

REVIEW OF ENVIRONMENTAL FACTORS

Proposed Seniors Housing Development

at

96-98 Brenan Street, Smithfield

June 2024





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Published by Homes NSW

REVIEW OF ENVIRONMENTAL FACTORS

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

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1	June 2024	v1	Initial version	Various
2	July 2024	v2	Final	Various

DOCUMENT SIGN-OFF

REF prepared by:

Having prepared the Review of Environmental Factors:

- I have declared any possible conflict of interests (real, potential, or perceived) to the A/Executive Director of 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.

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- 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.

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

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Date: 5 September 2024

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1 Executive Summary

The subject site is located at 96-98 Brenan Street, Smithfield, and is legally described as Lots 27 & 28 in Deposited Plan 35591. The proposed seniors housing development is described as follows:

Construction of 10 independent living seniors housing units comprising 4 x 1 bedroom and 6 x 2 bedroom units, with associated landscaping and fencing, surface parking for 5 cars, and consolidation into a single lot.

The proposed activity is permissible with consent in the R3 Medium density residential zone (R3) under the *Fairfield Local Environmental Plan 2023* (FLEP 2023). Seniors Housing can therefore be carried out by the NSW Land and Housing Corporation (LAHC) without consent under the provisions of Chapter 3, Part 5, Division 8 of the *State Environmental Planning Policy (Housing) 2021* (Housing SEPP). Pursuant to Clause 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 9.5m in height.

Demolition has not been considered as part of the proposed activity. Demolition is to be approved via a Complying Development Certificate (CDC) or a development consent.

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

The REF demonstrates the following:

- from an analysis of the potential environmental impacts associated with the proposed activity, it has been concluded that the preparation of an Environmental Impact Statement is not required;
- based on a review of the potential environmental impacts resulting from the proposed activity it has been determined that, subject to implementation of mitigation measures to be incorporated as identified requirements, the activity will not have any significant adverse impact on the environment;
- the proposed activity will not have any effect on matters of national significance and its approval under the *Commonwealth Environment Protection and Biodiversity Conservation Act 1999* is not required;
- the design of the proposed activity has adequately taken into account design principles and better practices set out in the *Seniors Housing Design Guide* and taken into consideration *Good Design for Social Housing* and *NSW Land and Housing Corporation's Design Requirements*;
- the site planning and design of the proposed activity adequately address the applicable local environmental planning and development controls of Fairfield City Council;
- a BASIX certificate and NatHERS certificate and stamped plans have been submitted for the proposed activity demonstrating compliance with the State Government's environmental sustainability targets;
- there are no separate approvals, authorisations or notifications required in relation to the proposed activity prior to determination under Part 5 of the EP&A Act or under any other Acts; and
- Fairfield City 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 in 2 parts, one dated 31 May 2024 and a further response on 28 June 2024. Comments on the response are provided in Section 7.1 of this REF. 2 submissions were received from 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**.

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 removal of trees, and the construction of 10 independent living seniors housing units comprising 4 x 1 bedroom and 6 x 2 bedroom units, with associated landscaping and fencing, surface parking for 5 cars, consolidation of the two lots into a single lot at 96-98 Brenan Street, Smithfield.

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

This REF has been prepared by LAHC in satisfaction of the provisions of Part 5 of the Environmental Planning & Assessment Act 1979 (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.

*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.

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;
- recommending identified requirements to ensure the mitigating measures are implemented if the activity were to proceed; and
- outlining the notifications and consultation process that was undertaken prior to the preparation of the REF.

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 *Fairfield Local Environmental Plan 2013* (Fairfield LEP 2013);
- it was determined that seniors housing is ‘permitted with consent’ in the R3 zoning pursuant to the Fairfield LEP 2013, and can be carried out ‘without consent’ under the provisions of the Housing SEPP;
- a desktop analysis and investigation of the site and surrounds was undertaken based on site clearance information provided by the Land and Housing Corporation to determine the suitability of the site for the proposed development activity, particularly taking into account the existing site conditions, constraints and local context;
- a site inspection was undertaken;
- relevant local planning controls and State and Commonwealth Government legislation were considered in the environmental assessment of the proposed development activity;
- an environmental impact analysis was undertaken to determine if an Environmental Impact Statement was required;
- potential environmental impacts identified in the analysis and measures to mitigate these impacts were subsequently discussed in the Review of Environmental Factors; and
- Identified Requirements incorporating the mitigation measures for undertaking the proposed development activity were identified for inclusion in the recommendation for approval of the activity.

3 Existing Site & Locality

3.1 Existing Site and Immediately Adjoining Development

The site is located in the Fairfield local government area (LGA) and comprises 2 residential allotments legally described as Lots 27 & 28 in Deposited Plan 35591. A site location plan is provided at **Figure 1**.

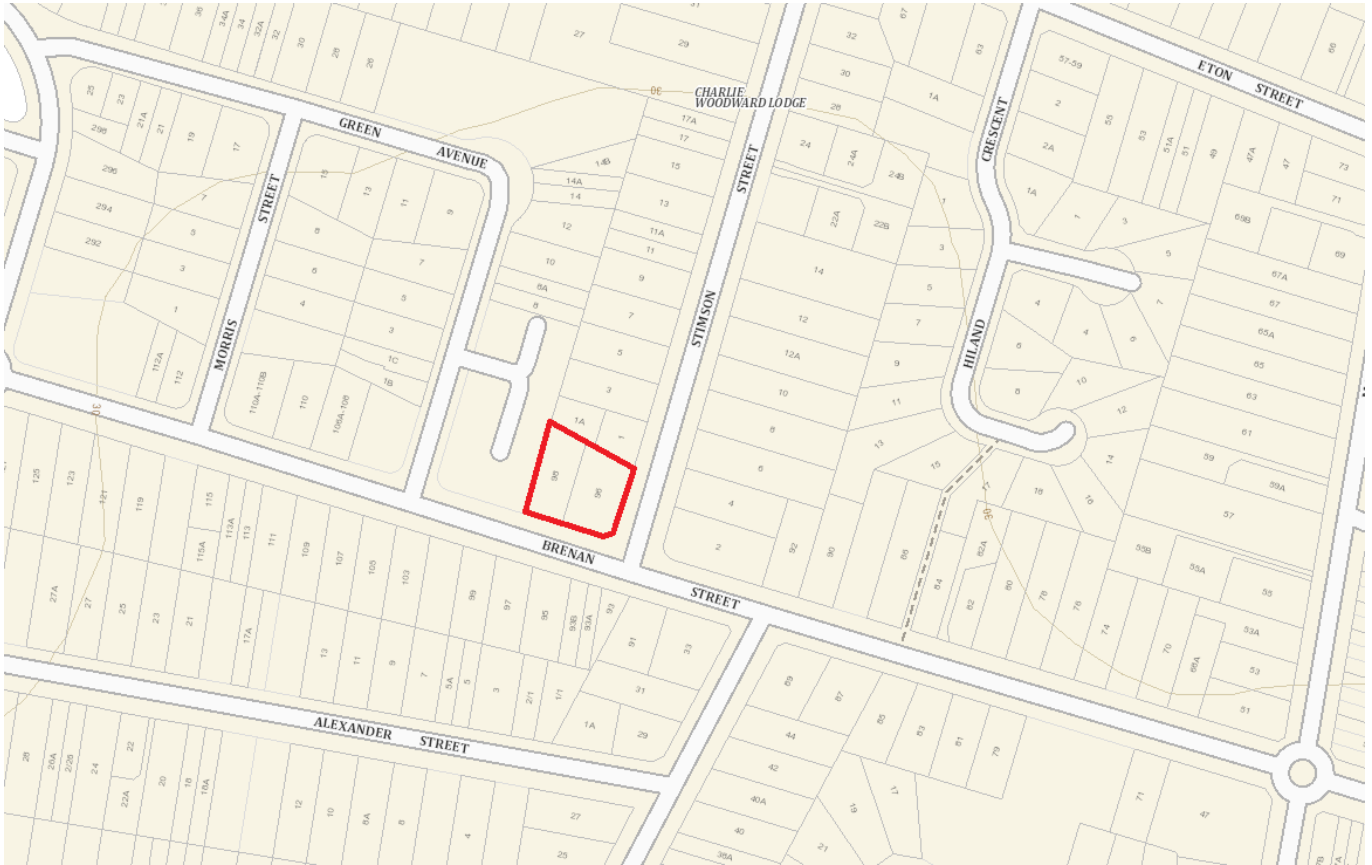


Figure 1 Site Location Plan (Source: SIX Maps)

Existing development at 96 and 98 Brenan Street each currently comprise a single storey fibro dwelling. 96 Brenan St contains a pitched tiled roof form with 98 Brenan St featuring a metal roof form (refer to photographs at **Figure 2 & Figure 3**).



Figure 2 Development site – 96 Brenan St Smithfield (Source: Homes NSW, 2024)



Figure 3 Development site - 98 Brenan St Smithfield (Source: Homes NSW, 2024)

The property west of the site (100-102 Brenan Street) contains a single storey attached brick dual occupancy development with a pitched tiled roof that forms part of a larger multi-dwelling housing complex (refer photograph at **Figure 4**) immediately west of the site. The northern adjoining property at 1 Stimson Street comprises a single storey dwelling with a pitched roof fronting Stimson Street. No. 1A Stimson Street comprises of a battleaxe development containing a single storey dwelling with a pitched roof. The shared driveway serving both 1 and 1A Stimson Street is located adjacent to the subject site's northern boundary. (refer photograph at **Figure 5**).



Figure 4 Dual occupancy development at 100-102 Brenan Street (west of site) (Source: Homes NSW, 2024)



Figure 5 Battle-axe at 1 and 1A Stimson Street (immediately north of site) (Source Google Streetview, 2024)

Copies of the Section 10.7(2) & (5) Planning Certificates (Nos 1557 and 1558) dated 1 May 2024 are provided in **Appendix F**.

The site has a combined surveyed area of 1,403m², a frontage width of 33.5m to Brenan Street, secondary frontage width of 25.7m to Stimson Street, side (western) boundary of 39.63m and a rear (northern) boundary of 40.22m. The site has a splay on its south-eastern corner (refer to the submitted Detail and Level Survey Plan in **Appendix D**).

The site contains a 0.8m cross fall from the front south-west corner of the site at Brenan Street to the north-east corner of the site fronting Stimson Street. The site (Lot 27 & 28 in DP35591) benefits from an easement for drainage located on the adjoining property to the west (Lot 1 DP189907) which enables the site to drain to the street drainage system in Green Avenue. Notwithstanding, the easement is remote from the site and not directly accessible. The easement therefore appears to be redundant and will not be relied upon for the purposes of the subject development. Instead, the site will be drained to Stimson and Brenan Street via a gravity fed drainage system.

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

There are no trees located on the Council verge to both Stimson and Brenan Streets. There are 7 trees located both in and immediately around the site. Of these 7 trees, the Arboricultural Impact Assessment and Tree Management Plan considers that only 3 of these are trees that are protected under the Fairfield LEP 2013, with the remaining 4 exempt trees being either weed species (Privet), undersized or dead trees. One of the exempt trees identified for removal is located on the adjoining owner's property at No.1 Stimson Street, being a dead tree that is in close proximity to the common boundary in the north-east site corner. LAHC has written to the owner requesting their consent for its removal however approval has not yet received as yet. An Identified Requirement (No.35) has been imposed to require that this tree is retained and protected unless owner's consent for its removal is retained.

Traffic and Access

Vehicular access is currently provided to each lot, via a crossover to each property off the public road on Brenan Street. Unrestricted kerbside parking is permitted on both Brenan and Stimson Streets.

Services

Water, electricity, sewer, NBN and gas are available to the site (refer to the submitted Detail and Contour Survey for the location of available services **at Appendix D**). A sewer line, including inspection pits, traverses the northern section of the site. Three power poles are located in the road reserves in front of the site.

Encumbrances

There are no other encumbrances on Certificate of Titles (**Appendix Q**), section 10.7 certificates (**Appendix F**) or indicated on the Detail and Level Survey Plan (**Appendix D**) that restrict the proposed development.

A stormwater easement burdening 96 Brenan Street to the benefit of 98 Brenan Street is located towards the northern boundary. This easement enables both 96 and 98 Brenan Street to drain to the street drainage system in Green Avenue. This easement is not being relied upon for the proposed development and will be addressed as part of the lot consolidation.

3.2 Neighbouring Development and Locality

The site is located within an area characterised predominantly by original housing stock comprising fibro cement and brick single and two storey housing with predominantly pitched tiled roof forms. There are some more recently constructed contemporary-style dwellings including attached dwellings development within the immediate visual catchment of the site (refer to **Figure 6**, *Error! Reference source not found.* and **Figure 8**).



Figure 6 Adjoining development east of development site on eastern side of Stimson Street (Source: Homes NSW, 2024)



Figure 7 Adjoining development north-east of development site on eastern side of Stimson Street (Source: Homes NSW)



Figure 8 Attached dwellings at 93, 93a and 93b Brenan Street (Source: Homes NSW, 2024)

Fairfield Station is located approximately 2.5km walking distance from the site. Fairfield Heights local centre is located approximately 700m walking distance from the site, which provides a range of services and facilities including supermarkets, medical centre, post office, chemist, newsagent and restaurants. Fairfield and Liverpool city centres are accessible by public transport and provide a full range of services and facilities.

The site is well serviced by multiple bus routes all within 400m walking distance of the site. The bus stop (ID: 2164188) fronting the site along the Brenan Street road reserve is serviced by route 808. This route provides

access to Fairfield and Liverpool centres, via Abbotsbury. Approximately 141m south-west of the site is the return bus stop for route 808. The bus services meet the frequency requirements for the land to be classed as 'accessible' pursuant to Section 93 of the Housing SEPP.

