that are proposed to be removed to facilitate the development. However, adequate setbacks, proposed landscaping including trees with mature heights of 5 – 12m, and an existing driveway on the adjoining property to the west will mitigate potential visual and privacy impacts of the new development on neighbours.
2.20 Use semi-pervious materials for driveways, paths and other paved areas?	Driveways and paths are concrete to meet LAHC maintenance and durability requirements.
2.23 Maintain, where possible, existing crossings and driveway locations on the street	A newly proposed 6.1m wide combined ingress/egress driveway is provided for the development in consideration of building design opportunities and user safety. The Traffic Impact Assessment ( <i>Appendix S</i> ) examines the adequacy of the proposed driveway and confirms compliance with the applicable standards.
3.06 Setback upper levels behind the front building façade?	Upper levels are not setback further than the front building façade to simplify construction. A mix of materials and finishes allow for a varied façade that works well within the streetscape.
3.24 Consider alternative site designs that avoid driveways running the length of the site?	Car parking spaces are located to the rear behind each building form to reduce the visual impact from the street. The driveway is located along the northern side boundary and landscaping is provided along the length of the driveway to reduce the visual impact.
3.27 Vary the driveway surface material to break it up into a series of smaller spaces? (e.g. to delineate individual dwellings)	Driveways and paths are concrete to meet LAHC maintenance and durability requirements. Parking is not allocated to individual units.

Guideline Requirement	Response
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	The proposed development is 2 storeys only and setting back the top floor would complicate construction and buildability. Instead, balconies and roof form are provided to assist building façade articulation and reduce visual bulk.

## 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* (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. 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 achieves an average NatHERS rating of 7.5 stars which exceeds the minimum targets set by LAHC Design Requirements (*Appendix M*).

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

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

### Belonging

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

The pedestrian entries and foyers 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 incorporation of lighting, visual surveillance and fencing assist in the provision of a good sense of security for residents.

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 development meets sustainability targets, with the development achieving an average NatHERS rating of 7.5 stars. The development will incorporate sustainable features including insulation, glazing, clothes lines, native plantings, ceiling fans, water efficient fittings, abundant natural light, natural cross ventilation and is designed to be easily modified to accommodate the changing needs of tenants. These provisions 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 Camden Council and neighbours.

## 6.5.5 Land and Housing Corporation Design Requirements

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

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* when assessing a proposed seniors housing development under Chapter 3, Part 5, Division 8 of the Housing SEPP.

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

## 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 6)

Neighbourhood amenity and streetscape [section 99]
<p>Seniors housing should be designed to –</p> <p>(a) recognise the operational, functional and economic requirements of residential care facilities, which typically require a different building shape from other residential accommodation, and</p>
<p>N/A no residential care facility proposed.</p>
<p>(b) recognise the desirable elements of –</p> <p>(i) the location's current character, or</p> <p>(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</p>
<p>The existing character is predominantly single and double storey residential development of varying age and architectural style. Face brick and fibro concrete with pitched roofs (either tiled or metal roofing) is a prominent feature of housing in the immediate area. Dispersed throughout the neighbourhood are more recent additions including larger, two storey dwellings, medium density housing and seniors housing. Contemporary residential development in the locality of the proposed development is suggestive of a transition of character in the Elderslie suburb and likely future development. The proposal is generally compatible in form, scale and character with more contemporary residential development in the Elderslie locality.</p> <p>The buildings have been designed as two distinct, but compatible forms as viewed from Macarthur Road and Burrawong Crescent frontages and respond to the character and scale of development in the area, particularly existing seniors housing developments. The buildings are articulated through the diversity in materials within the façade, hooded windows, built form and pitched roofs. 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.</p>
<p>(c) complement heritage conservation areas and heritage items in the area, and</p>
<p>The site is not located within a heritage conservation area nor are there any heritage items that immediately adjoin the site. There is however a local heritage item named "Nesbitt Home" on 43 Macarthur Road listed under Schedule 5 of the <i>Camden Local Environmental Plan 2010</i> as Item No I111 (see <b>Figure 18</b> and <b>Figure 19</b> below).</p> <p>43 Macarthur Road is located approximately 150m from the subject site. The proposed development for seniors housing will not physically impact the neighbouring heritage item. Neither will it negatively impact the architectural character nor the historical setting of the heritage item.</p>

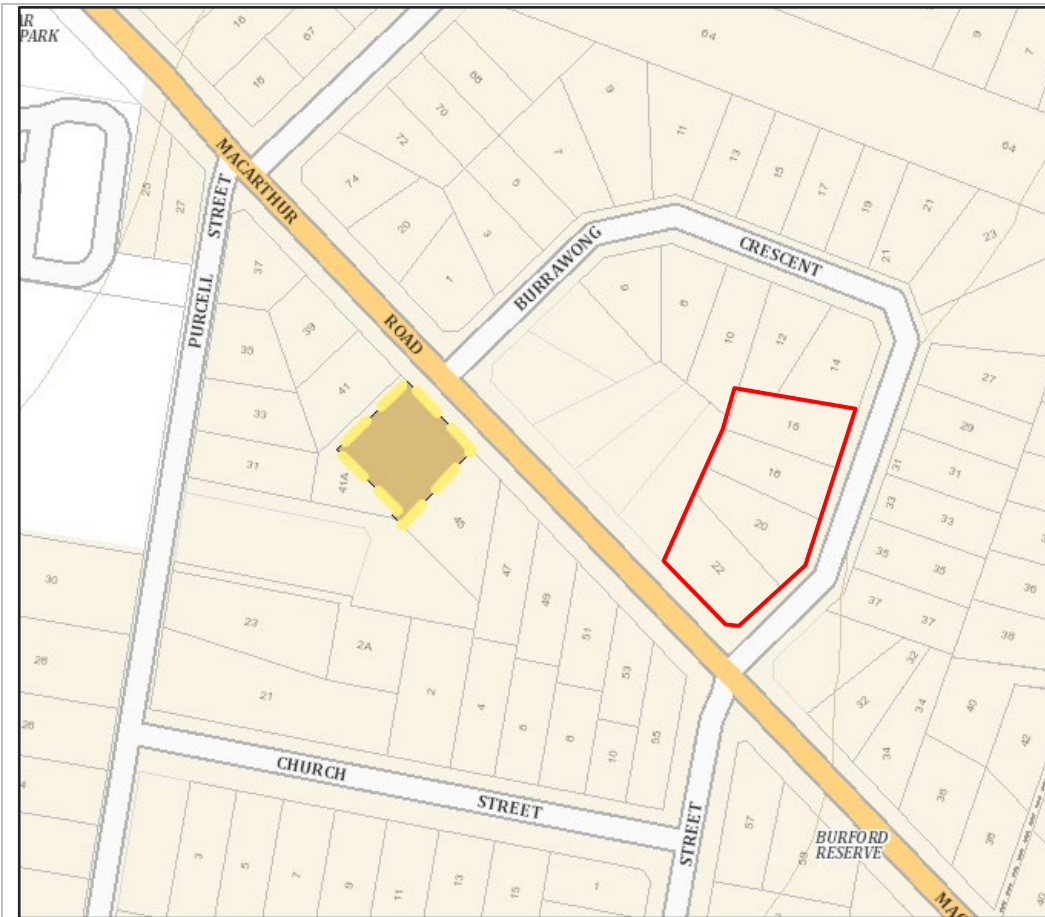


Figure 18 CLEP 2010 Heritage map (Source: NSW Planning Portal)

