

REVIEW OF ENVIRONMENTAL FACTORS

Proposed Seniors Housing Development

at

26-28 Stevenage Road and 53 Welwyn Road,

Canley Heights, NSW 2166

June 2025





Acknowledgement of Country

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

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REVIEW OF ENVIRONMENTAL FACTORS

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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. In 2025, the Minister administering the Housing Act 2001 became a landowning entity under the Homes NSW division,

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3	20/6/2026	V3	Land Ownership updates	various

DOCUMENT SIGN-OFF

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1 Executive Summary

The land the subject of this REF was transferred to the Minister administering the Housing Act 2001 (Minister) pursuant to an order made by the Minister on 12 May 2025 under section 35G of the *Housing Act 2001* with an effective transfer date of 9 June 2025. The Minister became the legal owner of the land on 9 June 2025 even though the NSW Land Registry Services title register had not been updated (Schedule 2A, section 2(a) of the *Housing Act 2001*). In addition, any act, matter or thing done or omitted to be done in relation to assets (including land) owned by NSW Land and Housing Corporation (NSW LAHC) is taken to have been done or omitted by, to or in relation to, the Minister (section 2(e) of Schedule 2A of the *Housing Act 2001*).

Under section 35F of the *Housing Act 2001*, the Minister has the same functions as the NSW LAHC under relevant legislation, which includes the *Environmental Planning and Assessment Act 1979*, and any regulations or subordinate instruments made under that Act.

The subject site is located at 26-28 Stevenage Road and 53 Welwyn Road, Canley Heights, and is legally described as Lots 52, 53 and 54 in Deposited Plan 225999. The proposed seniors housing development is described as follows:

Demolition of existing dwellings and structures, removal of trees, construction of a 2 storey seniors housing development containing 13 units comprising 7 x 1-bedroom and 6 x 2-bedroom dwellings, with associated landscaping and fencing, surface parking for 6 vehicles, associated site works and consolidation into a single lot.

The proposed activity is permissible with consent in the R2 - Low Density Residential zone under the Fairfield Local Environmental Plan (FLEP) 2013 and therefore can be carried out by the Minister without consent under the provisions of Chapter 3, Part 5, Division 8 of the *State Environmental Planning Policy (Housing) 2021* (Housing SEPP) as it does not result in more than 40 dwellings on the site and does not exceed 9.5 metres in height.

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

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

The REF demonstrates the following:

- From an analysis of the potential environmental impacts associated with the proposed activity, it has been concluded that the preparation of an Environmental Impact Statement is not required.
- Based on a review of the potential environmental impacts resulting from the proposed activity it has been determined that, subject to implementation of mitigation measures to be incorporated as identified requirements, the activity will not have any significant adverse impact on the environment.
- The proposed activity will not have any effect on matters of national significance and its approval under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999 is not required.
- The design of the proposed activity has adequately taken into account design principles and better practices set out in the *Seniors Housing Design Guide* and taken into consideration *Good Design for Social Housing* and *NSW Land and Housing Corporation Design Requirements*.
- The site planning and design of the proposed activity adequately address the applicable local environmental planning and development controls of 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.
- Fairfield City Council and owners and occupiers of adjoining land were notified of the proposed activity under the provisions of the Housing SEPP. A response was received from Council dated 9 May 2025. Comments on the response are provided in Section 7.1 of this REF. One submission was received from an occupier of adjoining land. Comments on the submission 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 demolition of existing dwellings and structures, removal of trees, construction of a 2 storey independent living seniors housing development containing 13 units (7 x 1 bedroom and 6 x 2 bedroom), with associated landscaping and fencing, surface parking for 6 vehicles consolidation of the 3 lots into a single lot at 26-28 Stevenage Road and 53 Welwyn Road, Canley Heights.

The activity¹ will be carried out by, or on behalf of, the Minister and is ‘development without consent’ under the *State Environmental Planning Policy (Housing) 2021* (Housing SEPP). The proposed development is a seniors housing development for the purpose of providing affordable housing within the suburb of Canley Heights.

This REF has been prepared by Homes NSW for the Minister 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* (EP&A Regulations) 2021.

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

The land the subject of this REF was transferred to the Minister pursuant to an order made by the Minister on 12 May 2025 under section 35G of the *Housing Act 2001* with an effective transfer date of 9 June 2025. The Minister became the legal owner of the land on 9 June 2025 even though the NSW Land Registry Services title register had not been updated (Schedule 2A, section 2(a) of the *Housing Act 2001*). In addition, any act, matter or thing done or omitted to be done in relation to assets (including land) owned by NSW LAHC is taken to have been done or omitted by, to or in relation to, the Minister (section 2(e) of Schedule 2A of the *Housing Act 2001*).

Under section 35F of the *Housing Act 2001*, the Minister has the same functions as the NSW LAHC under relevant legislation, which includes the *Environmental Planning and Assessment Act 1979*, and any regulations or subordinate instruments made under that Act.