The Access Report (**Appendix H**) confirms that the average and individual gradients from the site to the bus stops, as detailed on survey plans, satisfy the relevant access requirements. While the survey identifies a kerb ramp at Green Avenue with a gradient of 1:6 (15.894%), it appears that kerb ramps have been recently reconstructed and improved.

4 Project Description

The proposed activity can be described as follows:

- removal of identified trees and vegetation
- construction of 10 seniors housing units comprising 4 x 1 bedroom and 6 x 2 bedroom units
- associated landscaping and servicing works
- surface parking for 5 cars
- consolidation of 2 lots into 1 single lot.

4.1 Demolition

The proposed activity does not include demolition of the 2 single storey detached dwelling houses and associated structures.

Separate approval for the demolition of the existing dwellings is to be obtained via a Complying Development (CDC) or a development consent (Identified Requirement No.24).

4.2 Removal of Trees

7 trees are located within or immediately adjoining the site. The submitted Arboricultural Impact Assessment and Tree Management Plan (refer to **Appendix J**) outlines that the removal of 4 of these trees is exempt due to the trees being either weed species, undersized, or dead. A dead privet tree located within the adjoining property at 1 Simpson Street straddles the northern boundary and is identified in the Arboricultural Impact Assessment and Tree Management Plan for removal. Attempts have been made to obtain owner's consent for its removal include a letter sent by LAHC's community engagement team on 23 January 2024 and 20 February 2024, however no response has been received. An Identified Requirement (No.35) is recommended to require that this tree is retained and protected unless owner's consent for its removal is obtained.

The Tallowood (tree 2) is proposed for removal and replacement. 2 of the 3 remaining trees being a Lemon Scented Gum (Tree 1) and a Japanese Magnolia (Tree 3) on the site are proposed to be retained and protected.

The tree removal within the site boundaries is recommended primarily to accommodate the proposed development or due to the individual species being considered not significant and not worthy of retention (refer to submitted Arboricultural Impact Assessment and Tree Management Plan in **Appendix J**).

More appropriate tree plantings, including trees capable of reaching mature heights of 5m-20m, 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

A total of 10 independent living units are proposed within a single building on the site, 5 independent living units are proposed on the ground floor and 5 are proposed on the first floor.

The proposed housing represents a contemporary, high-quality design. The use of face brick and vertical cladding for external walls and prefinished metal roofing is consistent with the existing and developing character of the Smithfield suburb. Of the 10 proposed units, 6 will address the street. Units 5 and 10 will address Brenan Street, Units 3 and 8 will address Stimson Street with Units 4 and 9 located at the corner so as to address both the Stimson and Brenan Street frontages. Passive surveillance is maximised through orienting living spaces, balconies and window openings to the street where possible.

Minor cut and fill is proposed to provide a level building platform with a paved carpark located in the rear north-western portion of the site sitting no more than 200mm above existing grade (refer to **Appendix A**).

Two existing trees will be retained on site, including an existing Angophora Tree (T01) within the Stimson Street frontage. A variety of new landscape plantings are proposed to offset the proposed tree removal and enhance the appearance of the site. New plantings will consist of a mixture of new trees, shrubs and groundcovers, which will enhance landscaped setbacks and contribute to the streetscape.

Each unit will be provided with its own enclosed private open space area or private balcony. These spaces are all directly accessible from the living areas of each unit.

A total of 5 surface car parking spaces will be provided on the site, including 2 accessible spaces. This is distributed as follows:

- A shared carpark located in the north-west corner of the site. The carpark comprises 4 at-grade parking spaces including 1 accessible car space.
- A single at-grade a car space. This space is located immediately west of Unit 5 along the site's western side boundary. This space is an accessible car space and will be allocated to the future residents of Unit 5.

Stormwater will be collected via an above ground OSD located immediately beneath the shared carpark in the north-western portion of the site. A series of stormwater pits and gutters on the site enable the tank to drain to a kerb inlet pit on Stimson Street.

Metal fencing in light beige is proposed along the side and rear boundaries (northern and western boundaries) to a maximum height of 1.8m above existing ground level. Facebrick fencing topped with aluminium batten infill will be provided to both boundary fencing (fronting Brenan and Stimson Street) and to ground floor private open space areas ranging in height from 1.4m-1.5m. Fencing along Stimson Street adjacent to the existing Angophora Tree will be provided as aluminium batten fencing with no brick base, to reduce the impact on the TPZ of the tree.

Figure 9 to 13 include extracts from the architectural plans illustrating the proposed development.

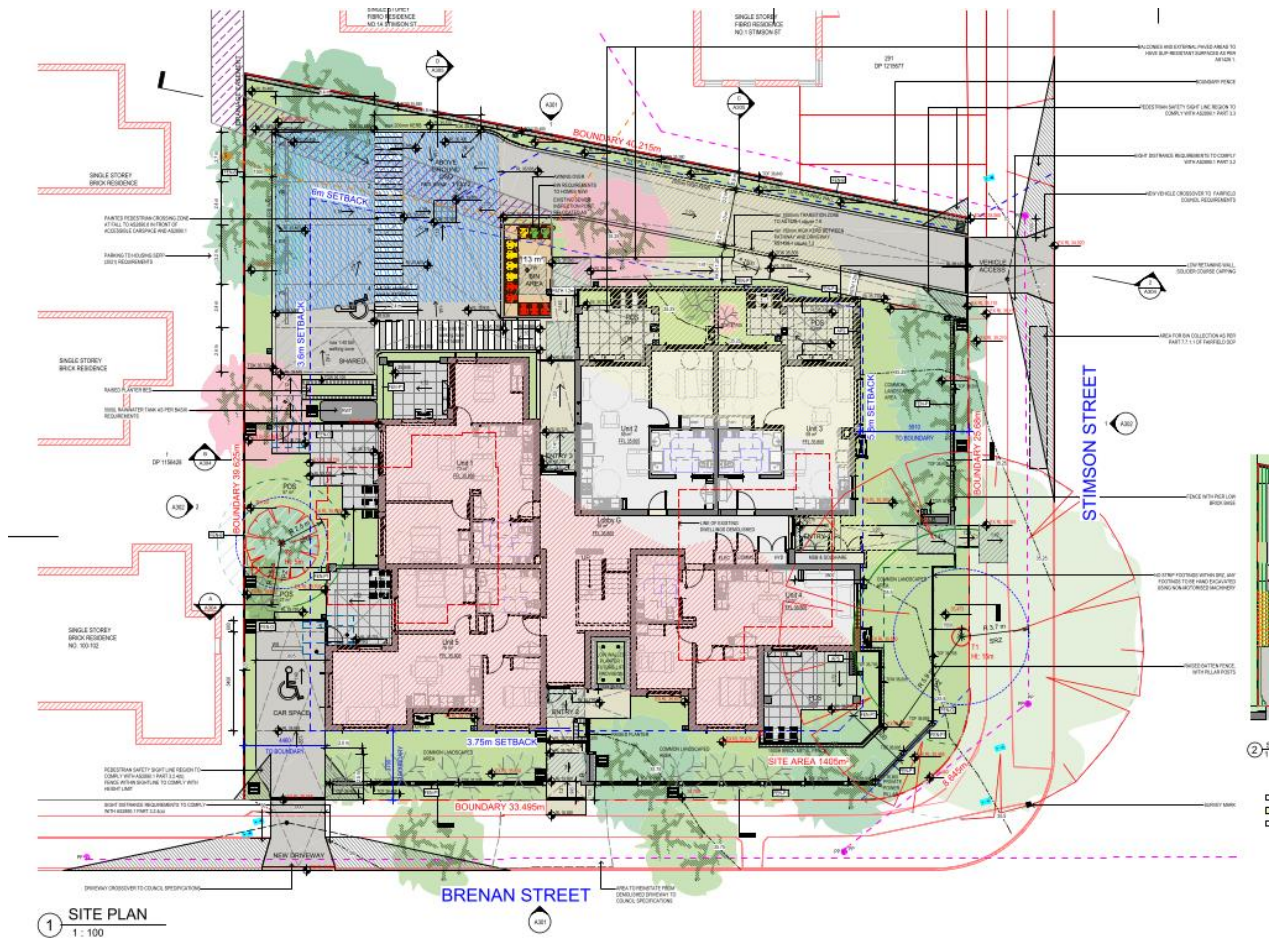


Figure 9 Extract from Architectural Plans – Site Plan (Source: Architectural Plans, SARM Architects, dated 12/03/24)

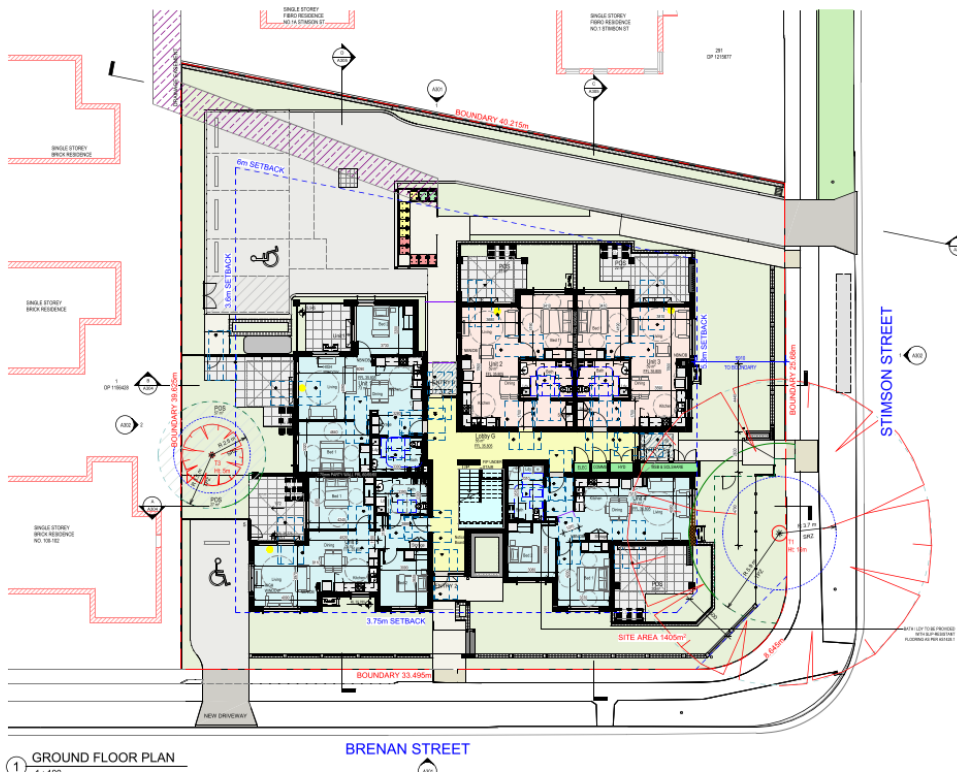


Figure 10 Extract from Architectural Plans – Ground Floor Plan (Source: Architectural Plans, SARM Architects, dated 12/03/24)

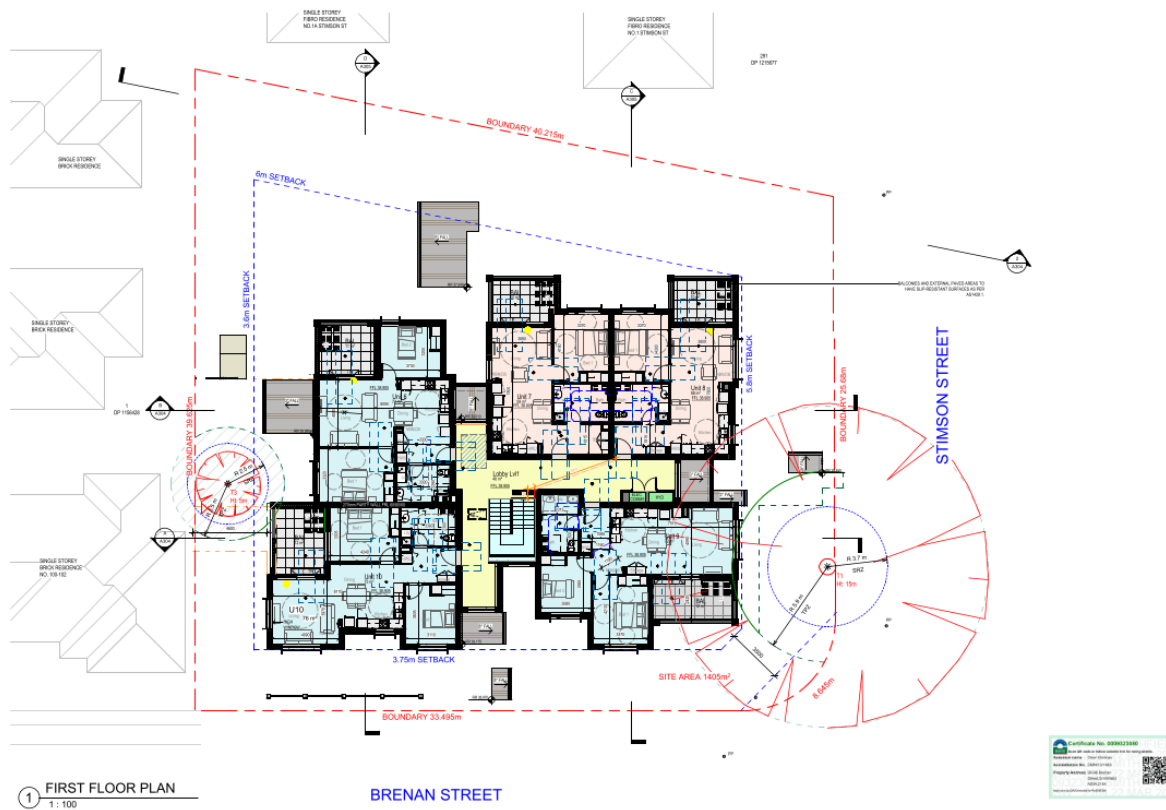


Figure 11 Extract from Architectural Plans – First Floor Plan (Source: Architectural Plans, SARM Architects, dated 12/03/24)