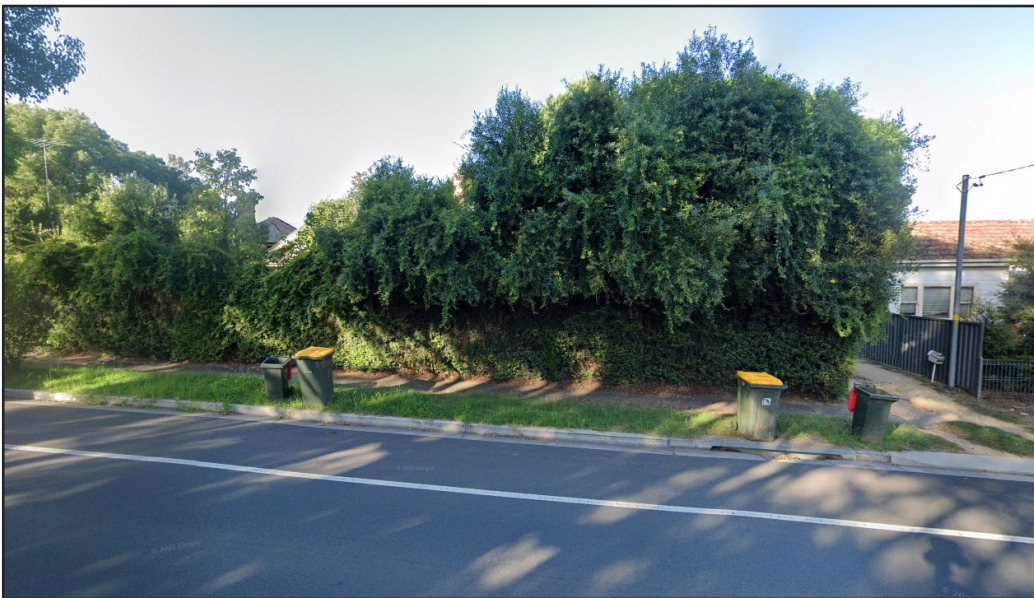


Figure 19 Nearby Local Heritage Item at 43 Macarthur Road (Source: Google Maps Streetview, March 2021)

- (d) maintain reasonable neighbourhood amenity and appropriate residential character by –
- (i) providing building setbacks to reduce bulk and overshadowing, and
  - (ii) using building form and siting that relates to the site's land form, and
  - (iii) adopting building heights at the street frontage that are compatible in scale with adjacent buildings, and
  - (iv) considering, where buildings are located on the boundary, the impact of the boundary walls on neighbours, and

The proposed building setbacks are compatible with the streetscape character of the locality and are consistent with Council's DCP requirements. Greater side and rear setbacks have been provided where possible, particularly where the design includes a balcony at first floor level on the western elevation (Units 13, 15, 16, 17, 18). The orientation and siting of the development ensures over 2 hours solar access is maintained to the living areas and private open spaces of neighbouring dwellings in mid-winter (refer to shadow diagrams in *Appendix A*).

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

The development is below the height limit permitted under the Housing SEPP and CLEP 2010. The 2-storey form is compatible in scale with contemporary buildings in the locality.

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

The building line is compatible with the setbacks of adjoining developments in the locality.

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

The proposed landscape design incorporates substantial plantings at the front and rear of the development which will enhance the streetscape and provide a pleasant space for residents to enjoy. Private open space areas provided at ground level are surrounded by ample landscaping to improve amenity. The scheme incorporates a mix of ground covers, native shrubs and trees. 21 trees are proposed, some of which are indigenous to the local area such as Coastal Banksia, Blueberry Ash, Flax Leaf Paperbark and Water Gum cultivar, and range in mature height from 5-15m. Low maintenance planting in the common landscaped area will create a pleasant environment for residents and attract animal and birdlife.

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

As discussed in section 4.2 of this REF, tree removal is recommended primarily to accommodate the proposed development. The individual species recommended for removal are trees located within the boundaries of the site (Trees 2 and 4) and a tree straddling the boundary of the subject site and adjoining LAHC-owned lot on the western boundary - 22-26 Macarthur Road (Tree 5). These trees are not considered to be worthy of retention (refer to submitted Arboricultural Impact Assessment in *Appendix J*).

The activity proposes to retain 2 trees (Trees 1 and 7) identified in the arborist report as 'important', with Tree 1 located within Macarthur Road reserve and Tree 7 located on the northern adjoining property - 14 Burrawong Crescent.

There are 2 additional trees also proposed for retention (T3 and T6) with both trees located on the northern adjoining property - 14 Burrawong Crescent.

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

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

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

#### Visual and acoustic privacy [section 100]

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

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

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

The buildings have generally been designed so that high use areas such as living rooms and private open space areas are oriented to the street or to face the internal car parking area to reduce any overlooking into neighbouring properties and minimise privacy impacts. Where first floor windows and balconies are proposed, adequate setbacks have been maintained and privacy screening provided to restrict direct overlooking where appropriate.

Bedrooms, where possible, are well separated from driveways, parking and paths to reduce noise levels from vehicle and pedestrian movements.

Boundary fencing is proposed at varying heights. Timber look powder coated aluminium front fence to a height of 1.2m interspersed with face brickwork fence to a height of 1.2m is proposed within the front setback for Block A addressing Macarthur Road and Block B addressing Burrawong Crescent. Side boundary fencing generally is proposed at 1.8m in height to assist with mitigation of visual and acoustic impacts associated with the internal hard stand car parking. Perimeter landscaping will also act as a visual and acoustic buffer between the car parking areas and adjacent development.

#### 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.

83% of living areas (15/18 units) and 83% of private open space areas (15/18 units) achieve a minimum of 2 hours of direct solar access between 9am and 3pm mid-winter (refer to solar access diagrams in *Appendix A*). 78% of dwellings (14/18 units) receive at least 2 hours of solar access to both living areas and private open spaces between 9am and 3pm mid-winter.

Overall, the development exceeds sustainability targets and achieves an average NatHERS rating of 7.5 stars.

Overshadowing of neighbouring properties is minimal, with adequate solar access maintained to living spaces and private open space of neighbouring dwellings in mid-winter. Given the orientation of the site, the majority of overshadowing occurs in the Macarthur Road and Burrawong Crescent street reserves.

Landscaping is also proposed to 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.

Stormwater catchment design, including on site infiltration trenches, rainwater and OSD tanks, have been provided to achieve council requirements.

Site stormwater will be captured and drained as shown on the submitted civil plans (*Appendix C*), with 33.85m<sup>3</sup> OSD tank and 10.23m<sup>3</sup> rainwater tank provided to facilitate stormwater detention on-site and water re-use.

#### Crime prevention [section 103]

Seniors housing should —

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

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

Site planning employs territorial reinforcement by establishing clear entry points and boundaries through fencing and landscaping.

Central entry points provide a secure progression from public to private spaces and will create a safe environment for residents. All entry points to site and to units, are designed to have maximum casual surveillance over all approaches whilst not imposing on privacy, through windows and balconies etc. Some units (U1, U2 U5, U6, U9, U10, U11 U14, U15 and U18) address the street and provide passive surveillance of public areas as well as the pedestrian and vehicle entry points. Further, the design of the proposed development will allow for general surveillance of common areas including walkways to each block, communal car park and the communal open space area.

Peepholes will also be provided on the front doors of each dwelling to enable residents to view approaches to their dwelling without having to open the door.

Fencing will be constructed along the side and rear boundaries, and all areas of private open space are fenced to create security and delineate between public and private spaces.