2.1 Purpose of this Review of Environmental Factors (REF)

The purpose of this REF is to assist the Minister to fulfil their 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

¹ Note: The proposed development is permitted without consent and is therefore subject to environmental impact assessment as an ‘activity’ under Part 5 of the *Environmental Planning and Assessment Act 1979*. . The Minister is a determining authority pursuant to the powers and functions conferred by section 35F of the *Housing Act 2001*.

- outlining the notification 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* (FLEP 2013).
- It was determined that seniors housing is 'permitted with consent' in the R2 zoning pursuant to the Fairfield LEP 2013 and can be carried out 'without consent' under the provisions of the Housing SEPP 2021.
- A desktop analysis and investigation of the site and surrounds was undertaken based on site clearance information provided by the Minister 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 REF.
- Identified Requirements incorporating the mitigation measures for undertaking the proposed development activity were identified for inclusion in the recommendation for approval of the activity.

3 Existing Site & Locality

3.1 Existing Site and Immediately Adjoining Development

The site is in the Fairfield City local government area (LGA), occupies a corner position and comprises 3 residential allotments legally described as Lots 52, 53 and 54 in Deposited Plan 225999 and known as 26-28 Stevenage Road and 53 Welwyn Road, Canley Heights. A location plan is provided at **Figure 1** and **Figure 2**.

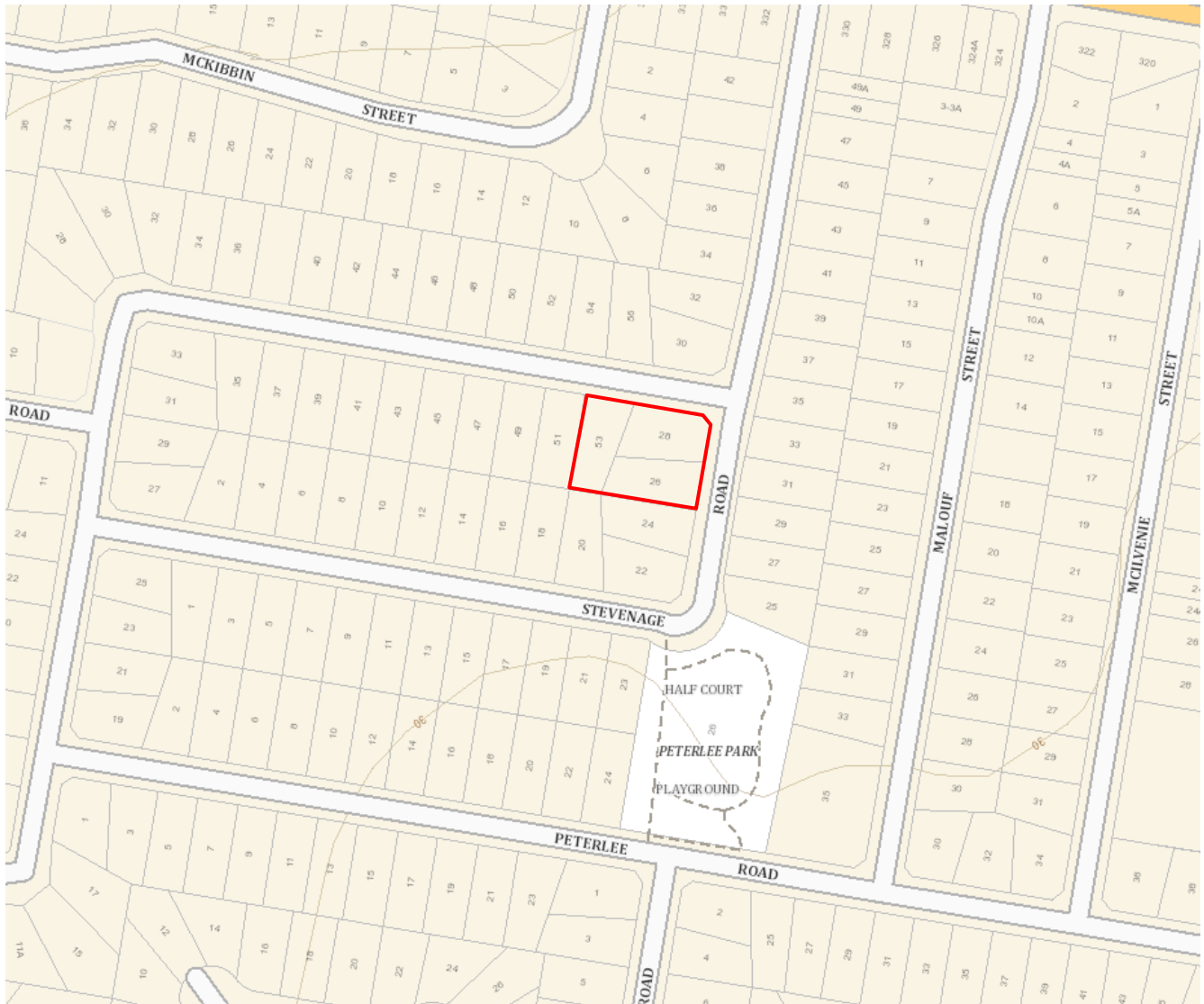


Figure 1 Location Plan with the subject site highlighted in red (Source: SIX Maps assessed on 21.05.2025)



Figure 2- Location Plan (Source: Nearmap accessed 30 May 2025)

The site is currently occupied by 3 detached brick rendered/ brick clad dwellings with tiled roofs (refer to photographs at (Figure 3, Figure 4, Figure 5, Figure 6 and Figure 7).