Figure 12 Extract from Architectural Plans – Brenan Street Perspective (above) and Stimson Street Perspective (below) (Source: Architectural Plans, SARM Architects, dated 12/03/24)

① AERIAL VIEW FROM ROAD



② AERIAL VIEW FROM REAR



Figure 13 Extract from Architectural Plans – Aerial view from corner of Brenan and Stimson Street (above) and Aerial view from rear (below) (Source: Architectural Plans, SARM Architects, dated 12/03/24)

4.4 Supporting information

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

Table 1 Supporting documentation

Title / Name:	Drawing No. / Document Ref	Revision / Issue:	Date [dd.mm.yyyy]:	Prepared by:
Architectural – Appendix A				
Coversheet	A000	3	12/03/2024	SARM Architects
Site Analysis	A001	3	12/03/2024	SARM Architects
Context Block Analysis	A101	3	12/03/2024	SARM Architects
Path to Bus Stop Study	A102	3	12/03/2024	SARM Architects
Cut and Fill Plan	A104	3	12/03/2024	SARM Architects
Sediment Erosion & Control Plan	A105	3	12/03/2024	SARM Architects
GFA Calculation	A106	3	12/03/2024	SARM Architects
Site Plan	A201	3	12/03/2024	SARM Architects
Ground Floor Plan	A202	3	12/03/2024	SARM Architects
First Floor Plan	A203	3	12/03/2024	SARM Architects
Roof Plan	A204	3	12/03/2024	SARM Architects
Elevations North & South	A301	3	12/03/2024	SARM Architects
Elevations East & West	A302	3	12/03/2024	SARM Architects
Elevation & Material Schedule	A303	3	12/03/2024	SARM Architects

Title / Name:	Drawing No. / Document Ref	Revision / Issue:	Date [dd.mm.yyyy]:	Prepared by:
Section - Sheet 1	A304	3	12/03/2024	SARM Architects
Sections – Sheet 2	A305	3	12/03/2024	SARM Architects
View from the sun study	A401	3	12/03/2024	SARM Architects
Shadow Diagrams – Winter 9am	A402	3	12/03/2024	SARM Architects
Shadow Diagrams – Winter 12pm	A403	3	12/03/2024	SARM Architects
Shadow Diagrams – Winter 3pm	A404	3	12/03/2024	SARM Architects
View from street	A405	3	12/03/2024	SARM Architects
Aerial Perspective	A506	3	12/03/2024	SARM Architects

Landscape Plans – Appendix B

Landscape Title, Existing trees	L01	C	14/3/2024	Lindy Lean Landscape Architect
Landscape Site Plan	L02	C	14/3/2024	Lindy Lean Landscape Architect
Landscape Planting Concept	L03	C	14/3/2024	Lindy Lean Landscape Architect
Landscape Planting Plan	L04	C	14/3/2024	Lindy Lean Landscape Architect
Landscape Details, Deep Soil Plan	L05	C	14/3/2024	Lindy Lean Landscape Architect

Civil Plans – Appendix C

Notes & Legends	C01	5	19/3/2024	Greenview Consulting
Ground Floor Drainage Plan	C02	5	19/3/2024	Greenview Consulting
Site Stormwater Details Sheet 1	C03	5	19/3/2024	Greenview Consulting

Survey Plans – Appendix D

Detail & Contour Survey	Sheet 1		28/01/2020	TSS Total Surveying Solutions
Detail & Contour Survey	Sheet 2		28/01/2020	TSS Total Surveying Solutions

Access Report – Appendix H

DA Access Report	Project No.CA230016	DA-B	21/03/2024	Accessed
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AHIMS Web Search – Appendix I

AHIMS search	-	-	1/05/2024	Land and Housing Corporation
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Arborist's Impact Assessment and Tree Management Plan – Appendix J

Arborist's Impact Assessment and Tree Management Plan	Ref. 5850.1	4	27/03/2024	Redgum Horticultural
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BASIX – Appendix K

BASIX Certificate	Cert No.1182776N_04	-	22/03/2024	Greenview Consulting Pty Ltd
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BCA report – Appendix L

BCA Compliance Assessment	Ref.P230165	-	13/03/2024	BCA Vision
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Title / Name:	Drawing No. / Document Ref	Revision / Issue:	Date [dd.mm.yyyy]:	Prepared by:
NatHERS Certificate – Appendix N				
Nationwide house energy rating scheme – class 2 summary	Cert No.0009323080	-	22/03/2024	Greenview Consulting Pty Ltd
Geotechnical Investigation Assessment - Appendix P				
Geotechnical Investigation Assessment	Report No: 20/0334	-	February 2020	STS Geotechnics
Waste Management Plan – Appendix R				
Waste Management Plan	-	-	12/02/2024	SARM Architects
Traffic and Parking Impact Assessment - Appendix S				
Traffic and Parking Impact Assessment	Version 1b		March 2024	Motion Traffic Engineers Pty Ltd
Carpark certification	Version 2a	-	February 2024	Motion Traffic Engineers Pty Ltd
Footpath Survey Plan – Appendix T				
Longitudinal Plan	Sheet 3	-	28/01/2020	TSS Total Surveying Solutions
Longitudinal Plan	Sheet 4	-	28/01/2020	TSS Total Surveying Solutions
Hydrant Coverage Check – Appendix U				
Ground Floor Plan	SK01	Rev 1	12/10/2023	Greenview Consulting Pty Ltd
First Floor Plan	SK02	Rev 1	12/10/2023	Greenview Consulting Pty Ltd

Notification Plans – Appendix E**Section 10.7 Planning Certificates – Appendix F**

Lot 27 DP 35591, Certificate no. 3234/2024, dated 28/08/2024 - Fairfield City Council

Lot 28 DP 35591, Certificate no. 3233/2024, dated 28/08/2024 - Fairfield City Council

Notification Letters & Submissions – Appendix G**Design compliance and checklists – Appendix M**

Architect's Certificate of Building Design Compliance – 15/03/2024

Architects Design Statement – 20/03/2024

Certificate of Landscape Documentation Compliance –14/03/2024

Certificate of Stormwater Documentation Compliance – 19/03/2024

Housing for Seniors checklist – Appendix O

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

Titles and Deposited Plans – Appendix Q

Title Search, Folio: 27/35591, Search Date 17.09.2019, NSW Land Registry Services

Title Search, Folio: 28/35591, Search Date 17.09.2019, NSW Land Registry Services

5 Zoning and Permissibility

The site is zoned R3 Medium Density Residential under the *Fairfield Local Environmental Plan 2013* (FLEP 2013) (refer to **Figure 14**). The proposed development is defined as ‘seniors housing’ under the provisions of FLEP 2013 and is permitted with consent in the R3 residential zone.



Figure 14 Land zoning map (Source: NSW Planning Portal, accessed 07/05/2024)

The relevant objectives of the R3 zone, as set out in FLEP 2013 are:

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

The proposed development contributes to the provision of diverse forms of medium density housing in the area to meet the identified needs of the community and will therefore be consistent with the zone objectives.

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 section 108B of the SEPP.

6 Planning and Design Framework

6.1 Environmental Planning and Assessment Act 1979

6.1.1 Duty to consider environmental impact [Section 5.5]

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

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

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

Matters for consideration under sub-section 3 of Section 5.5 of the EP&A Act

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

6.2 Biodiversity Conservation Act 2016 (BC Act)

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

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

6.3 Other Acts

No other State and Commonwealth Acts are applicable to the proposed activity. The provisions of the Contaminated Land Management Act 1997 are addressed in Section 6.6 with *State Environmental Planning Policy* (Resilience and Hazards) 2021.

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

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

Factors to be taken into account concerning the impact of an activity on the environment.	Comment
Is the activity of a kind for which specific guidelines are in force? If so the factors to be taken into account when considering the likely impact of the activity on the environment are those referred to in the guidelines.	No specific guidelines. This does not include guidelines such as the Seniors Housing Design Guide 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, Housing and Infrastructure issued "Guidelines for Division 5.1 assessments" made under Section 170 of the EP&A 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

Western City District Plan (2018)

The Western City District Plan, prepared by the Greater Sydney Commission, provides a 20-year plan to manage growth in the district, while enhancing liveability, productivity and sustainability. The plan identifies 22 Planning Priorities, structured around the strategies for infrastructure and collaboration, liveability, productivity and sustainability. The following Planning Priority is relevant to the proposed housing development:

- *Planning Priority W5. Providing housing supply, choice and affordability, with access to jobs, services and public transport.*

The proposed housing development is consistent with this priority as it will contribute to the provision of diverse and affordable infill housing to meet the NSW Government's projections of population and household growth in the Western City District. The proposed development is located in close proximity to Fairfield Heights local centre which has good access to public transport, facilities, services and jobs to support future residents.

2022-2032 Fairfield City Plan - Community Strategic Plan

The 2022-2032 Fairfield City Plan is a 10-year plan that outlines 5 broad inter-related themes that are derived from an extensive engagement process, which identified priorities for the community's future. These themes are community wellbeing, environmental sustainability, places and infrastructure, local economy and employment, good governance and leadership, facilitating partnership with the community, government agencies and business. The 5 key strategic directions foster 10 priorities that will guide the Fairfield area in

the next 10 years. A series of goals, outcomes and strategies are outlined to each of the 10 priorities, providing a clear and distinct guide to achieving the overarching themes of the plan.

Theme Two 'Places and Infrastructure' includes the following goal and outcome which is relevant to the proposed development:

- *Goal A – An accessible and liveable city – Outcome 3 – Affordable high-quality development that improves the local character of the City*

The proposed seniors housing development 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.

Fairfield City 2040 A Land Use Vision – Shaping a Diverse City – Local Strategic Planning Statement (2020)

The Fairfield Local Strategic Planning Statement (LSPS) was endorsed by Fairfield Council in March 2020. It is a 20-year plan that identifies 16 Planning Priorities for the LGA, focused on the community, infrastructure, economy and good governance and environmental sustainability.

Notably, Planning Priority 1 seeks to provide housing that accommodates the needs of existing and future residents. Planning Priority 2 seeks to deliver greater housing diversity and affordability to meet the changing needs of the community. The proposed development will be contributing 10 seniors housing units to the affordable housing supply in the Fairfield LGA. It is diversifying the residential uses in Fairfield by introducing seniors housing to accommodate the ageing population in the locality and is well serviced by existing public transport options and essential services.

The proposed development of 10 seniors housing units contributes to the objectives of the Fairfield Local Strategic Planning Statement and will increase the provision of affordable and independent seniors housing units.

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 within the Georges River Catchment, as defined in Part 6.2 of State Environmental Planning Policy (Biodiversity and Conservation) 2021 (Biodiversity and Conservation SEPP).

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

An assessment of these controls in relation to the proposed development is provided in Table 10 of this REF. The assessment concludes that the proposed activity is unlikely to significantly impact the Georges River Catchment.

6.5 State Environmental Planning Policy (Housing) 2021

6.5.1 Development without Consent

Development for Seniors Housing

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

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

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

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

Provision	Compliance
108A – Development to which Division applies: This Division applies to development for purposes of senior housing involving the erection of a building on land -	
(a) on which development for purposes of seniors housing is permitted with consent under another environmental planning instrument, or	The development is permissible with consent within the R3 Medium Density Residential zone under the FLEP2013.
(b) in a prescribed zone or an equivalent land use zone.	The R3 zone is also a prescribed zone under the SEPP. Part 5, Division 8 of the SEPP therefore applies.
108B – Seniors housing permitted without development consent (1) Development to which this Division applies may be carried out by or on behalf of a relevant authority without development consent if -	
(a) the relevant authority has considered the applicable development standards specified in sections 84(2)(c)(iii), 85, 88, 89 and 108, and	Consideration of the development standards are provided in Table 7 and 7 below.
(b) the development will not result in a building with a height of more than- (i) 9.5m, or (ii) if the roof of the building contains servicing equipment resulting in the building having a height of more than 9.5m and the servicing equipment complies with section 84(3) – 11.5m, and	The maximum building height is 8.4m.
(c) the seniors housing will not contain more than 40 dwellings on the site.	The development is for 10 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 State Environmental Planning Policy (Transport and Infrastructure) 2021 not applicable to the site or development.
(a) a reference in section 2.15 to “this Chapter” is taken to be a reference to this section, and	Noted.
(b) a reference in the sections to a public authority is taken to be a reference to the relevant authority.	Noted.
108C – Requirements for carrying out seniors housing (1) Before carrying out development to which this Division applies, a relevant authority must –	

Provision	Compliance
(a) request the council to nominate a person or persons who must, in the council's opinion, be notified of the development, and	<p>Advice was sought from Fairfield City Council regarding additional persons or properties that should be notified of the development via an email sent to Council on 23 June 2023. Council provided a response on 4 July 2023 advising that the extent of notification is considered satisfactory.</p> <p>A follow up email was sent to Council 1 March 2024 with Council responding 6 March 2024 to confirm the notification plan and neighbour details are correct and current.</p>
(b) give written notice of the intention to carry out the development to –	A letter notifying Fairfield City Council of the proposed development activity was sent by LAHC on 8 May 2024. Letters notifying occupiers of adjoining land of the proposed development activity were sent by LAHC on the same date.
(i) the council, and	
(ii) the person or persons nominated by the council, and	
(iii) the occupiers of adjoining land, and	
(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 via email in 2 parts, received on 31 May 2024 and 28 June 2024. Comments on the submission is provided in Section 7.1 of this REF. 2 submissions were received from adjoining owners or occupiers. Comments on the submissions are provided in Section 7.2 of this REF.
108CB – Considerations before carrying out development	
(1) Before carrying out development to which this division applies, the relevant authority must consider –	
(a) The Seniors Housing Design Guide, published by the Department in December 2023, and	Refer to checklist in Appendix O and subsection 6.5.3 of this REF. These conclude that the development generally accords with all relevant development standards relating to the design principles for seniors housing.
(b) The design principles for seniors housing set out in Schedule 8.	
(2) Before carrying out development to which this division applies, the Aboriginal Housing Office must consider the <i>AHO Design Guidelines NSW</i> , published by the Aboriginal Housing Office in January 2020.	Not applicable
(3) Before carrying out development to which this division applies, the Land and Housing Corporation must consider –	
(a) <i>Good Design for Social Housing</i> , published by the Land and Housing Corporation, in partnership with the Government Architect NSW, in September 2020, and	Refer to checklist in Appendix O and subsection 6.5.3 of this REF. These conclude that the development complies with all relevant development standards relating to the Good Design for Social Housing and the NSW Land and Housing Corporation Design Requirements.
(b) the <i>NSW Land and Housing Corporation Design Requirements</i> , published by the Land and Housing Corporation in February 2023.	