#### Accessibility [section 104]

Seniors housing should—

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

The Access Report (*Appendix H*) demonstrates that obvious and safe pedestrian links are available from the site to transport services and local facilities. There are numerous bus stops located within proximity of the site. There are 2 bus stops (Stop ID: 257031 - Macarthur Road after Galvin Street and Stop ID: 257017 - Macarthur Road before Burrawong Crescent) located on Macarthur Road, adjacent to and south of the site. These bus stops are approximately 40m and 45m walking distance from the site, well within the 400m maximum distance specified under section 93(3)(a) of the Housing SEPP. The Access Report confirms that based on the detailed longitudinal grade survey (*Appendix D*) the gradients of pathways to the bus stops comply with the range specified in section 93(4) of the Housing SEPP.

Clearly defined pedestrian paths are provided throughout the site, with clear visual lines. The driveway and parking area are clearly defined and are to be well lit for safety, with landscaping to create a pleasing environment.

The proposed development will provide an attractive and safe environment for pedestrians and motorists with convenient access to car parking areas for residents. Car parking is provided for residents within the site, including 4 accessible parking spaces and accessible pathways are provided between the car parking area and the internal lobbies. There is ample street parking within the local road network for visitors.

#### Waste management [section 105]

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

A waste storage area is provided adjacent to Block B and will accommodate general waste and recycling waste in accordance with the waste generation rates specified in Camden Council's DCP. All waste is to be collected by Council, with bins taken to the kerb by a LAHC maintenance contractor. The waste storage area has been appropriately screened to minimise visual impact but still retain good visibility to avoid the creation of entrapment spaces.

## 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*).

### SEPP (Transport and Infrastructure) 2021

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

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

### SEPP (Biodiversity and Conservation) 2021

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

The proposed development proposes tree removal and thus the provisions of the SEPP related to vegetation clearing apply. Clause 2.6(1) of this SEPP requires a permit from Council for clearing of vegetation required under the policy. The proposed development seeks the removal of 3 trees including a tree (Tree 5) which straddles the boundary of the subject site and adjoining lot on the western boundary - 22-26 Macarthur Road (refer to the Arborist Report at *Appendix J*).

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

However, adjoining owner's consent would be required to remove tree T5. Given that NSW Land and Housing Corporation (LAHC) is also the owner of the adjoining site, LAHC reserves the right to remove the relevant tree.

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

Under Section 171A(1) of the EP&A Regulation, LAHC, as determining authority for the activity, when considering the likely impact on the environment of an activity proposed to be carried out in a regulated catchment, must consider *State Environmental Planning Policy (Biodiversity and Conservation) 2021*, sections 6.6(1), 6.7(1), 6.8(1) and 6.9(1), and

Further, as the determining authority LAHC must be satisfied *under State Environmental Planning Policy (Biodiversity and Conservation) 2021*, sections 6.6(2), 6.7(2), 6.8(2) and 6.9(2).

#### **6.6 Water quality and quantity**

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

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

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

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

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

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

Comment: Stormwater will be collected within the site via a series of stormwater pits and gutters on the site connected to an underground on site detention tank draining to a new kerb inlet drainage pit in Macarthur Road. The stormwater drainage pipe is proposed to connect into the new kerb inlet pit via a proposed drainage easement through the adjoining LAHC-owned property to the west. Roof water will be collected from downpipes and connected to an underground rainwater tank for

recycling with overflow connected to the underground detention tank. Identified Requirement (No. 13) recommends that sediment control measures be implemented during construction in accordance with Council requirements and/or the guidelines contained in the Blue Book *Managing Urban Stormwater: Soils and Construction* (4th edition, Landcom, 2004). Identified Requirements (Nos 6, 42 and 43) are applied to the activity determination recommending that stormwater management of the activity is designed in accordance with Camden 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 removal of 3 trees is proposed for this site however, these trees have been identified by the Arboricultural Impact Appraisal and Method Statement prepared by Naturally Trees (*Appendix J*) to be of low ecological significance and suitable for removal. Appropriate replacement planting is proposed to replace tree cover on the site and increase the variety of species. 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.

The 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 Camden LGA. The s10.7 planning certificate (*Appendix F*) has not identified the site as being potentially contaminated. Notwithstanding, the draft Contaminated Land Planning Guidelines (draft Guidelines) prepared by the Department of Planning and Environment and the Environment Protection Authority provides a checklist of matters to be considered in an initial evaluation of land in relation to potential for contamination. These matters are considered in the following table.

Previous evidence of contamination	Yes/ No	Response
a) Was the subject land at any time zoned for industrial, agricultural or defence purposes?	No	LAHC records indicate that the land has been used for residential purposes since the early 1950's.
(b) Do existing records held by the planning authority show that a potentially contaminating activity listed in Table 1 in Appendix 1 has previously been approved or carried out on the subject land? (The use of records held by other authorities or libraries is not required for an initial evaluation.)	No	LAHC records indicate that the land has not been used for a potentially contaminating activity listed in Table 1, Appendix 1 of the draft Guidelines.
(c) Is the subject land currently used for a potentially contaminating activity listed in Table 1 in Appendix 1?	No	All of the lots contain a single storey detached dwelling and associated structures.
(d) Has the subject land ever been regulated through licensing or other mechanisms in relation to any potentially contaminating activity listed in Table 1 in Appendix 1?	No	LAHC records indicate that the land has not been regulated through licensing or other mechanisms.
(e) Are there any land use restrictions on the subject land relating to possible contamination, such as orders or notices issued under the CLM Act?	No	As noted in the section 10.7 certificates, there are no land use restrictions relating to contamination under the CLM Act.
(f) Has a site inspection indicated that the site may have been associated with any potentially contaminating activities listed in Table 1?	No	A site inspection did not reveal any evidence of potential contaminating activities.
g) Are there any contamination impacts on immediately adjacent land which could affect the subject land?	No	Immediate adjoining development is residential.
(h) Are there any human or environmental receptors that could be affected by contamination?	No	A standard identified requirement (No. 17) has been recommended to cover the possibility of discovering site contamination during demolition / construction works.
i) Is the site adjacent to a site on the EPA's list of notified sites under s60 of the CLM Act, or adjacent to a site regulated by the EPA under the CLM Act?	No	A review of the EPA's register of notified sites indicates that the land is not adjacent to a notified site under s60 of the CLM act or a site regulated by the EPA under the CLM Act.

**Identified Requirement No.17** requires implementation of management measures in the unlikely event of contamination prior or during construction works.

## 6.7 Camden Local Environmental Plan 2010 (CLEP 2010)

Compliance with the relevant provisions / development standards set out in the CLEP 2010 is demonstrated in **Table 12** below.

Table 12 Camden Local Environmental Plan 2010

Relevant Provisions / Development Standards for Seniors Housing			
Clause	Provision / Development Standard	Required	Provided.
4.3	Height of Buildings	(2) The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map (9.5m).	Maximum building height (measured in accordance with the LEP definition) is 9.405 metres.
4.4	Floor Space Ratio	(2) The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the Floor Space Ratio Map (Not Applicable).	Proposed FSR is 0.535:1.
7.2	Airspace operations	(1) This clause applies in relation to a development application if – (a) the proposed development is on land shown on the Obstacle Limitation Surface Map for which an obstacle limitation surface is identified and the consent authority is satisfied the proposed development will penetrate the obstacle limitation surface,...	The subject site is located within the Obstacle Limitation Surface area established within a radius of approximately 5km of Camden Airport. However, the development is not anticipated to penetrate the obstacle limitation surface given the proposed height of 9.405m.