Provision	Compliance
10-D - 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
10-E - Subdivision of seniors housing not permitted Development consent must not be granted for subdivision of seniors housing.	No subdivision proposed.

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

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

Provision	Compliance
84 Development standards — general (2) Development consent must not be granted for development to which this section applies unless — (c) for development on land in a residential zone where residential flat buildings are not permitted — (iii) if the development results in a building with more than 2 storeys — the additional storeys are set back within planes that project at an angle of 45 degrees inwards from all side and rear boundaries of the site.	NA. Proposed development is two storey only to a maximum building height of 8.4m.
85 Development standards for hostels and independent living units (1) Development consent must not be granted for development for the purposes of a hostel or an independent living unit unless the hostel or independent living unit complies with the relevant standards specified in Schedule 4. (2) An independent living unit, or part of an independent living unit, located above the ground floor in a multi-storey building need not comply with the requirements in Schedule 4, sections 2, 7–13 and 15–20 if the development application is made by, or by a person jointly with, a social housing provider. Note — Development standards concerning accessibility and usability for residential care facilities are not specified in this Policy. For relevant standards, see the Building Code of Australia.	The proposed development complies with relevant standards specified in Schedule 4 as demonstrated in Table 8 below. Noted.
88 Restrictions on occupation of seniors housing (1) Development permitted under this Part may be carried out for the accommodation of only the following — (a) seniors or people who have a disability, (b) people who live in the same household with seniors or people who have a disability, (c) staff employed to assist in the administration and provision of services to housing provided under this Part.	An identified requirement no. 63 and 64 is recommended to achieve compliance.

Provision	Compliance
(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.	An identified requirement no. 63 and 64 is recommended to achieve compliance.
89 Use of ground floor of seniors housing in business zones	Not applicable as 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 8.4m
Density and Scale:	Floor Space Ratio 0.5:1 or less	Does not- comply - 0.59:1 Notwithstanding, the FSR complies with the FLEP 2013 maximum FSR of 0.65:1 and the non-compliance does not result in any adverse impacts on adjoining properties or the streetscape (refer to variation discussion below).
Landscaped Area:	Minimum landscaped area that is the lesser of: (4) (i) Minimum 35m ² per dwelling (10 x 35m ² = 350m ²) (ii) 30% of the site area (421m ²) Landscaped area to comply with minimum 350m ²	Complies - 440m ²
Deep Soil Zone:	Minimum 15% of area of site (15% x 1,403m ² = 210.45m ²)	Complies - 20.59% or 284m ²
	Minimum 65% to be preferably located at rear of site (210m ² x 65% = 135m ²)	Does not comply - 40m ² Notwithstanding, the corner allotment does not provide a 'rear setback' that is otherwise provided in mid-block sites. The deep soil landscaping is focused around front peripheries of the site to Stimson and Brenan Street, and particularly on the corner in order to provide sufficient setback to the canopy tree. On balance, the allocation of deep soil zone areas is considered to appropriately respond to the site constraints, providing sufficient separation to adjoining properties and ensure a high quality landscape setting as viewed from the street.
	Minimum dimension 3m	Complies - Minimum dimension 3m

Development Standard	Required	Comment
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 - 80% of living areas and private open space achieve 3 hours of direct solar access to private open space and living areas between 9am and 3pm mid-winter
Private Open Space:	Ground level:	
	Minimum 15m ² per dwelling	Complies - Minimum 22m ² – 68.9m ²
	One area minimum 3m x 3m, accessible from living area	Complies - Minimum 3m x 3m
	Upper level/s: 1 bedroom: Minimum 6m ² Minimum dimensions 2m 2 or more bedrooms: Minimum 10m ² Minimum dimensions 2m	Complies: Minimum 10m ² Minimum 2m – 3.9m Minimum 11m ² – 12m ² Minimum 2.4m – 3m
Car parking:	Minimum 1 car parking space for each 5 dwellings (LAHC concession) – 2 car parking spaces required	Complies - 5 on-grade car parking spaces are proposed for 10 dwellings. 2 out of 5 parking spaces designed to be 3.8m wide to comply with seniors housing requirements.

Non-Compliance with FSR Standard

The development proposes a total gross floor area (GFA) of 825m² calculated in accordance with the Housing SEPP definition. This is an FSR of 0.59:1 and represents an exceedance of 123.5m² to the 0.5:1 FSR (701.5m²) development standard provided in clause 108(2)(c) which LAHC is required to consider. Despite the non-compliance with the Housing SEPP, the proposed development will comply with the applicable FSR under the FLEP 2013 of 0.65:1.

In this instance it is considered that the density of the development is consistent with that envisaged by the FLEP 2013 and is compatible with the desired and emerging locality. The proposed development maintains appropriate visual relationships with the existing area, will not adversely affect the streetscape, skyline or landscape, and does not result in adverse environmental effects on adjoining lands, as demonstrated below.

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

- articulation of building form to reflect the nature of existing detached development within the locality;
- significant landscaping within the site, along perimeters with adjoining properties and between buildings to break up hard surfaces and building bulk;
- existing vegetation along the edges of the site including within adjoining properties and the road reserve are to be retained;
- 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 generous setbacks along boundaries to minimise overlooking of adjoining properties;

- ensuring dwellings could be provided with a high level of amenity demonstrated through compliance with the Seniors Housing design standards prescribed by the HSEPP, e.g. high levels of solar access, natural ventilation, accessibility etc;
- materials and finishes including brick and cladded walls and sheet metal roofing are similar to the materials and finishes of recent developments in the street with a variety of materials used for wall sheeting, balcony balustrades and external privacy screens to add visual interest to the development; and
- the development has been articulated along both frontages to minimise the bulk and scale of the development.

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

The proposed development will also not generate any significant adverse amenity impacts on surrounding properties in terms of overlooking or overshadowing. Shadows to neighbouring development to the west (100-102 Brenan Street) will be confined to the morning period. The proposal therefore generates no unacceptable solar impacts to surrounding development and the numerical non-compliance in relation to FSR is supportable.

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

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

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

The proposed exceedance of the floor space ratio in the Housing SEPP has significant environmental benefits as the development increases the supply of seniors housing while positively contributing to the streetscape and surrounding area. Given that the development will comply with the maximum floor space ratio in the FLEP 2013, the resultant density is considered to be consistent with the desired and future density and character of the locality.

6.5.2 Development standards for Accessibility

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

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

Table 8 Accessibility and useability standards [Schedule 4]

Development Standard (Sch 4)	Required	Comment
2. Siting Standards:		
Wheelchair access 'Non-sloping' sites i.e. with gradients entirely <1:10	100% of ground floor dwellings to have wheelchair access by a continuous accessible path of travel to an adjoining public road	100% of the ground floor units have accessible paths of travel in accordance with AS1428.1 to the front boundaries as confirmed by the submitted Access Report (Appendix H).
'Sloping' sites i.e. with gradients entirely or partially >1:10	% of ground floor dwellings, equal to % of site with gradient <1:10 or minimum 50% (whichever is greater), to have wheelchair access by a continuous accessible path of travel as per AS1428.1 to driveway or public road that is accessible to all residents	Not applicable, as the site does not have a gradient of more than 1 in 10.
Common areas	All common areas and facilities to have wheelchair accessibility as per AS1428.1	Compliance readily achievable. All common areas have accessible paths of travel in accordance with AS1428.1. Compliance indicated as per the submitted Access Report (Appendix H).
3. Letterboxes:		
	To be located on a hard standing area, have wheelchair access by a continuous accessible path of travel from the letterbox to the relevant dwelling and lockable.	Letterboxes have been provided adjacent to both Brenan and Stimson Street pedestrian entrances. Both spaces are situated on hard stand areas with wheelchair accessibility as per AS 1428.1. Further specification to be provided at detailed construction documentation stage. Compliance indicated as per the submitted Access Assessment Report (Appendix H)
Multiple letterboxes	The structure must be in a prominent location.	Letterboxes have been provided adjacent to both the Brenan Street and Stimson Street pedestrian entries.
Finished level	At least 20% of the letterboxes on the site must be more than 600mm and less than 1,200mm above ground level (finished).	Compliance readily achievable. Further specification to be provided at detailed construction documentation stage.
4. Car parking:		
Parking spaces associated with a class 1, 2 or 3 building under the <i>Building Code of Australia</i> are	(2) Provided in a common area for use by occupants who are seniors or people with a disability, the following applies —	Complies. 2 accessible car parking spaces are provided, which meet the requirements of AS2890.6. Both car

	<p>(a) for a parking space not in a group – the parking space must comply with AS/NZS 2890.6,</p> <p>(b) for a group of 2–7 parking spaces –</p> <p>(i) at least 1 of the parking spaces must comply with AS/NZS 2890.6, and</p> <p>(ii) 50% of the parking spaces must –</p> <p>(A) comply with AS/NZS 2890.6, or</p> <p>(B) be at least 3.2m wide and have a level surface with a maximum gradient of 1:40 in any direction,</p> <p>(c) for a group of 8 or more parking spaces –</p> <p>(i) at least 15% of the parking spaces must comply with AS/NZS 2890.6, and</p> <p>(ii) at least 50% of the parking spaces must –</p> <p>(A) comply with AS/NZS 2890.6, or</p> <p>(B) be at least 3.2m wide and have a level surface with a maximum gradient of 1:40 in any direction.</p>	spaces are capable of achieving a clear width of 3.8m. Compliance indicated as per the submitted Access Assessment Report (Appendix H)
Multiple parking spaces accessible by a common access point	(6) Accessible by a common access point, the access point must be secured by a power-operated garage door, vehicle gate, vehicle barrier or similar device.	Not applicable. The proposal does not incorporate power-operated doors, gates, barriers and the like as they pose a maintenance issue for LAHC.
	<p>(7) A parking space, other than a parking space under subsection (6), must be –</p> <p>(a) secured by a power-operated door, or</p> <p>(b) capable of accommodating the installation of a power-operated door, including by having –</p> <p>(i) access to a power point, and</p> <p>(ii) an area for motor or control rods for a power-operated door.</p>	Not applicable. The proposal does not incorporate power-operated doors, gates, barriers and the like as they pose a maintenance issue for LAHC.
	(8) A requirement in this section for a parking space to comply with AS/NZS 2890.6 extends to the associated shared area within the meaning of AS/NZS 2890.6.	Noted
	(9) In this section, a parking space is in a common area if it is not attached to or integrated with a hostel or independent living unit.	Noted
5. Accessible entry		
Main entrance to a dwelling	Must have – (a) a clear opening that complies	All main entries for each ground floor dwelling are detailed with

with AS 1428.1, and
(b) a circulation space in front of the door and behind the door that complies with AS 1428.1.

circulation space and clear door opening as per AS 1428.1-200 (subject to Identified Requirement No. 66).

Compliance achievable as per the submitted Access Report (**Appendix H**).

6. Interiors

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

Internal doorway	(1) Must have an unobstructed opening that complies with AS1428.1	Compliance readily achievable. The unobstructed doorway opening of all internal doors in every ground floor dwelling is readily capable of compliance with AS 1428.1 as per the submitted Access Report.
Internal corridor	(2) Must have a minimum unobstructed width of 1,000mm	Compliance readily achievable. The unobstructed internal corridor width in every ground floor dwelling is readily capable of compliance with AS 1428.1 as per the submitted Access Report.
Circulation spaces	(3) in front of and behind an internal doorway in the following areas must comply with AS 1428.1 – (a) a kitchen, (l) a laundry, (c) a bathroom (d) a toilet, (e) a bedroom, (f) a living area, (g) the main area of private open space.	Compliance readily achievable. The doorway circulation space to the specific areas listed in this clause are readily capable of compliance with AS 1428.1-2009 as per the submitted Access Report.

7. Bedroom

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

	At least one bedroom in a dwelling must have: (a) a clear area, not including a circulation space, sufficient to accommodate (i) for a hostel- a wardrobe and a single size bed, or (ii) for an independent living unit - a queen size bed, and (b) a clear area for the bed of at least:	Compliance readily achievable. Further detailed information will be required at construction documentation stage (refer to Identified Requirement No. 64).
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- (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) at least 2 double general power outlets on the wall where the head of the bed is likely to be
- (d) at least 1 general power outlet on the wall opposite the wall where the head of the bed is likely to be

8. Bathroom

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

	<p>(1) At least one bathroom in a dwelling must be located on —</p> <ul style="list-style-type: none"> (a) the same floor as the entry to the dwelling, or (b) a floor serviced by a private passenger lift accessible only from inside the dwelling. 	<p>Complies.</p> <p>The bathrooms in each ground floor dwelling comply with the requirements of this clause indicated as per the submitted Access Report.</p>
	<p>(2) The bathroom must have the following —</p> <ul style="list-style-type: none"> (a) a slip resistant floor surface that achieves a minimum rating of P3 in accordance with AS 4586 — 2013, (b) a washbasin with tap ware capable of complying with AS 1428.1, including by future adaptation if the washbasin and tap ware continue to use existing hydraulic lines, (c) a shower that — <ul style="list-style-type: none"> (i) is accessible without a shower-hob or step, and (ii) complies with the requirements of AS 1428.1 for the entry, circulation space, floor gradient to the wastewater outlet and location of the mixer tap, and (iii) is in the corner of a room, and (iv) has a wall capable of accommodating the installation of a grab rail, portable shower head with supporting grab rail and shower seat, in accordance with 	<p>Compliance readily achievable.</p> <p>Further detailed information will be required at construction documentation stage (refer to Identified Requirement No.63).</p>

	<p>AS 1428.1,</p> <p>(d) a wall cabinet with shelving illuminated by an illumination level of at least 300 lux,</p> <p>(e) a double general power outlet in an accessible location, in accordance with AS 1428.1.</p>	
	(3) Subsection (2)(c) does not prevent the installation of a shower screen that can easily be removed to enable compliance with that paragraph.	Noted

9. Toilet

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

	<p>(1) At least one toilet in a dwelling must be located on —</p> <p>(a) the same floor as the entry to the dwelling, or</p> <p>(b) a floor serviced by a private passenger lift accessible only from inside the dwelling.</p>	<p>Complies.</p> <p>The toilets in each dwelling comply with the requirements of this clause indicated as per the submitted Access Report.</p>
	<p>(2) The toilet must have the following —</p> <p>(a) a water closet pan —</p> <p>(i) in the corner of the room, and</p> <p>(ii) with a centreline set-out in accordance with AS 1428.1,</p> <p>(b) a circulation space in front of the water closet pan that is —</p> <p>(i) at least 1,200mm long and at least 900mm wide, and</p> <p>(ii) clear of door swings and fixtures, other than a toilet paper dispenser or grab rails,</p> <p>(c) a circulation space around the water closet pan that complies with AS 1428.1,</p> <p>(d) a slip resistant floor surface that achieves a minimum rating of P3 accordance with AS 4586 — 2013,</p> <p>(e) a wall capable of accommodating the installation of a back rest and grab rail that will comply with AS 1428.1.</p>	<p>Compliance readily achievable. Further detailed information will be required at construction documentation stage (refer to Identified Requirement No. 64).</p>
	(3) A removable shower screen may	Noted

be located in the circulation space specified in subsection (2)(c).

10. Surfaces of balconies and external paved areas

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

<p>Balconies and external paved areas must have surfaces that are slip resistant and comply with —</p> <p>(a) the <i>Building Code of Australia</i>, or</p> <p>(b) the Standards Australia Handbook SA HB 198:2014, <i>Guide to the specification and testing of slip resistance of pedestrian surfaces</i>, published on 16 June 2014.</p>	<p>Compliance readily achievable.</p> <p>Further detailed information will be required at construction documentation stage to ensure compliance (refer to Identified Requirement No. 64).</p>
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11. Door Hardware

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

<p>(1) Door handles and hardware for all doors, including entry doors and external doors, must comply with AS 1428.1.</p> <p>(2) To avoid doubt, subsection (1) does not apply to cabinetry.</p>	<p>Compliance readily achievable.</p> <p>Further detailed information will be required at construction documentation stage to ensure compliance (refer to Identified Requirement No. 63).</p>
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12. Switches and power points

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

<p>(1) Switches and power points must —</p> <p>(a) comply with AS 1428.1, or</p> <p>(b) be capable of complying with AS 1428.1 through future adaptation.</p> <p>(2) Subsection (1) does not apply to —</p> <p>(a) remote controls, or</p> <p>(b) power points likely to serve appliances that are not regularly moved or turned off.</p>	<p>Compliance readily achievable.</p> <p>Further detailed information will be required at construction documentation stage to ensure compliance (refer to Identified Requirement No.63).</p>
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13. Private passenger lifts

<p>(1) This section applies to a private passenger lift that is required by this schedule to be accessible only from inside a particular dwelling.</p>	<p>Not Applicable.</p> <p>Private passenger lifts have not been proposed.</p>
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Part 2 Additional standards for independent living units

14. The standards set out in this Part apply in addition to the standards set out in Part 1 to any seniors housing consisting of independent living units.

15. Bedroom

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

	At least one bedroom in an independent living unit that complies with this schedule, section 7 must be located on— (a) the same floor as the entry to the unit, or (b) a floor serviced by a private passenger lift accessible only from inside the unit.	In this development each respective independent living unit is single level with the kitchen, main bedroom and toilet located on the same level.
16. Living room Note: consideration only required for ground floor units in accordance with section 85(2)		
	(1) A living room in an independent living unit must be located on— (a) the same floor as the entry to the dwelling, or (b) a floor serviced by a private passenger lift accessible only from inside the dwelling. (2) The living room must have— (a) a circulation space that— (i) is clear of all fixtures, and (ii) has a diameter of at least 2,250mm, and (b) a telecommunications or data outlet adjacent to a general power outlet.	Compliance readily achievable. Further detailed information will be required at construction documentation stage to ensure compliance (refer to Identified Requirement No. 63).
17 Main area of private open space Note: consideration only required for ground floor units in accordance with section 85(2)		
	The main area of private open space for an independent living unit must be located on— (a) the same floor as the entry to the dwelling, or (b) a floor serviced by a private passenger lift accessible only from inside the dwelling.	Complies. The private open space area for each ground floor dwelling complies with the requirements of this clause as per the submitted Access Report.
18. Kitchen Note: consideration only required for ground floor units in accordance with section 85(2)		
	(1) A kitchen in an independent living unit must be located on— (a) the same floor as the entry to the dwelling, or (b) a floor serviced by a private passenger lift accessible only from inside the dwelling.	Complies. The kitchen area for each ground floor dwelling complies with the requirements of this clause as per the submitted Access Report.
	(2) The kitchen must have a circulation space with a diameter of at least 1,200mm between each bench top, cupboard or large	Compliance readily achievable. Further detailed information will be required at construction documentation stage (refer to

	appliance and each other bench top, cupboard or large appliance.	Identified Requirement No. 63).
	<p>(3) Each circulation space specified in subsection (2) must be capable of being increased to a diameter of 1,550mm without —</p> <ul style="list-style-type: none"> (a) relocating the sink, or (b) moving a load-bearing wall, or (c) breaching another circulation requirement. 	<p>Compliance readily achievable.</p> <p>Further detailed information will be required at construction documentation stage (refer to Identified Requirement No. 63).</p>
	<p>(4) The kitchen must have the following fittings —</p> <ul style="list-style-type: none"> (a) a bench that includes at least one work surface that is — <ul style="list-style-type: none"> (i) at least 800mm long, and (ii) clear of obstructions, and (iii) not in the corner of the room, (b) a lever tap set with the lever and water source that is within 300mm of the front of the bench, (c) a cooktop next to the work surface, (d) an isolating switch for the cooktop, (e) an oven that — <ul style="list-style-type: none"> (i) has operative elements between 450mm and 1,250mm above the finished floor level, and (ii) is next to the work surface, (f) at least one double general power outlet located within 300mm of the front of a work surface. 	<p>Compliance readily achievable.</p> <p>Further detailed information will be required at construction documentation stage (refer to Identified Requirement No. 63).</p>
	<p>(5) The cupboards must —</p> <ul style="list-style-type: none"> (a) not be entirely located in the corner of the bench or the corner of the room, and (b) face where the user of the fixture is likely to be. 	<p>Compliance readily achievable.</p> <p>The kitchen layout is readily capable of compliance with the requirements of this clause as per the submitted Access Report.</p>
	<p>(6) An overhead cupboard in the kitchen must be capable of being fitted with “D” pull cupboard handles towards the bottom of the cupboard.</p>	<p>Compliance readily achievable.</p> <p>Further detailed information will be required at construction documentation stage to ensure</p>

		compliance (refer to Identified Requirement No. 63).
	(7) A below-bench cupboard in the kitchen must be capable of being fitted with “D” pull cupboard handles towards the top of the cupboard.	Compliance readily achievable. Further detailed information will be required at construction documentation stage to ensure compliance (refer to Identified Requirement No.63).
	(8) The lever tap set, cooktop, isolating switch, oven and double general power outlet must — (a) not be in the corner of the bench or the corner of the room, and (b) face where the user of the fixture is likely to be.	Compliance readily achievable. Further detailed information will be required at construction documentation stage to ensure compliance (refer to Identified Requirement No. 63).
	(9) Cabinetry below a work surface must be able to be easily removed to allow wheelchair access to the work surface.	Compliance readily achievable. Further detailed information will be required at construction documentation stage to ensure compliance (refer to Identified Requirement No. 63).

19. Laundry

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

	(1) A laundry in an independent living unit must be located on — (a) the same floor as the entry to the dwelling, or (b) a floor serviced by a private passenger lift accessible only from inside the dwelling.	Complies. The laundry in ground floor dwelling complies with the requirements of this clause as per the submitted Access Report.
	(2) The laundry must have the following — (a) a circulation space that complies with AS 1428.1 at the approach to any external doors, (b) an appropriate space for an automatic washing machine and a clothes dryer, (c) a clear space in front of each appliance of at least 1,550mm, (d) a slip resistant floor surface that achieves a minimum rating of P3 in accordance with AS 4586 — 2013, (e) a continuous accessible path of travel to the main area of	Compliance readily achievable. Further detailed information will be required at construction documentation stage (refer to Identified Requirement No. 63).

	private open space or any clothesline provided for the dwelling.	
	(3) The space specified in subsection (2)(c) may overlap with a door swing or the circulation space for a door.	Noted
	<p>(4) For laundry facilities in a cupboard, the cupboard must be capable of being fitted with “D” pull cupboard handles in the following locations —</p> <p>(a) for below-bench cupboards — towards the top,</p> <p>(b) for overhead cupboards — towards the bottom,</p> <p>(c) for floor-to-ceiling doors — between 900mm and 1,100mm above the finished floor level.</p>	<p>Compliance readily achievable.</p> <p>Further detailed information will be required at construction documentation stage to ensure compliance (refer to Identified Requirement No. 63).</p>
	<p>(5) In this section —</p> <p>laundry includes laundry facilities in a cupboard.</p>	Noted

20. Linen Storage

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

	<p>An independent living unit must have a floor-to-ceiling linen storage cupboard that —</p> <p>(a) is at least 600mm wide, and</p> <p>(b) has adjustable shelving.</p>	<p>Compliance is readily achievable.</p> <p>A linen cupboard of 600mm minimum width has been detailed in every ground floor dwelling. The height of the cupboard and the shelves shall be reviewed at the next design phase as per the submitted Access Report.</p>
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20. Lift access in multi-storey buildings

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

	An independent living unit on a storey above the ground storey must be accessible by a lift that complies with the <i>Building Code of Australia</i> , Volume 1, Part E3.	The requirements of this clause do not apply to this development based on the available concession under Section 85(2) of the SEPP.
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21. Garbage

	A garbage storage area and a recycling storage area provided for an independent living unit must be accessible by a continuous accessible path of travel from the dwelling entrance.	<p>Compliance readily achievable.</p> <p>There is a garbage bin area provided adjacent to the carpark which is considered convenient for all users. This area is accessed via walkways with suitable gradients. Suitable provisioning has been made within the design, as per the submitted</p>
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6.5.3 Seniors Housing Design Guide

The *Seniors Housing Design Guide*, (SHDG) (December 2023) has been prepared to assist in the design and assessment of applications for seniors housing development under the Housing SEPP.

The SHDG outlines the design issues, principles and better practices that must be considered when designing a seniors housing development for assessment under the Housing SEPP. There are 7 Guidance Chapters in the document, each corresponding to a key issue when designing development under the Housing SEPP. These include:

- Designing for Country
- Care for the planet
- Site analysis – environmental response
- Site analysis – urban response
- Heritage
- Care, wellbeing and community
- Design of physical ageing and dementia

Clauses 97(1) and 108CB(1)(a) of the Housing SEPP requires the relevant authority to take into account the relevant provisions of the SHDG 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 SHDG is provided at **Appendix O**. The design has followed the Guidelines and responds well to the site and the overall design approach anticipated by the SHDG.

6.5.4 Good Design for Social Housing

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

Clause 108CB(3)(a) of the Housing SEPP requires the relevant authority to consider the relevant provisions of the *Good Design for Social Housing policy* (September 2020) when assessing a proposed seniors housing development under Chapter 3, Part 5, Division 8 of the Housing SEPP.

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

Wellbeing

The proposed development supports the wellbeing of future tenants by providing safe and accessible housing where residents have privacy and feel safe. 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 a high NatHERS rating with an average of 8.1 stars which exceeds the minimum targets set by LAHC. Reverse cycle air conditioning will be

provided to the living areas of each dwelling to assist with climate controls, as well as photovoltaic systems to offset energy costs.

Each ground floor level 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. All upper level units are provided with ample-sized private open space area balconies for the enjoyment of residents. 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 emerging character of the local area and will make a high quality contribution to the streetscape. The prominent use of brickwork and cladding with an earth-toned palette will ensure the visual appeal of the development is maintained over time.

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

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

Value

The development exceeds sustainability targets, with an average NatHERS star rating of 8.1. The scheme incorporates sustainable features including insulation, clothes lines, native plantings, ceiling fans, and good solar access and cross ventilation. Photovoltaic panels and rainwater re-use will assist in minimising the use and cost of access to natural resources.