## 6.8 Camden Development Control Plan 2019

*Camden Development Control Plan 2019* (CDCP 2019) does not contain specific development controls for seniors housing. As such, the building setbacks for multi dwelling housing have been used for comparative purposes to demonstrate the suitability of the site for the proposed scale of the development as shown in **Table 13** below.

The general controls for all development set out in CDCP 2019 have generally been addressed in the various sections of this REF that address compliance with the provisions of the Housing SEPP.

Table 13 Camden Development Control Plan 2019

Compliance with setback controls for multi-dwelling housing		
Multi-dwelling housing		
Clause	Requirement	Proposed
4.6 - Table 4 – 7: Controls for Multi Dwelling Housing	Front setbacks: 4.5m	Complies. <u>Macarthur Road:</u>

## Compliance with setback controls for multi-dwelling housing

	<p>Or</p> <p>In established areas, the front setback must be consistent with the prevailing setback established by adjacent development. The prevailing setback calculated as being the average distance of the setbacks of the nearest two dwelling houses having a boundary with the same primary road.</p> <p>Secondary street setback:</p> <p>Min 2m</p> <p>Note from DCP - 4.2.4 - Setbacks: In the case of corner allotments, the primary street frontage is taken to be the boundary which is the shorter of both frontages. The rear setback is taken to be the opposite boundary to the primary frontage.</p>	<p>- 6m from building line</p> <p>- 3.65m from upper level balconies</p> <p><u>Burrawong Crescent:</u></p> <p>- 5m from building line</p> <p>- 3.2m from upper level balconies</p> <p>The primary street frontage is identified as Macarthur Road with Burrawong Crescent nominated as the secondary frontage based on relevant boundary lengths. Furthermore, the DCP under clause 4.2 - General Residential Development Controls, allows for architectural building design elements (including balconies) to encroach 1.5m into the prescribed front setback area provided such elements have a positive effect on the streetscape.</p> <p>The projections and recesses in the front façade of Block A provide articulation and contribute to an interesting and attractive building. The development also leads to generous landscaped deep soil areas within the front setback to enhance the appearance of the development. As such, the encroachment of balconies within the front setback is not considered as causing adverse visual amenity impacts along the existing streetscape.</p>
<b>4.6 - Table 4 – 7: Controls for Multi Dwelling Housing</b>	<p>Side setbacks</p> <p>Ground floor: 0.9m</p> <p>Upper floor: 4m</p> <p>Rear setbacks</p> <p>Ground floor: 4m</p> <p>Upper floor: 6m</p> <p>Note from 4.2.4 - Setbacks: In the case of corner allotments, the primary street frontage is taken to be the boundary which is the shorter of both frontages. The rear setback is</p>	<p>Complies.</p> <p>Northern side setback to Block B:</p> <p>6.47m</p> <p>Western side setback to Block A:</p> <p>Min 2.8m to balcony of Unit 14, majority of building setback 4m</p> <p>The majority of Block A is adequately setback from the western side boundary in accordance with the DCP controls, however some minor encroachments occur due to the existing lot configuration and its impact on building positioning.</p>

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

	<p>taken to be the opposite boundary to the primary frontage.</p>	<p>The developments located on the adjoining western properties are well separated from the proposed development by the existing driveway and carparking area for 22-26 Macarthur Road and backyard of 10 Burrawong Crescent.</p> <p>A privacy screen is proposed along the western edge of the balcony to Unit 14. A 1.8m high boundary fence as well as Lily Pilly hedging of mature height 3 to 5m is proposed along the western side boundary.</p> <p>The proposed development is therefore not anticipated to lead to adverse amenity or privacy impacts.</p>
--	---	--

## 7 Notification, Consultation and Consideration of Responses

### 7.1 Council Notification

In accordance with sections 43 and 108C of the Housing SEPP, Camden Council was notified of the development by an initial letter dated 29 November 2023 and a subsequent letter dated 5 December 2023 detailing the accurate due date for receipt of submissions (refer to **Appendix G**). The notification response period formally closed on 15 January 2024 and Council responded to the notification by letter dated 16 January 2024, with matters raised outlined in **Table 14** below. A response is provided in relation to the matters raised in Council's comments and where appropriate, these matters have been addressed in the identified requirements in the Activity Determination.

Table 14 Issues raised in Council submission

Issues raised	Response
<b><u>Stormwater Infrastructure</u></b>	
The stormwater pipe between the 900 x 900 pit and new KIP is to be minimum diameter 375mm RCP and the KIP is to be minimum 1.2m lintel. This will be assessed and requested as part of the Public Road Activity application.	The civil plans have been revised in response to Council's submission. Refer updated Civil Plans in <b>Appendix C</b> .
Drainage easement width shall be 3m (not 1.5m) noting Table 3.12 of Camden Council's Engineering Design Specification. Stormwater line may need to be relocated should this impact existing building envelope of 26 Macarthur Rd, Elderslie.	The civil plans have been revised in response to Council's submission. Refer updated Civil Plans in <b>Appendix C</b> .
<b><u>Public Infrastructure</u></b>	
Any required alterations to public infrastructure (including ramps, footpaths, kerb and gutter, light poles, kerb inlets, service provider pits, street trees or any other public infrastructure) must be approved by Council under the Roads Act 1993. Any costs incurred will be borne by the developer.	<p>Clause 5 of Schedule 2 of the savings, transitional and other provisions of the Roads Act 1993 provides that a Public Authority, such as the Land &amp; Housing Corporation, does not require consent from a Road Authority to exercise its functions in respect of an unclassified road that is not a Crown Road.</p> <p>However, all proposed works within the public road and footway shall be designed and constructed to Council's standards and specifications and a copy of the detailed plans submitted to Council prior to work commencing. The builder shall arrange for necessary inspections by Council whilst the work is in progress or after completion of the works.</p>
<b><u>Security Bond and Performance Bond</u></b>	
A security bond and performance bond must be lodged with Council in accordance with Council's Development Infrastructure Bonds Policy. These bonds will be required as part of the Public Road Activity application.	The payment of a security and performance bond is not considered to be appropriate for a Crown authority. The Land & Housing Corporation will ensure works are undertaken to Council's specifications.

Issues raised	Response
	Further, the cost of repairing any damage caused to Council's assets in the vicinity of the site as a result of construction works shall be met in full by the building contractor. This is covered under Identified Requirement no. 71.
<b><u>Lot Consolidation</u></b>	
It is unclear if lot consolidation is proposed, however given the housing layout, design of stormwater system and means of access / parking, it is suggested that the Torrens lots are consolidated to remove the need for easements.	Consolidation of existing lots is proposed. This is covered under Identified Requirement no. 5.
<b><u>Driveway Requirements</u></b>	
It is noted that to build the stormwater line in the proposed easement (across 26 Macarthur Rd, Elderslie), a portion of the existing driveway will need to be removed. This area is to be fully reinstated to match existing or bettered.	A notation is included in revised civil plans to reflect Council's request ( <b><i>Appendix C</i></b> ). The notation is as follows:  "Portion of the existing driveway affected by stormwater drainage easement be fully reinstated to match the existing after completion of works."
While site work is being carried out, all redundant driveway laybacks along all of the site's road frontages must be sealed and restored to match the existing standards along those roads.	This is covered under standard Identified Requirement no. 11.
<b><u>Erosion and Sediment Control</u></b>	
All requirements of the erosion and sediment control plan and/or soil and water management plan shall be maintained at all times during the works and any measures required by the plan shall not be removed until the site has been stabilised.	This is covered under Identified Requirement no. 13.
<b><u>Road Verges</u></b>	
Any unpaved road verges directly adjoining the property must be reconstructed with grass species listed in Council's engineering specifications.	An Identified Requirement (no. 78) is recommended to this effect.
<b><u>Dilapidation Report</u></b>	
Before any site work commences, a dilapidation report must be prepared by a suitably qualified person. The report must include a photographic survey of existing public infrastructure surrounding the site including (but not necessarily limited to) road carriageways, kerbs, footpaths, drainage structures and street trees.  Should any public property or the environment sustain damage during the course of and as a result of works, or if the works put Council's assets or the environment at risk, Council may carry out any works necessary to repair the damage or remove the risk. The costs incurred will be deducted from the developer's damages bond.	This is covered under standard Identified Requirement no. 71. An additional Identified Requirement (no 79) is recommended to require the preparation of a dilapidation report.