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

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

Collaboration

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

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

6.5.5 Land and Housing Corporation Design Requirements

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

Clause 108CB(3)(b) 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 deems that the development achieves compliance. Refer to Certificate of Compliance from the Architect in **Appendix O**. 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 compatible with the existing uses and the future character of the area. There are services, facilities and infrastructure that will be available to meet the demands arising from the proposed activity.

The Housing SEPP articulates a range of design principles that LAHC must consider in determining whether to proceed with a proposed seniors housing activity. **Table 9** below demonstrates how the principles have been considered in the design of the proposal.

Table 9 Response to Design Principles (Part 5, Division 8)

1. Neighbourhood amenity and streetscape
Seniors housing should be designed to – (a) recognise the operational, functional and economic requirements of residential care facilities, which typically require a different building shape from other residential accommodation, and
N/A no residential care facility proposed.
(b) recognise the desirable elements of – (i) the location's current character, or (ii) for precincts undergoing a transition – the future character of the location so new buildings contribute to the quality and identity of the area, and
<p>The existing character is predominantly single and two storey residential development of varying age and architectural style. Face brick with pitched roofs is a prominent feature of housing in the immediate area, particularly dwellings constructed during the mid to late twentieth century. Dispersed throughout the neighbourhood are more recent additions including larger, contemporary rendered dwellings with flat roof forms.</p> <p>The proposed development reflects the existing character of the local area through the use of a charcoal and brown hue face brick to all external elevations, pitched roof forms and front fencing integrated with a diverse landscape scheme.</p> <p>The building has been designed as a highly articulated built form displaying several roof pitches with two distinct, but compatible forms as viewed from the street, and responds to the character and scale of development in the area.</p>
(c) complement heritage conservation areas and heritage items in the area, and
The site is not located within a heritage conservation area nor are there any heritage items that adjoin the site.
(d) maintain reasonable neighbourhood amenity and appropriate residential character by – (i) providing building setbacks to reduce bulk and overshadowing, and (ii) using building form and siting that relates to the site's land form, and (iii) adopting building heights at the street frontage that are compatible in scale with adjacent buildings, and (iv) considering, where buildings are located on the boundary, the impact of the boundary walls on neighbours, and
The development has been designed to reflect the desirable characteristics of the area which include landscaped front setbacks, prominent entry points and a combination of face brick and fibre cement cladding to external elevations. An additional 2 street trees will contribute to the established corridor of street tree planting along Brenan

Street.

The proposed building setbacks are compatible with the streetscape character of the locality and are generally consistent with Council's DCP requirements. Greater side and rear setbacks have been provided where possible, particularly where the design includes a building entrance.

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

A suitable balance of cut and fill is proposed.

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

The building line is consistent with the setbacks of dwelling houses in the locality.

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

The proposed landscape design incorporates substantial plantings throughout the site which will enhance the streetscape, soften the built form as viewed from the street and provide an improved buffer between adjoining neighbours for additional amenity.

The scheme incorporates a mix of ground covers and native shrubs including Weeping Bottlebrush, Narrow-Leaf Myrtles, several species of Lily Pillies.

The proposal includes 2 new street tree plantings to the Brenan Street Road Reserve. The species will be subject to Council's recommendation.

Several tree plantings are proposed in the rear north-western portion of the site around the carpark periphery. The trees will achieve a mature height of between 10-20m providing some shade within this section of the site. 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

The proposed development has been carefully designed to retain a high value tree within the south-east corner. Due to site constraints, 2 trees on the site are proposed for removal. As outlined above, substantial replacement planting is proposed to compensate for the loss of existing vegetation. This will include 1 large red gum tree capable of achieving a mature height of 15-20m. In addition to this, 7 new tree plantings capable of achieving a mature height of 5-10m are proposed and will be dispersed around the peripheries of the site.

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

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

2. Visual and acoustic privacy

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 and location of landscaping, particularly at the side and rear boundaries.

The building has generally been designed with adequate setbacks to all boundaries to minimise privacy impacts on adjoining properties. Privacy screening is proposed to restrict direct overlooking where appropriate. Western-oriented windows on the first floor pertaining to living rooms (Unit 10) are provided with a minimum 1.7m sill height to restrict direct line of sight into the neighbouring property to the west. All other windows to the first floor western and northern elevation achieve a minimum 6m setback from the property boundary so to achieve ample visual privacy.

Boundary fencing to a height of 1800mm will assist with mitigation of visual and acoustic impacts associated with the internal hard stand car parking and private open space areas oriented to the north and/or west. Perimeter landscaping

will also act as a visual and acoustic buffer between the car park and adjacent development.

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

3. Solar access and design for climate

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.

80% of units achieve at least 2 hours of direct solar access to living areas in mid-winter, which exceeds the 70% targets set under the Housing SEPP. Overall, the development exceeds the sustainability targets and achieves an average NatHERS rating of 8.1, with the lowest overall rating of 6.4 being achieved.

As demonstrated on the shadow diagrams (Appendix A), overshadowing to neighbouring properties is limited to the morning periods, and more than 2 hours solar access is maintained to living spaces and private open space of neighbouring dwellings in mid-winter.

4. Stormwater

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 an above ground OSD tank across 110m² of the communal carpark is provided to achieve council requirements.

Hard surfaces have been minimised where possible both in private garden areas and communal areas to improve groundwater percolation. Roof water from the proposed development will be collected from downpipes and connected to an above-ground rainwater tank for recycling.

Site stormwater will be captured and drained as shown on the submitted stormwater management plans (**Appendix C**).

5. Crime prevention

Seniors housing should —

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

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

Site planning enforces territorial reinforcement by establishing clear entry points and boundaries through fencing and landscaping. Six out of the 10 units address Brenan Street and/or Stimson Street and provide passive surveillance of public areas as well as the pedestrian and vehicle entry points.

Fencing will be constructed along the side and rear boundaries, and all areas of private open space are fenced to create security and delineate between public and private spaces. The design of the proposed development will allow for general surveillance to both the street frontage as well as to the communal carpark and driveway along the northern portion of the site. Several balconies, bedroom, kitchen and living room windows are oriented to either the

street frontage or communal carpark to achieve adequate passive surveillance to these areas.

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 (Identified Requirement No.68).

6. Accessibility

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.

The closest surveyed bus stops are approximately 91m and 141m (return) respectively from the site as demonstrated by the Footpath Survey in Appendix T. This achieves compliance with the prescribed 400m maximum distance specified under clause 93(3)(a) of the Housing SEPP.

A formed and level footpath is available from the site to the bus stops on Brenan Street. A crossing is provided across Green Avenue as well as across Brenan Street enabling access to bus stops along Brenan Street. The footpath has a concrete surface, is relatively level and in good condition and therefore is deemed to provide a suitable access pathway for residents.

Car parking is provided for residents within the site, including 2 accessible parking spaces. Accessible pathways are provided between the car parking area and the internal lobby. There is ample street parking available on both Brenan Street and Stimson Street for visitors if required.

7. Waste management

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

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

6.6 Other State Environmental Planning Policies

Table 10 below outlines applicability of, and compliance with, other State and Environmental Planning Policies (SEPPs).

Table 10 Compliance with other applicable State and Environmental Planning Policies

SEPP (Sustainable Buildings) 2022

A BASIX Certificate has been obtained for the development proposal, as required under the SEPP (refer to **Appendix K**). A revised BASIX certificate has been required by Identified Requirement (71) due to the introduction of air conditioning units to each of the dwellings and additional solar (photovoltaic electricity generation) to reduce associated running costs.

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 protection of the natural environment.

Tree Removal:

The 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 1 tree (refer to the Arborist Report at Appendix J).

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

An assessment of the proposed tree removal has been undertaken within Section 8.9 of this REF.

Georges River Catchment:

The site is located within a regulated catchment, namely, the Georges River Catchment. Accordingly, the controls for development set out in Chapter 6, Part 6.2 of the Biodiversity and Conservation SEPP apply to the activity.

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

4.6 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. Roof water will be collected from downpipes to an above-ground rainwater tank, which has an overflow connected to the above ground OSD within the carpark. The site drains to a kerb inlet within Stimson Street.

Identified Requirement (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 (6 and 41) are applied to the activity determination recommending that stormwater management of the activity is designed in accordance with Fairfield Council's technical guidelines and policies.

6.7 Aquatic ecology

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

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

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

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

Comment: The subject site is not located on riparian land and will not require a controlled activity permit. The site does not adjoin a natural waterbody. Suitable erosion and sedimentation controls will be required to minimise erosion and maintain water quality. The proposed removal of existing trees is supported by the arborist in the accompanying Arboricultural Impact Assessment Report. The proposed development includes planting of suitable native indigenous vegetation. 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 Section 10.7(2) & (5) Planning Certificate indicate that the land is not identified as being flood liable, and therefore is not subject to any flood related development controls.

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 upon recreational land uses or alter public access to recreational land or foreshores.

SEPP (Resilience and Hazards) 2021

The Resilience and Hazard SEPP provides provisions for development in the coastal zone, management of hazardous and offensive development and remediation of contaminated land. Section 4.6 of this SEPP requires the consent authority to consider whether land is contaminated prior to granting development consent. According to Council's Section 10.7(2) & (5) Planning Certificates, the land is not affected by a policy restriction relating to contaminated land.

Notwithstanding, the *draft Contaminated Land Planning Guidelines* (draft Guidelines) prepared by the Department of Planning, Housing and Infrastructure and the Environment Protection Authority provides a checklist of matters to be considered in an initial evaluation of land in relation to potential for contamination and these are considered in the **Table 11** below:

Table 11 - Checklist for guiding an initial evaluation

Previous evidence of contamination	Yes/ No	Response
a) Was the subject land at any time zoned for industrial, agricultural or defence purposes?	No	LAHC records indicate that the land has been used for residential purposes since the early 1940'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	Each lot currently contains a single storey detached dwelling and associated structures.
(d) Has the subject land ever been regulated through licensing or other mechanisms in relation to any potentially contaminating activity listed in Table 1 in Appendix 1?	No	LAHC records indicate that the land has not been regulated through licensing or other mechanisms.
(e) Are there any land use restrictions on the subject land relating to possible contamination, such as orders or notices issued under the CLM Act?	No	As noted in the section 10.7 certificates, there are no land use restrictions relating to contamination under the CLM Act.

(f) Has a site inspection indicated that the site may have been associated with any potentially contaminating activities listed in Table 1?	No	A site inspection has been undertaken which indicated that the site is unlikely to have been associated with potentially contaminating activities.
g) Are there any contamination impacts on immediately adjacent land which could affect the subject land?	No	Adjoining development is residential, forming part of a larger residential subdivision carried out in the early 1940's.
(h) Are there any human or environmental receptors that could be affected by contamination?	No	A standard identified requirement (No. 17) has been recommended to cover the possibility of discovering site contamination during construction works.
i) Is the site adjacent to a site on the EPA's list of notified sites under s60 of the CLM Act, or adjacent to a site regulated by the EPA under the CLM Act?	No	A review of the EPA's register of notified sites indicates that the land is not adjacent to a notified site under s60 of the CLM act or a site regulated by the EPA under the CLM Act.

6.7 Fairfield Local Environmental Plan 2013 (FLEP 2013)

Compliance with the relevant provisions / development standards set out in the FLEP 2013 is demonstrated in **Table 12** below.

Table 12: Fairfield Local Environmental Plan 2013

Relevant Provisions / Development Standards for Seniors Housing			
Clause	Provision / Development Standard	Required	Provided
4.3	Height of Buildings	(2) The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map (9 metres)	Maximum building height (measured in accordance with the LEP definition) is 8.4 metres.
4.4	Floor Space Ratio	(2) The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the Floor Space Ratio Map (0.45:1)	Proposed FSR is 0.59:1. Refer to 4.4B discussion below.
4.4B	Exceptions to maximum floor space ratio for certain land in Zone R3	<p>(1) This clause applies to land in Zone R3 Medium Density Residential identified as 'Area B' on the Floor Space Ratio Map.</p> <p>(2) The maximum floor space ratio for a building on the land is-</p> <p>(a) if the width of the building facing the primary street frontage is less than 22m – 0.5:1, or</p> <p>(b) if the width of the building facing the primary street frontage is at least 22m – 0.65:1</p>	The site is within 'Area B' on the Floor Space Ratio Map. The building frontage on Stimson Street is greater than 22m and accordingly, a floor space ratio of 0.65:1 applies. The proposed FSR of 0.59:1 complies with maximum permissible floor space ratio on the site.

Relevant Provisions / Development Standards for Seniors Housing			
		(3) The maximum floor space ratio specified in subclause (2) may be increased by up to 0.15:1 if all on-site parking is located in the basement of the building	
5.21	Flood Planning		The Section 10.7 certificate does not identify the site as being flood affected. As such, this clause does not apply.

6.8 Fairfield Citywide Development Control Plan 2024

The *Fairfield Citywide Development Control Plan 2024* (FDCP 2024) does not contain specific development controls for seniors housing. As such, the relevant controls for multi-unit housing (Chapter 6A) 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.

Table 13 Fairfield Development Control Plan 2024

Compliance with controls for multi-unit housing		
Multi-unit housing		
Clause	Requirement	Proposed
6A.1.1.2 Lot Width and Depth	A minimum average lot width and depth of 20 metres is required for all multi dwelling housing	The site provides a 33.495m frontage width to Brenan Street, a 5.68m frontage to Stimson Street, a western boundary width of 39.63m and a northern boundary width of 40.22m.
6A1.2 Splay Corner Setbacks and Road Widening	All corner lots at the intersection of public roads will be required to maintain a setback with no buildings, fences, structures or vegetation higher than 0.5 metres permitted. Splay corner setbacks 3 metres by 3 metres will be required in all other suburbs generally in the east of the city and the rural area.	The site is already provided with an adequate splay to the corner of Stimson Street and Brenan Street. Fencing will be set back a minimum of 500mm from the property boundary to maintain sightlines.
6A.2.1 Floor Space Ratio (FSR)	Maximum permissible floor space ratio for any multi dwelling housing development must comply with the floor space ratio prescribed in the <i>Fairfield LEP 2013</i> noting the following exceptions: i. For land in Zone R3 Medium Density Residential (shown as Area B on the floor space ratio map): i. if the site has a street frontage of at least 22m – 0.65:1,	The site is zoned R3 Medium Density Residential and shown as Area B on the floor space ratio map, and has a street frontage of at least 22m. The applicable FSR is 0.65:1. The proposed 0.59:1 FSR is compliant with this control.

Compliance with controls for multi-unit housing		
6A.2.2 Building Height	<p>For multi dwelling housing with a maximum height of buildings of 9m (2 storeys):</p> <p>ii. For buildings with parapet walls and skillion (flat) roofs, the maximum height of building shall be limited to 8 metres from ground level (existing) and walls are to be articulated.</p>	<p>The design is a modern style proposing sections of pitched roof forms and flat roof forms. The proposal achieves a maximum building height of 8.4m presenting a 400mm non-compliance with the requirements. The proposal achieves the objectives of the control notwithstanding its numeric non-compliance through achieving a heavily articulated built form that complements the two-storey modern and traditional style development in the street. Notwithstanding, the proposal complies with the relevant building height control of 9.5m pursuant to section 84(2)(c)(i) of the Housing SEPP, which prevails over the DCP.</p>
6A.2.3.1 Front Setback Controls	<p>The minimum front setback of multi dwelling housing is 4.5 metres, measured from the front property boundary to the front of the dwellings.</p> <p>The front setback area of townhouse and villa developments shall not be used for any purpose other than landscaping only, In this regard, private courtyards, private open spaces, car parking spaces including visitor spaces, garbage bays, above ground rainwater tanks, pergola or the like are not permitted in the front setback area.</p>	<p>Complies - The proposal achieves a minimum 5.8m front setback to Stimson Street and complies with this control. The development is heavily articulated through staggered building walls and roof lines surrounded by dense landscaping so to soften its appearance and reduce its apparent height and bulk as viewed from the street.</p>
6A.2.3.2 Secondary Setback Controls on Corner lots	<p>The secondary building setback shall be a minimum of 3 metres, when measured from the lot boundary.</p>	<p>Complies – The proposal achieves a 3.75m setback to Brenan Street (Secondary frontage) however, both the Brenan Street and Stimson Street frontages address the street through providing a separate entrance connected via a pedestrian walkway to the street along with a series of balconies and window openings that are oriented to the road reserve. The proposal achieves a minimum 3m secondary setback to Brenan Street and complies with this control.</p>
6A.2.3.3 Side and Rear Setback Controls Ground Floor	<p>Side and rear setbacks not built to the boundary should be at least 900mm from the boundary.</p>	<p>Complies - the proposal achieves a minimum 4.46m setback from the western side boundary, and a 5.4m setback from the northern side boundary. These setbacks are</p>
6A.2.3.3 Side and Rear Setback Controls Upper Floor	<p>Beyond the first 20 metres of the site,</p>	

Compliance with controls for multi-unit housing

	<p>the upper floor walls must be setback a minimum of 4 metres from side and rear boundaries and further where necessary in order to satisfy solar access and privacy requirements of Sections 6A.5.1 Solar Access and 6A.5.3 Privacy of this Chapter.</p> <p>For the first 20 metres of a site, the upper floor side walls must be setback by a minimum of 900mm from boundaries. A further distance may be necessary in order to satisfy access and privacy requirements of Sections 6A.5.1 Solar Access and 6A.5.3 Privacy of this Chapter.</p>	<p>considered to reasonably satisfy solar access controls in that neighbouring dwellings will continue to receive 3 hours of sunlight between 9am and 3pm during the midwinter solstice. Privacy impacts have also been reasonably addressed in that the façade design avoids or minimises overlooking of private open spaces and windows of nearby dwellings.</p>
6A.2.3.3 Corner Lot Setback Controls	<p>Dwellings shall be appropriately articulated along the primary and secondary setbacks.</p> <p>The secondary building setback shall be a minimum of 3 metres, when measured from the lot boundary.</p> <p>The secondary frontage must orient the dwellings to the street in such a manner that the dwellings have a direct relationship with the street.</p>	<p>The proposal is well articulated across all elevations of the building to assist in breaking the bulk of the development.</p> <p>The proposal achieves a 3.75m setback to Brenan Street (Secondary frontage) however, both the Brenan Street and Stimson Street frontages address the street through providing a separate entrance connected via a pedestrian walkway to the street along with a series of balconies and window openings that are oriented to the road reserve.</p>
6A.7.6 Waste and Dry Recycling Collection	<p>a) Council will provide garbage container(s) to each dwelling. Development plans must show that for each dwelling, in private areas, provision has been made for:</p> <ol style="list-style-type: none"> General bin Dry recycling bin Space for a third bin. <p>b) The area identified for garbage and recycle bins storage should be located away from the windows of habitable rooms and be stored in a substantially shaded area or within an enclosure.</p> <p>c) Garbage and recycle bins must not be visible from common or public areas except when out for collection.</p> <p>d) A clear path from the dwelling's garbage and recycle bins storage area,</p>	<p>The bin collection area is located within the rear north-western portion of the site adjacent the carpark. The collection room is an enclosed structure located away from any habitable rooms.</p> <p>The site provides a clear path of travel between the garbage bay and communal pathways with a temporary kerbside collection point provided along the Stimson Street frontage.</p> <p>Sufficient bins are provided as follows:</p> <ul style="list-style-type: none"> 5 x 240L general waste bins (collected weekly) 5 x 240L yellow recycling bins (collected fortnightly) 2 x 240L green FOGO bins (collected fortnightly)

Compliance with controls for multi-unit housing

- either through a side passage or through a garage, to the collection point on the street must be provided.
- e) Ensure that Waste and Dry recycling Collection is in accordance with the Department of Environment and climate change’s guide ‘Better Practice Guide for Waste Management in Multi-unit dwellings (2008)’.
- General Waste: 120L/unit/week
120L x 10 = 5x 240L bins
 - Recycling waste:
80L/unit/fortnightly
80L x 10 = 3 x 240L bins

7 Notification, Consultation and Consideration of Responses

7.1 Council Notification

In accordance with section 43 and 108C of the Housing SEPP, Fairfield City Council was notified of the development by letter dated 8 May 2024 (refer to **Appendix G**). The notification response period formally closed on 4 June 2024 and Council responded to the notification in 2 parts, by emails dated 31 May 2024 and 18 June 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
<p>1. Trees</p> <p>The retained trees on the property that may be affected by machinery or construction works are to have appropriate Tree Protections Zones (TPZ) put in place.</p> <p>TPZ should not be less than 2 metres nor greater than 15 metres (except where crown protection is required). In reference to the Landscape Plans, compensatory tree planting is required as noted.</p>	<p>An assessment of existing trees both in and around the site was undertaken and an Arboricultural Impact Assessment including a Tree Protection Plan (Appendix J) was prepared.</p> <p>The proposed design has considered this tree assessment to ensure that any structures on the site do not encroach upon any TPZ established around the trees marked for retention.</p>

Issues raised	Response
<p>2. Traffic</p> <p>The submitted Traffic Impact Assessment Report calculates the required car parking spaces against the affordable housing rate in the SEPP Housing 2021. The Fairfield City Wide Development Control Plan 2013 (FCW DCP 2013) provides a car parking rate specific for seniors housing. It is recommended that the proposal consider the number of car parking spaces required in accordance with the rate stipulated in the FCW a 2013 as it is reflective of the typical car parking demand within the Fairfield LGA.</p>	<p>The off-street parking spaces have been provided in accordance with Section 108(2)(j) of the Housing SEPP which requires a minimum of 2 car parking spaces on site. The proposed development will provide 5 parking spaces, exceeding minimum requirements.</p>
<p>3. Visual Privacy</p> <p>The proposal should consider reorientating the balconies for Unit 7 and 10 to either face internally or towards the street to reduce any overlooking/privacy concerns to neighbouring properties.</p>	<p>An 8m setback is provided between the northern site boundary and the balcony to Unit 7.</p> <p>A 4.6m setback is provided between the western side boundary and the balcony to Unit 10. The balcony is provided with privacy screening across the entire northern face as well as a portion of the western face so as to preclude views to adjoining neighbours.</p> <p>The building separation in addition to privacy screening is considered acceptable in addressing privacy impacts.</p>
<p>4. Front Setback</p> <p>The FCW DCP 2013 requires a minimum front setback of 6m. The proposal should consider setting back the development to comply with this control.</p>	<p>A 5.8m setback is provided to Stimson Street. This 200mm departure from the minimum 6m front setback requirements is considered to result in a negligible impact to the street particularly given the 7.8m setback provided by the northern adjoining dwelling at 1 Stimson Street as well as the varied front setbacks provided by existing developments further north of Stimson Street.</p>
<p>5. Lift Provisions</p> <p>It is highly recommended that the development considers including a lift to increase accessibility between the ground and first floor for senior residents.</p>	<p>The development meets all accessibility requirements set out in the Housing SEPP.</p> <p>Whilst a lift is not provided to the upper floors, ground floor units will be accessible. The development has provisioned for a lift should a need be demonstrated in the future.</p>
<p>6. Communal Open Space</p> <p>It does not appear that there is any formal communal open space proposed for the development. The proposal should consider providing formal communal open space to foster social interaction between the residents of the development.</p>	<p>There is no requirement for the provision of a communal open space within the seniors housing development. Notwithstanding, the development has been designed with generous entries, lobbies and common landscaped areas which encourage passive social interaction.</p> <p>Each dwelling is provided with adequate private open space.</p>

Issues raised	Response
7. Landscaping It is considered that there is insufficient landscaping located towards the northern boundary of the site, adjacent to the shared driveway and car park.	The development complies with the minimum 30% landscaped area requirement under the Housing SEPP, achieving 440m ² landscaped area. Boundary plantings are proposed wherever possible to provide a landscape buffer to adjoining properties.
8. Engineering – Parking, manoeuvrability and site access Site access is proposed via two 3m wide access driveways for the site. Due to the relatively low number of parking spaces, no passing bay is warranted for the driveway off Stimson St. The disability parking space next to Unit 5 does not comply with AS2890.6. However, this space with a width of 3.8m is supported by SEPP for accessible units. In this regard no issues are raised.	Noted. Noted.
10. Engineering – Stormwater drainage Stormwater drainage is proposed by means of gravity system to street gutter incorporating an OSD system. The drainage plans are acceptable in general. However, the discharge point in Stimson Street conflicts with the existing driveway layback. It is recommended that the proposed kerb outlet along Stimson Street conflicts with the existing driveway/layback of the neighbouring property. The discharge point shall be relocated to be clear of the driveway.	LAHC has received engineering advice to confirm that re-routing the kerb outlet to be located between the proposed driveway and neighbouring driveway is achievable. Refer to Identified Requirement (No.72).

7.2 Notification of Occupiers of Adjoining Land and Other Persons

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

Advice was sought from Council regarding additional persons or property that should be notified of the development via an email dated 23 June 2023. Council provided an email response on 4 July 2023 advising that the notification map is consistent with Council's Community Participation Plan and acceptable to Council. A follow up email was sent to Council 1 March 2024 with Council responding 6 March 2024 to confirm that the neighbours to be notified and notification plan is correct and current.

Figure 15 below illustrates the properties in which the occupiers and landowners were notified of the development.



Figure 15 Map of Properties Notified of the Proposed Development (Source: Homes NSW)

Under section 43 and 108C(1)(b) of Housing SEPP, occupiers of adjoining land, as identified in the above map, were notified of the proposed development activity by letter dated 8 May 2024. A sample of the notification letter is provided at **Appendix G**.

The notification response period formally closed on 4 June 2024 and submissions are discussed in **Table 15**.

Table 15 Issues raised by adjoining owners / neighbours

Issues raised	LAHC Response
<p>Submission 1: Boundary Line Concern</p> <p>It was requested that clarification be provided regarding the correct location of the property boundary line.</p>	<p>As per the survey plan and architectural plans, the proposal will take place wholly within the subject site and will not extend any existing property boundary lines. A copy of the contour survey plan prepared by a registered surveyor was provided to the neighbour to clarify the exact location of property boundary lines.</p>
<p>Submission 1: Carpark entry location</p> <p>It was requested that the carpark entry to the site be located on Brenan Street so as not to be at the fence line of the adjoining property on Stimson Street.</p>	<p>The carpark area to be accessed from Stimson St provides a total of 4 off-street parking spaces to be utilised for residents and visitors. Accordingly, it is likely that there will be generally minimal traffic movements throughout the day and unlikely to adversely impact the amenity of adjoining neighbours.</p>

Issues raised	LAHC Response
<p>Submission 2: Off-street Parking spaces</p> <p>Concern was raised for the lack of off-street parking provided on the site as there are already issues with parking on Brenan and Stimson Streets. It was requested that the off-street parking be doubled from 5 to 10 space.</p>	<p>The off-street parking spaces will meet the minimum requirement under Section 108(2)(j) of the Housing SEPP which requires a minimum of 2 car parking spaces on site. The proposed development will provide 5 parking spaces, exceeding minimum requirements, and considered to suitably cater for the proposed development.</p>
<p>Submission 2: Building height and overshadowing</p> <p>Concern was raised that the proposal was too tall in overall building height and that the overshadowing impacts were underestimated and would create additional shadow impacts over the road and neighbouring front yard.</p>	<p>The proposed building height of 8.4m complies with the maximum 9.5m building height prescribed under Section 108B(1)(b) under the Housing SEPP 2021.</p> <p>The development is considered to result in reasonable overshadowing impacts, given the generous setbacks proposed and will not materially reduce solar access to primary living and outdoor areas of adjoining properties. The overshadowing from the proposed activity does not reduce the solar access received by adjoining residential properties to below the minimum control set out in Section 6A.5.1 of the FDCP 2024. Refer also to Section 8.7 of this report for further discussion.</p>

7.3 Notification of Specified Public Authorities

The development is “seniors housing” under section 108A of the Housing SEPP. As required by Section 42(5) and 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 and the measures required to mitigate any adverse impacts to the environment, have been considered within this report and are further considered below.