Issues raised	Response
The report must be submitted to Council 2 days before any site works commences. The development must comply with all conditions that the report imposes.	

## 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 Camden Council regarding additional persons or property that should be notified of the development via an email dated 4 November 2022. Council provided an email response on the same day advising that the notification map is acceptable to Council. Updated confirmation of land owner details was provided by Council on 22 November 2023. **Figure 18** illustrates the properties in which the occupiers and landowners were notified of the development.

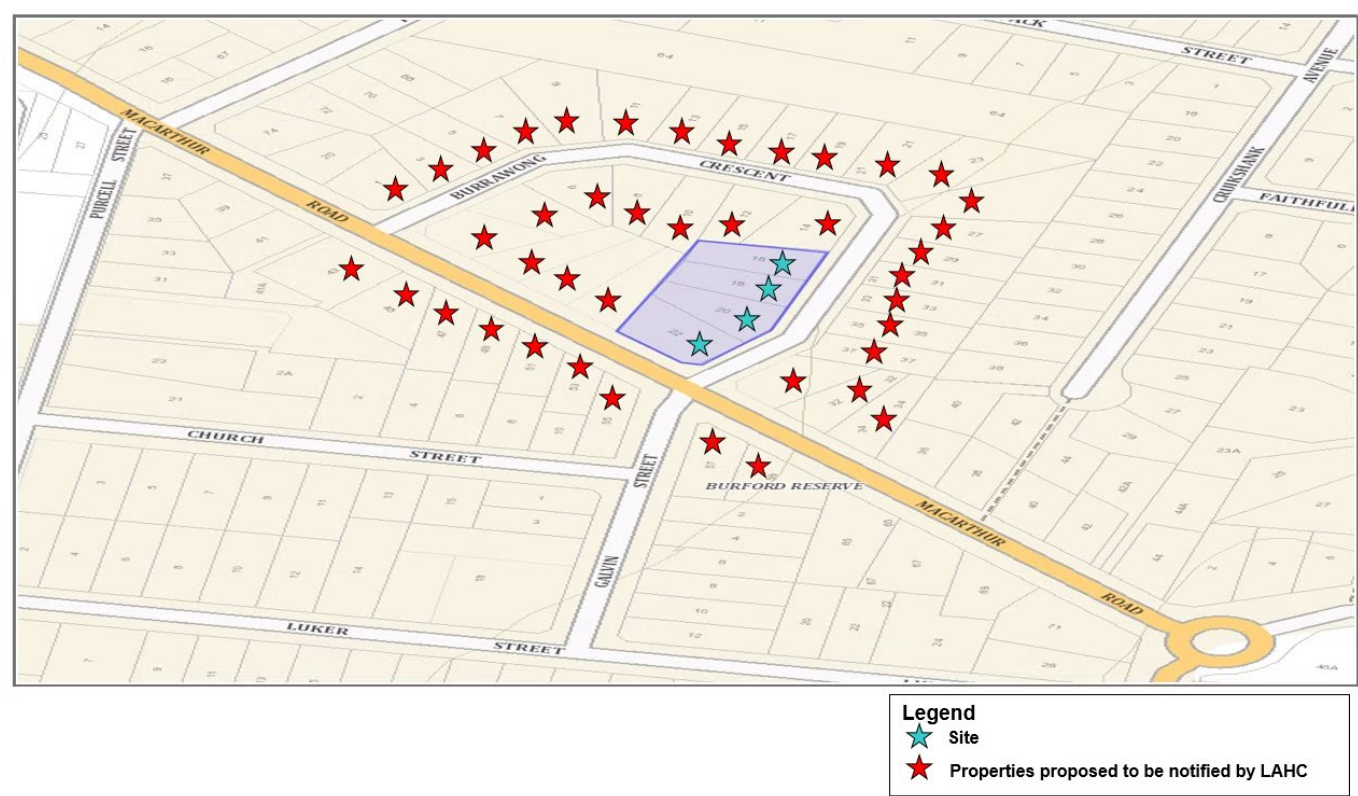


Figure 20 Map of Properties Notified of the Proposed Development (Source: LAHC)

Under sections 43(1)(b) and 108C(1)(b) of Housing SEPP, occupiers and owners of adjoining land, as identified in the above map, were notified of the proposed development activity by initial letters dated 29 November 2023 and a subsequent letter dated 7 December 2023 detailing the accurate due date for receipt of submissions. A sample of the notification letter is provided at **Appendix G**.

The notification response period formally closed on 15 January 2024 and seven submissions were received. A response to the issues raised are discussed in **Table 15**.

Table 15 Issues raised by adjoining owners / neighbours

Issues raised	LAHC Response
<ul style="list-style-type: none"> <li>Concerns regarding proposed external colour palette (use of <i>too much dark colours</i>) of the development and its impact on people's emotional state</li> </ul>	<p>The northern and southern elevations illustrate the predominant use of White Haven brick colour which is the lightest shade of brick proposed for this development.</p> <p>The selection of colours for the proposed development upholds the built form design principles of the <i>Seniors Living Policy: Urban Design Guidelines for Infill Development</i> (SLUDG) which requires variation in materials and colours to reduce the visual bulk of a development.</p>
<ul style="list-style-type: none"> <li>Concerns of car parking adequacy for residents and visitors</li> <li>Concerns with on-street parking and impact on easy manoeuvrability of vehicles by adjoining owners and request for a "no standing" zone.</li> </ul>	<p>In accordance with the requirements set out under the Housing SEPP, the proposed development is required to provide 4 car parking spaces. 9 on-site vehicle parking spaces (including 4 accessible spaces) are provided for the development, resulting in an excess provision of 5 spaces.</p> <p>It is important to note that the subject site is located less than 400m from bus stops (Stop ID:257017 and 257031) and is connected to the relevant bus stops by a pedestrian pathway identified as having an acceptable gradient in accordance with the requirements set out under the Housing SEPP.</p> <p>Furthermore, as detailed in Traffic and Parking Impact Assessment prepared by Stanbury Traffic Planning and dated November 2023, Burrawong Crescent provides an approximate pavement width of 7.5m facilitating one lane of traffic in each direction in conjunction with unrestricted parking along both kerb alignments. It is noted that two-way traffic flow occurs under courtesy conditions when kerb-side parking is present along both kerb alignments.</p> <p>Any concern with on-street parking, including any request for a "no standing" zone is a Council matter and would have to be directed to and addressed by Council.</p>
<ul style="list-style-type: none"> <li>Concerns with seat location within the rear common open space area and potential impacts on privacy, especially on Unit 4.</li> </ul>	<p>The proposed garden bench/seat is nestled among proposed landscaping (specifically Ornamental Pear) with a mature height ranging from 7m to 10m. This provides the opportunity for users to enjoy shading from the sun.</p> <p>Additionally, 12 Little Jet Bottlebrush shrubs of mature height 1.4m are located adjacent to Unit 4 serving as a buffer between the unit and proposed rear seat. Also, the relevant garden</p>