8.1 Neighbourhood Character

The site is located within an established residential area generally supporting single and 2-storey detached dwelling houses. Within the local area there is also single storey multi dwelling housing developments of brick or weatherboard construction with tiled roofs and associated structures, such as pergolas, garages and carports. The Smithfield locality primarily consists of single storey and two storey detached housing. There are some larger scale dwelling developments within the immediate vicinity of the site including an attached-dwelling housing development opposite the site on the southern side of Brenan Street as well as the multi-unit complex immediately west of the site.

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

Mitigation Measures

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

8.2 Bulk and Density

The proposed development is consistent with the bulk and scale of surrounding development in the locality of Smithfield. The double 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 well articulated with stepped setbacks across both its Brenan Street and Stimson Street frontages and designed with several roof pitches to minimise bulk and scale.

The proposal incorporates a floor space ratio of 0.59:1 and a maximum height of 8.4m which is generally consistent with a low to medium density residential area. 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 R3 Medium Density Residential zone, which encourages a variety of housing types and densities.

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. As such, no mitigation measures are required.

Mitigation Measures

No mitigation measures are required.

8.3 Streetscape

The architectural style of the proposed development activity is compatible with the form of contemporary residential development emerging in the surrounding locality. The street façades are divided into several distinct elements, set within a landscaped setting and resulting in a finer grained streetscape appearance, consistent with existing dwellings in the area. In addition, the hard stand car parking area will be generally obscured from street view, resulting in a built form that has been designed with consideration of the dwellings surrounding the site.

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

The built form has been designed to address the street frontages through incorporation of street facing windows and doors, as well as courtyards and balconies within the front setback, 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 new contemporary dwellings that respond to the site context and neighbourhood character. Articulation, diverse mix of materials and a neutral colour palette will assist with the overall aesthetic of the site.

New landscaping within the front setback will incorporate the planting of several trees including 2 new street trees. A mature Lemon Scented Gum tree (*Corymbia citriodora*) with a height of approximately 15m will be retained to the Stimson Street frontage along with a Japanese magnolia (*Magnolia x soulangiana*) located to the site's western side boundary. Well considered tree and shrub planting along the side and rear boundaries of the site ensures long-term visual amenity for neighbouring properties and will improve the appearance of the site from Brenan and Stimson Streets.

Mitigation Measures

Identified Requirement (No.18) is recommended requiring street trees to be planted in the road reserve at the site's frontage in consultation with Fairfield City Council.

8.5 Privacy

A high level of internal and external privacy is maintained by the proposed development activity through a range of measures including the following:

- Privacy fencing of 1.5m in height and appropriate landscaping are provided around all ground level private open spaces to provide a sense of ownership and security.

- Balustrades to first floor balconies will be constructed using translucent tinted glazing as well as partial screening to a number of balconies, to mitigate privacy impacts.
- Adequate setbacks are proposed to all common boundaries.
- The balcony to Unit 10 is oriented to the west however is provided with fixed privacy screening to the entire northern balustrade along with a portion of the western balustrade to minimise overlooking impacts to the western neighbour.
- The balcony to Unit 6 is oriented to the north. A fixed privacy screen is provided across the entire western balustrade to screen the clothes line provided to the unit as well as to provide amply screening to the adjoining neighbours.
- The balconies to Units 7 and 8 are oriented to the north. These units are located a minimum 6m from the northern adjoining boundary. Immediately north of the property boundary is a driveway approximately 3m in width which runs along the entire boundary. The closest dwelling is therefore a minimum 9m away from the northern elevation of the subject proposal thus not resulting in any undue privacy impacts.
- Proposed 1.8m metal fencing will mitigate unacceptable overlooking from ground level units into properties to the north and west.

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 non-discretionary development standards under the Housing SEPP 2021. The submitted Architectural Plans indicate that 80% (8) of dwellings receive at least 3 hours direct solar access to the living and POS areas in mid-winter, which exceeds the minimum 70% requirement for the site.

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

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

Mitigation Measures

No mitigation measures are required.

8.7 Overshadowing

The shadow diagrams confirm the development has been designed to minimise overshadowing of surrounding development. Shadow diagrams in **Appendix A** confirm that at 9am, shadows generated by the proposed development are generally contained within the site and over the landscaped area across the Brenan Street frontage, road reserve and some minor overshadowing within the adjoining property at 100-102 Brenan Street. Shadow diagrams confirm that the minor overshadowing will not fall upon any window or principal private open within this adjoining property at this time, with overshadowing impacts being limited to a front landscaped corner of this property and considered negligible.

At 12 noon, shadows are generally contained within the subject site or within the Brenan Street road reserve.

At 3pm, the shadow moves east causing overshadowing within the subject site or within the Brenan Street and Stimson Street road reserves.

Overall, shadow diagrams confirm that the proposed development will result in negligible overshadowing impacts to adjacent properties.

Mitigation Measures

No mitigation measures are required.

8.8 Traffic & Parking

Five surface car parking spaces for residents, including 2 accessible spaces, will be available on site to serve the proposed development. The provision of on-site car parking exceeds the parking requirements set out in the Housing SEPP for developments carried out by LAHC by 3 spaces.

The Traffic and Parking Assessment Report (**Appendix S**) indicates that the proposed seniors housing units are expected to generate a low number of additional trips in both the AM and PM, and impacts are considered acceptable. The low number of additional trips during peak hours can be accommodated within the capacity of the existing local street network.

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

The car parking is detailed to be provided as vehicle unit paving in the landscape plan. However, to ensure its longevity it is recommended that this be provided as hardstand.

Mitigation Measures

Identified Requirement (No.73) is recommended to provide the parking area as hardstand.

8.9 Flora and Fauna

An Arboricultural Impact Assessment has been prepared for the site by Redgum Horticultural (**Appendix J**). There are 7 trees located both in and immediately around the site. Of these 7 trees, the Arboricultural Report considers that only 3 of these are trees that are protected under the Fairfield LEP 2013.

Of these 3 trees, the report recommends the retention of 2 trees on the site (Tree 1 and 3) with the removal of 1 tree (Tree 2). The proposed removal of Tree 2 is because the tree is not deemed worthy of retention, is located within the proposed development footprint and would be impacted by an unavoidable major encroachment within its tree protection zone.

The 4 exempt trees proposed for removal are either weed species, undersized or dead trees. One of the exempt trees identified for removal is located on the adjoining owner's property at 1 Stimson Street, being a dead tree that is in close proximity to the common boundary in the north-east site corner. LAHC has written to the owner requesting their consent for its removal however approval has not yet received as yet. An Identified Requirement (No.35) has been imposed to require that this tree is retained and protected unless owner's consent for its removal is retained.

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

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

Mitigation Measures

Retained trees are to be protected in accordance with the recommendations contained within the Arboricultural Impact Assessment (refer **Appendix J**) and Identified Requirements (Nos 20 and 35)

Identified Requirement (No.18) requires the provision of street trees along the Brenan Street frontage in consultation with Fairfield City Council.

8.10 Heritage (European / Indigenous)

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

Aboriginal Heritage

An Aboriginal Heritage Information Management System (AHIMS) search, dated 1 May 2024 (**Appendix I**) did not find any record of Aboriginal Sites or Places on the site or in the surrounding locality and the site is considered to be disturbed land. Consideration of the *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales*, determined that no additional investigation was warranted. Discovery of cultural material during development activities cannot be ruled out, however, an identified requirement has been applied should any Aboriginal relics be discovered on the site during excavation/construction.

Other Cultural Heritage

No cultural heritage items have been identified in Fairfield 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

Identified Requirements (Nos 45 & 46) has 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 concluded:

- The subsurface conditions generally consist of topsoil and fill overlying natural silty clays and weathered shale.
- Groundwater was not observed during drilling works.

The report recommended that the exposed bearing surfaces for footings should be inspected by a geotechnical engineer to ensure the allowable pressure given has been achieved.

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.

Contamination

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

Notwithstanding, the *draft Contaminated Land Planning Guidelines* (draft Guidelines) prepared by the Department of Planning, Housing and Infrastructure 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 10**, above in this REF.

Mitigation Measures

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

Acid Sulfate Soils

According to Council's Section 10.7(2) & (5) Planning Certificates, the land is identified as being within Class 5 Land on the Acid Sulfate Soil Map under the SLEP 2012.

A Geotechnical Site Investigation, prepared by STS Geotechnics assessed the subsurface conditions of the site. It has been recommended that the exposed bearing surfaces for footings should be inspected by a geotechnical engineer to ensure the allowable pressure given has been achieved.

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.

Salinity

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

Mitigation Measures

No mitigation measures are required.

8.12 Drainage / Flood Prone Land / Hydrology/ Water Quality

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 above ground on-site detention tank within the communal carpark, draining to a proposed pit on Stimson Street. Roof water from the proposed development will be collected from downpipes and connected to an aboveground 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, 41 and 62) 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 Fairfield City Council for the subject site advise that the land is not bushfire prone.

Mitigation Measures

No mitigation measures are required.

8.14 Noise and Vibration

During Construction

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

During Occupation

Noise generated when the proposed buildings are completed and occupied will be entirely in keeping with their residential surroundings. As noted elsewhere in this REF, air conditioning units (ACUs) are to be provided for each dwelling. Accordingly, Identified Requirement (No.69) is recommended in relation to criteria to be met in regard to their location and operation in accordance with the *Protection of the Environment Operations (Noise Control Regulations) 2017*.

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

Mitigation Measures

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

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

Appropriate standard Identified Requirements (Nos 2, 48 and 50) have been applied to ensure compliance with the above mitigation measures.

Standard Identified Requirement (No. 69) is recommended in relation to criteria to be met in regard to the location and installation of the ACUs, and their operation in accordance with the *Protection of the Environment (Noise Control) Regulations 2017*.

8.15 Air Quality

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

Mitigation Measures

Appropriate standard Identified Requirements (Nos. 52 & 54) have been applied that will satisfactorily mitigate any potential or adverse impacts on air quality.

8.16 Waste Minimisation

A Waste Management Plan (**Appendix R**) has been prepared. 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 Construction

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

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

During Occupation

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

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

Mitigation Measures

Standard Identified Requirements (Nos. 33 and 56) are recommended to ensure construction waste is appropriately managed and disposed of.

Standard Identified Requirement (No. 36) is recommended to require the preparation of a final waste management plan for the construction and occupation phases of the development.

8.17 Resource Use & Availability

The proposed activity will not result in any discernable depletion or degradation of natural resources. The proposal has been designed to meet water and energy efficiency targets as demonstrated by the BASIX certificate for the proposal. An updated BASIX certificate will be required due to the introduction of air conditioning units to each of the dwellings and the provision of additional solar (photovoltaic energy generating) energy system to reduce associated running costs.

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

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

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

Mitigation Measures

No additional mitigation measures are required.

8.18 Community / Social Impacts

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

- assist LAHC in meeting its significant, long-standing and continually-growing demand for social housing in the Fairfield 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 Fairfield local government and surrounding areas through:

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

Mitigation Measures

No mitigation measures are required.

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 and 171A of the EP&A Regulation. Following an analysis of the potential impacts associated with the proposed activity it was determined that an environmental impact statement is not required.

As demonstrated in this REF, the proposed activity is consistent with the relevant objectives and standards set out in the Housing SEPP, FLEP 2013, and the design principles and better practices set out in the relevant guidelines.

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

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

9.2 Recommendation

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

10 Appendices

10.1.1 APPENDIX A – ARCHITECTURAL PLANS

10.1.2 APPENDIX B – LANDSCAPE PLANS

10.1.3 APPENDIX C – CIVIL PLANS

10.1.4 APPENDIX D – SURVEY PLAN

10.1.5 APPENDIX E – NOTIFICATION PLANS AND SCOPE OF NOTIFICATION

10.1.6 APPENDIX F – SECTION 10.7 CERTIFICATES

10.1.7 APPENDIX G – NOTIFICATION LETTERS AND SUBMISSIONS

10.1.8 APPENDIX H – ACCESS REPORT

10.1.9 APPENDIX I – AHIMS SEARCH

10.1.10 APPENDIX J – ARBORIST REPORT

10.1.11 APPENDIX K – BASIX CERTIFICATE

10.1.12 APPENDIX L – BCA REPORT

10.1.13 APPENDIX M – DESIGN COMPLIANCE CERTIFICATES

10.1.14 APPENDIX N – NatHERS CERTIFICATE

10.1.15 APPENDIX O – SENIORS HOUSING POLICY CHECKLIST

10.1.16 APPENDIX P – GEOTECHNICAL INVESTIGATIONS

10.1.17 APPENDIX Q – TITLE SEARCH AND DP

10.1.18 APPENDIX R – WASTE MANAGEMENT PLAN

10.1.19 APPENDIX S – TRAFFIC REPORT & CARPARK REPORT

10.1.20 APPENDIX T – FOOTPATH SURVEY PLAN

10.1.21 APPENDIX U – HYDRANT COVERAGE CHECK