Issues raised	LAHC Response
	<p>seat is located approximately 1.4m from Unit 4 and at a lower elevation than the proposed building.</p> <p>The benches are also for resident use only rather than the general public.</p> <p>It is considered that the proposed location of the rear seat within the common open space area will have minimal impacts on the privacy of future residents of Unit 4.</p>
<ul style="list-style-type: none"> <li>Concerns with loss of tree located within proposed parking area.</li> <li>Concerns with proposed replanting and the need for well-advanced trees.</li> </ul>	<p>As detailed in the Arboricultural Impact Appraisal and Method statement prepared by Naturally Trees dated September 2023, 3 trees will be removed to facilitate the proposed development.</p> <p>The Liquidambar styraciflua which is proposed for removal (Tree 4, located within proposed parking area) is identified as having failed limbs with split branch and is rated as Z9. Z9 trees are recognised as being severely damaged and/or structurally defective and are therefore considered as not worthy of being a material constraint.</p> <p>The loss of 3 existing trees will be mitigated through the planting of 21 new trees which will include semi-mature trees in prominent locations. These proposed trees will have the ability to reach significant height without excessive inconvenience and be sustainable into the long term with the potential of contributing to the local amenity and character.</p>
<ul style="list-style-type: none"> <li>Concerns with location of waste bin collection point</li> </ul>	<p>The waste bin collection point is in consideration of the proposed waste room location which serves as a convenient point for residents of both Block A and B. A Waste Management Plan has been provided which identifies collection vehicles as capable of parking adjacent to the Burrawong Crescent frontage for kerbside collection.</p> <p>Additionally, Camden Council did not raise any concerns with the location of the waste bin collection point.</p> <p>Waste collection for the site according to Camden Council, occurs every Tuesday between 5am to 1pm. Waste collection usually does not continue for an extended period of time in one location and is not considered to greatly impact traffic conditions along Burrawong Crescent.</p>

Issues raised	LAHC Response
<ul style="list-style-type: none"> <li>• Inclusion of solar panels</li> <li>• Opportunity to develop state-of-the-art sustainable designs</li> </ul>	<p>Solar energy systems will be included to minimise the use and cost of access to natural resources.</p> <p>The development incorporates passive and active sustainable design, durable and low maintenance materials, and appropriately sized units to reduce running costs. The proposed development leads to 80% of living areas and private open space areas achieving a minimum of 2 hours of direct solar access between 9am and 3pm mid-winter.</p> <p>Each unit is provided with an area of private open space with attractive gardens at ground floor level, planted with low maintenance species to attract bird life without requiring regular watering. High quality landscaping across the site will enhance the amenity for residents.</p> <p>Overall, the development exceeds the sustainability targets and achieves an average NatHERS rating of 7.5 stars.</p>

## 7.3 Notification of Specified Public Authorities

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

## 8 Review of Environmental Factors

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

---

### 8.1 Neighbourhood Character

The site is located within an established residential area generally supporting single and double storey detached dwelling houses. The dominant form of development in the locality is older style detached, brick or fibre cement dwellings. These dwellings tend to sit within lightly landscaped settings and have predominately tiled or sheet metal, pitched roofs. Within the local area are more recent additions including larger, two storey dwellings, multi dwelling housing and seniors housing. Contemporary residential development in the locality of the proposed development is suggestive of a transition of character in the Elderslie suburb and likely future development. It is anticipated that the proposed development may act as a catalyst for modern, medium density development in this area of Elderslie, while maintaining the low density scale of the neighbourhood character.

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

#### Mitigation Measures

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

---

### 8.2 Bulk and Density

The proposed development is consistent with the bulk and scale of surrounding development in the locality of Elderslie. The 2 storey buildings incorporate appropriate setbacks distinguished by a variety of articulation features, external finishes and materials to reduce the visual bulk of the development. The development is split into two separate buildings designed with suitable façade articulation and roof form to minimise bulk and scale.

The proposal incorporates a floor space ratio of 0.535:1 and a maximum height of 9.405m which is consistent with a low-density residential area and compliant with CLEP 2010. The FSR and 2-storey built form is sympathetic to the surrounding context and is an appropriate response to the desired future character envisaged for the R2 Low Density Residential zone, which encourages a variety of housing types. The proposed development is consistent with the objectives of the R2 zone as it provides seniors housing that meets the identified needs of the community and includes a mix of 1 and 2 bedroom units. The proposal is therefore consistent with the relevant objectives of the R2 zone.

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

**Mitigation Measures**

No mitigation measures are required.

---

## 8.3 Streetscape

The architectural style of the proposed development activity is compatible with the form of medium density development emerging in the surrounding locality. The street façade is divided into a number of distinct elements, separated with substantial landscaping resulting in a finer grained streetscape appearance. The hardstand parking area will be generally obscured from the streetscape through the siting of the dwellings and significant landscaping within the front setback.

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

The built form has been designed to address the street frontages through incorporation of street facing windows and doors, as well as terraces and balconies within the front setback, improving casual surveillance of the street.

**Mitigation Measures**

No mitigation measures are required.

---

## 8.4 Visual Impact

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

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

New landscaping within the front setback will incorporate the planting of several trees including Coastal Banksia (12 to 15m), Blueberry Ash (6 to 8m), QLD Qondong (7 to 10m), Flax Leaf Paperbark (12 to 15m), Sweeper Waterhousia (8 to 10m) and Water Gum (5 to 7m) and various shrubs with a mature height of 0.4 to 3m.

Well considered tree and shrub planting along the side and rear boundaries of the site ensures long-term visual amenity for neighbouring properties and improves the appearance of the site from Macarthur Road and Burrawong Crescent.

**Mitigation Measures**

No mitigation measures are required.

---

## 8.5 Privacy

A high level of internal and external privacy is maintained by the proposed development activity through a range of measures including careful and considered site landscaping and location of deep soil zone, new 1.2-1.8m high perimeter fencing, adequate site setbacks and strategic placement of windows to avoid direct overlooking of neighbours. In particular:

---

- Terraces and balconies associated with Units 1, 2, 5, 10, 11, 14 (Block A) and Units 6, 9, 15, 18 (Block B) are orientated toward Macarthur Road and Burrawong Crescent, with landscaping, including trees and shrubs, proposed within the front setback to improve streetscape amenity and privacy for future residents.
- Terraces and balconies associated with Unit 3, 4, 12 and 13 (Block A) and rear terraces and balconies associated with Unit 6, 7, 8, 9, 15, 16, 17 and 18 (Block B) are orientated toward the central common area of the site and as such will not directly overlook the windows or private open space at adjacent sites. The use of landscaping throughout the site as well as appropriate setbacks between the building forms will ensure privacy for future residents.
- The majority of balconies are orientated away from adjoining residential development, and all are treated with privacy screens to minimise overlooking across common boundaries and within the development. Balconies on the western façade of Block B are set back approximately 20m from the western common boundary.
- The proposed dwellings have been designed in accordance with the requirements of the *National Construction Code* for sound and impact transmission so that acceptable noise levels between dwellings and adjoining properties are achieved.
- Visual and acoustic privacy within the development and to adjacent neighbours is provided and maintained through the strategic use of privacy screens, considered window locations including high sill windows, and screen planting.
- The front setbacks are consistent with the intent of CDCP 2019 and the prevailing building line on Burrawong Crescent and Macarthur Road and include substantial landscaping to further mitigate privacy impacts particularly for private open space areas located between the building line and front boundary.
- Side and rear setbacks are compliant with the intent of CDCP 2019. Planting is used within the side and rear setbacks providing privacy for adjoining dwellings.
- Extensive landscaping has been provided internally within the site to provide a visual and acoustic buffer between the car parking area, adjoining dwellings within the development and those on neighbouring properties to the west and north.
- Fencing provided within the front setback will create a delineation between private and public space and improved privacy for residents.
- Habitable rooms are located away from parking, driveway and paths where possible or screened/separated by landscape planting.
- Further screening between the proposed development and adjoining neighbours is achieved through the retention of significant existing trees (Trees 3, 6 and 7) along common boundaries.
- Proposed 1.8m fencing on common boundaries will mitigate potential unacceptable overlooking from ground level units into adjoining properties.

### Mitigation Measures

No mitigation measures are required.

## 8.6 Solar Access

The design and siting of the proposed development will provide adequate daylight access to the proposed dwellings living areas, private open spaces and the private open space areas of neighbouring properties in accordance with the Housing SEPP.

The submitted Architectural Plans indicate that 77.8% (14/18 units) of dwellings receive at least 2 hours direct solar access to the living and private open space areas on June 21, which meets the requirement under the Housing SEPP.

Whilst the intent of the *Seniors Living Policy: Urban Design Guidelines for Infill Development* is to achieve 3 hours of solar access; it is acknowledged that this is an aim rather than a requirement. It is noted that 50% (9/18 units) of proposed dwellings will receive 3 or more hours of sunlight to their living areas between 9am and 3pm on June 21. 83.3% (15/18 units) of proposed dwellings will receive 3 or more hours of sunlight to their private open space during the same time period (refer to solar access diagrams in *Appendix A*).

Shadow diagrams confirm the proposed development will facilitate sunlight to living areas and private open space of the dwellings on adjoining sites. Overshadowing impacts are negligible to adjoining properties as the majority of shadowing impacts are located within the site and the Macarthur Road and Burrawong Crescent reserve.

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

### Mitigation Measures

No mitigation measures are required.

---

## 8.7 Overshadowing

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

At 9am in mid-winter, shadows generated by the proposed development are generally contained within the site and extend into Macarthur Road reserve. There is no overshadowing to neighbouring properties.

At 12noon in mid-winter, shadows generated by the proposed development are generally contained within the site.

At 3pm in mid-winter, shadows generated by the proposed development extend mainly to Burrawong Crescent road reserve.

Overall, the shadow diagrams demonstrate there will be minimal overshadowing impacts to neighbouring dwellings.

### Mitigation Measures

No mitigation measures are required.

---

## 8.8 Traffic & Parking

There are 9 surface car parking spaces proposed for residents, including 4 accessible spaces. The provision of on-site car parking exceeds the parking requirements set out in the Housing SEPP for developments carried

out by LAHC by 5 spaces. Unrestricted street parking is available on Burrawong Crescent to accommodate any overflow parking demand generated by the proposed development.

The Traffic and Parking Impact Assessment report (*Appendix S*) indicates that the development will result in a minimal increase in traffic activity. The proposal is likely to generate a maximum of 8 vehicle movements to and from the subject site during peak hours, or 4 additional trips over and above that capable of being generated by the existing detached dwellings located within the subject site. The additional traffic is not projected to, in itself, result in any unreasonable impacts on the existing operational performance of the surrounding local road network.

The Traffic and Parking Impact Assessment examined the adequacy of the proposed internal driveway and parking arrangement. The assessment confirmed that the car park layout, including the proposed parking spaces and associated aisle width, was compliant with the applicable standards.

### Mitigation Measures

No mitigation measures are required.

---

## 8.9 Flora and Fauna

An Arboricultural Impact Assessment and Method Statement has been prepared for the site by Naturally Trees (*Appendix J*). The report considers 7 trees, 2 of which are located within the site (Trees 2 and 4), 1 tree straddling the boundary of the subject site and a western adjoining property (Tree 5) and the remaining 4 located on adjacent public (Tree 1) and private property (Trees 3, 6 and 7).

The report recommends the removal of 3 existing trees (Trees 2, 4 and 5) based on the following reasons:

- Tree No. 2 – Categorised as not worthy of being a constraint. This tree is located within the proposed development footprint and would be impacted by an unavoidable major encroachment within the tree protection zone.
- Tree No. 4 – Categorised as not worthy of being a constraint and identified as having defects – failed limbs and split branch. This tree is located within the proposed development footprint and would be impacted by an unavoidable major encroachment within the tree protection zone.
- Tree No. 5 – Categorised as not worthy of being a constraint and located within the proposed development footprint.

A tree protection zone (TPZ) will be established for retained trees 1, 3, 6 and 7. Given the extent of encroachment of the proposed driveway into the tree protection zones for Trees 6 and 7, it is recommended in the Arboricultural Impact Assessment (*Appendix J*) that the proposed driveway be constructed at grade and existing ground level be maintained to avoid severance of structural roots. Further appropriate protective measures are detailed in the Arboricultural Impact Assessment to ensure successful retention of these trees.

Appropriate replacement planting is proposed, including Coastal Banksia (12 to 15m), Blueberry Ash (6 to 8m), QLD Quandong (7 to 10m), Crepe Myrtle (5 to 7m), Flax Leaf Paperbark (12 to 15m), Ornamental Pear (7 to 10m), Sweeper Waterhousia (8 to 10m) and Water Gum (5 to 7m) and various shrubs with a mature height of 0.4 to 3m, as indicated on the landscape plan and details (*Appendix B*). 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 compensatory planting is proposed.

### Mitigation Measures

Retained trees are to be protected in accordance with the Tree Management Plan contained within the Arboricultural Impact Appraisal and Method Statement (refer *Appendix F*).

Removal of trees within the boundaries of the site is to be carried out in accordance with the trees shown for removal on the approved Landscape Plan and Arboricultural Impact Appraisal and Method Statement and no other trees shall be removed without further approval(s) as required by Identified Requirement No. 20.

---

## 8.10 Heritage (European / Indigenous)

### Aboriginal Heritage

An Aboriginal Heritage Information Management System (AHIMS) search, dated 22 November 2023 (*Appendix I*) did not find any record of Aboriginal Sites or Places on the site or in the surrounding locality and the site is considered to be disturbed land. Consideration of the *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales*, determined that no additional investigation was warranted. Discovery of cultural material during development activities cannot be ruled out, however, an identified requirement has been applied should any Aboriginal relics be discovered on the site during excavation/construction.

### Other Cultural Heritage

No cultural heritage items have been identified in Camden 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. 46 and 47) have been applied should any cultural heritage relics be discovered on the site during excavation / construction.

---

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

### Geotechnical

A Geotechnical Investigation has been prepared by STS Geotechnics (*Appendix P*). The report indicates that because there were buildings and trees present, abnormal moisture conditions (AMC) prevail at the site. As a result of the AMC, the site is classified a *Problem Site (P)*. However, based on the subsurface conditions observed, the site may be re-classified *Moderately Reactive (M)* provided the recommendations given in the geotechnical report are adopted. The report makes the following recommendations.

- Foundation Design - Pad and/or strip footings founded in stiff clays may be proportioned using an allowable bearing pressure of 100 kPa. The minimum depth of founding must comply with the requirements of AS2870.
- Foundation Design - Piers founded in very stiff silty clay materials may be proportioned using an allowable end bearing pressure of 350 kPa, provided their depth to diameter ratio exceeds a value of 4. An allowable adhesion value of 20 kPa may be adopted for the portion of the shaft below a depth of 0.5m and within the very stiff clays.
- Foundation Design - All excavations must be concreted as soon as possible, preferably immediately after excavating, cleaning, inspecting and approval. Pier excavations should not be left open overnight. The possibility of groundwater inflow needs to be considered when drilling the piers and pouring concrete.

- Soil Aggressiveness - The exposure classification for the onsite soils is mildly aggressive to concrete and non-aggressive to steel. In accordance with AS2870-2011, the soils are classified as A2.

### Contamination

According to Council's Section 10.7(2) & (5) Planning Certificates, Council's policy 'Management of Contaminated Lands' applies to the whole of the council area.

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

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

### Acid Sulfate Soils

According to Council's Section 10.7(2) & (5) Planning Certificates, the land is not impacted by any policy pertaining to Acid Sulfate Soils. Additionally, a review of the NSW Government ePlanning Spatial viewer does not identify the land as having the potential to contain Acid Sulfate Soils.

### Salinity

Council's Section 10.7(2) & (5) Planning Certificates indicate Council's policy – Building in Saline Prone Environments applies to the land. The Geotechnical Investigation report prepared by STS Geotechnics Pty Ltd (*Appendix P*) highlights the electrical conductivity values for the site as consistent with the presence of non-saline soils.

### **Mitigation Measures**

Standard Identified Requirement (No.1) is recommended to require compliance with the recommendations of the Geotechnical Investigation prepared by STS Geotechnics Pty Ltd.

Standard Identified Requirement (No.17) is also recommended to address any potential soil contamination occurrence.

---

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

Stormwater drainage for the proposed development has been designed in accordance with Council's requirements. Stormwater will be collected via a series of stormwater pits and gutters on the site connected to an underground on site detention tank draining to a new kerb inlet drainage pit in Macarthur Road via a 3m wide inter-allotment drainage easement through the adjoining LAHC-owned property to the west (22-26 Macarthur Road). Roof water from the proposed development will be collected from downpipes and connected to an underground rainwater tank for recycling with overflow connected to the underground detention tank.

The 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. 6-9, 14 and 42-43) have been recommended to ensure that stormwater drainage is managed in accordance with legislative requirements.

## 8.13 Bushfire Prone Land

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

### **Mitigation Measures**

No mitigation measures are required.

---

## 8.14 Noise and Vibration

### During Demolition / Construction

During demolition/construction typical noise levels associated with demolition/ building works will be generated within the hours 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.

Air conditioning units are proposed to be provided. Specific details of the air conditioning system are to be provided in the detailed construction documentation. Any air conditioning units must be designed and operated in accordance with the acoustic requirements set by EPA Guidelines and the *Protection of the Environment Operations (Noise Control) Regulation 2017*. Acoustic certification is required at construction documentation stage and prior to occupation to ensure that the air conditioning units are appropriately designed and installed. Their operation is also subject to an ongoing use identified requirement.

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

The site is located at Macarthur Road and Burrawong Crescent, both local roads. As such, there will be negligible impacts to future residents as a result of acoustic emissions caused by traffic.

### **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* with respect to noise transmission.

Appropriate identified requirements (Nos. 2, 60 & 80) have been applied to ensure compliance with the above mitigation measures.

---

## 8.15 Air Quality

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

## Mitigation Measures

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

---

## 8.16 Waste Minimisation

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

### During Demolition

- Topsoil will be kept and re-used for landscaping. Where possible material will be stockpiled for re-use for site preparation. Where necessary, material will need to be removed to an approved recycling/land fill site.
- Green waste from trees is to be mulched on site. Some material can be stockpiled for re-use on site. Mulching will be carried out by the onsite contractors. Any stumps unable to be recycled on site can be taken to an approved recycling site. Concrete from existing driveways is to be crushed and used as a temporary driveway then transport to a suitable plant.
- Bricks are to be sorted for recycling. Any broken bricks will be stockpiled for collection by a waste disposal contractor.
- Tiles from kitchens and bathrooms to be sorted for recycling where possible.
- Concrete (if appropriate) will be crushed and re-used for construction access. Remainder will be stockpiled for collection by a recycler.
- Timber will be collected for sorting and resale.
- Plasterboard will be stockpiled on site to be collected by waste contractor.
- Metals will be stockpiled on site to be collected by a waste disposal contractor

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

### 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:

- Excess topsoil from achieving required site levels/grades will need to be removed to an approved recycling/land fill site.
- Minimal green waste expected during landscaping phase.
- Any broken bricks will be stockpiled for collection by a waste disposal contractor.
- Small amount of tile waste may result from pavers used for landscaping and kitchen and bathroom work.
- Concrete waste will be stockpiled for collection by a recycler.
- Timber will be collected for sorting and resale.
- Plasterboard will be stockpiled on site to be collected by waste contractor.

- Metals will be stockpiled on site to be collected by a waste disposal contractor

#### During Occupation

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

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

Green waste will be managed by a general maintenance contractor who will be responsible for collecting and disposing of garden organics offsite and therefore 'green bins' for garden organics are not provided onsite. Food waste from tenants shall be disposed of in general waste.

#### **Mitigation Measures**

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

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

---

## 8.17 Resource Use & Availability

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

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

Solar energy systems will be installed as part of the development, to minimise the use and cost of access to natural resources.

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

#### **Mitigation Measures**

Identified Requirement (No. 81) is recommended to ensure solar energy system installation is carried out by a qualified personnel in accordance with required specifications.

---

## 8.18 Community / Social Effects

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

- assist LAHC in meeting its significant, long-standing and continually-growing demand for social housing in the Camden local government and surrounding area;
- assist LAHC in improving the amenity of accommodation for its tenants, by providing new, more appropriate housing aligning with demand for social housing;

- improve the environmental sustainability of housing on the site, particularly through improved energy and water efficiency; and
- provide more accessible housing on the site.

**Mitigation Measures**

No mitigation measures are required.

---

## 8.19 Economic Impact

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

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

**Mitigation Measures**

No mitigation measures are required.

---

## 8.20 Cumulative Impact Assessment

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

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

**Mitigation Measures**

No mitigation measures are required.

---

## 9 Conclusion

---

### 9.1 Summary of Key Issues Raised in Assessment

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

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

As demonstrated in this REF, the proposed activity is consistent with the relevant objectives and standards set out in the Housing SEPP, CLEP 2010, 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 independent seniors housing dwellings in the local area. Therefore, the proposed development is clearly in the public interest.

---

### 9.2 Recommendation

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

## 10 Appendices

APPENDIX A – ARCHITECTURAL PLANS

APPENDIX B – LANDSCAPE PLANS

APPENDIX C – CIVIL PLAN

APPENDIX D – SURVEY PLAN

APPENDIX E – NOTIFICATION PLANS

APPENDIX F – SECTION 10.7 PLANNING CERTIFICATES

APPENDIX G – NOTIFICATION PUBLIC AUTHORITY LETTERS AND  
RESPONSES

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

APPENDIX T – FIRE ENGINEERING