Figure 3 Development site - 26 Stevenage Road, Canley Heights (Source: Google Maps accessed 10.02.2025)



Figure 4 Development site - 28 Stevenage Road, Canley Heights (Source: Google Maps accessed 10.02.2025)



Figure 5 Development site 53 Welwyn Road, Canley Heights (Source: Google Maps accessed 10.02.2025)



Figure 6 View from Welwyn Road of development site 28 Stevenage Road and 53 Welwyn Road (Source: Google Maps accessed 10.02.2025)



Figure 7 View of development site from the junction of Stevenage Road and Welwyn Road, Canley Heights (Source: Google Maps accessed 10.02.2025)

3.2 Site Description

Copies of the Section 10.7(2) & (5) Planning Certificates dated 18 February 2025 are provided in **Appendix I**.

The site has a total area of 1795.8m², with a frontage to Welwyn Road of 46.395m, corner intersection of Welwyn and Stevenage Road of 5.025m and a secondary frontage to Stevenage Road of 32.95m. The western side boundary is 36.57m and the southern rear boundary is 49.02m as shown on Survey Plan in **Appendix E**.

The site falls from the rear (south-west) boundary towards the front (north-east) at the junction of Welwyn Road and Stevenage Road approximately 2.5m.

A 3.05m drainage easement is located within Lot 53 traversing the north-eastern splay corner. The proposed development will not impact upon this easement.

There is an existing drainage line traversing the frontage of 24 Stevenage Road which appears to traverse over the subject site. Investigations undertaken to date have not located a pipe, however further investigations are required. This pipe will be required to be realigned if it is found to be active.

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

A sewer line traverses the entirety of the western side boundary of Lot 52 and 53 (26 and 28 Stevenage Road) and thus traverses through the centre of the subject site. The sewer pipe within the easement is proposed to be re-laid at a reduced grade and concrete encased.

There are 22 trees and shrubs within the site. Out of the 22 trees and shrubs on site, 6 are protected trees (Trees 3, 4, 5, 6, 7 and 8) and 16 are exempt trees and shrubs. There are 2 trees located within the road reserve of Stevenage Road (Trees 1 and 2). There are no neighbouring trees located in close proximity of the proposed works.

Water, sewer, electricity and telephone facilities are available to the site as shown in the Survey Plan at **Appendix E**. Water, electricity and telephone services are located along the road alignment of Stevenage Road

with telecommunications and electricity also located along the road alignment of Welwyn Road. Existing sewer connections are located within the subject site.

There are no encumbrances on the Certificate of Title (**Appendix J**), Section 10.7 certificates (**Appendix I**) or indicated on the Survey Plan (**Appendix E**) that would affect the proposed development.

3.3 Neighbouring Development and Locality

The site is located within an established residential area which is predominately characterised by older style single storey detached dwelling houses of brick, fibro clad or weatherboard construction with tiled roofs interspersed with more recent 2-storey dwellings.

The property immediately to the south at 24 Stevenage Road contains a single-storey fibro clad dwelling with a tiled roof (refer to **Figure 8**). The property to the west at 51 Welwyn Road contains a single storey clad dwelling with a tiled roof (refer to **Figure 9**). The rear of the site adjoins the rear of 20 Stevenage Road which comprises a single storey fibro clad dwelling with a generous rear garden.

Some examples of 2 storey dwellings within the locality include 9 Peterlee Road, and 34 Sunderland Road and 36 Sunderland Road, Canley Heights (refer to **Figures 10 and 11**).



Figure 8 Neighbouring property 24 Stevenage Road, Canley Heights (Source: Google Maps accessed 10.02.2025)



Figure 9 Neighbouring property 51 Welwyn Road, Canley Heights (Source: Google Maps accessed 10.02.2025)



Figure 10 Two storey dwelling to the southwest of the site at 9 Peterlee Road, Canley Heights (Source: Google Maps, December 2020)



Figure 11 Two storey dwelling located south of the site at 34 and 36 Sunderland Road, Canley Heights (Source: Google Maps, December 2015).

Public Transport and Facilities

The area is predominantly residential in nature. Approximately 700m to the north-east is the local commercial centre, which provides goods and services to meet day-to-day needs of the residents including medical centre, fresh food shops, post office and restaurants/cafes. Cabramatta town centre is approximately 2.5km away from the site and offers a wider selection of amenities.

There are several bus stops located within proximity of the site. The closest bus stops are located on Canley Vale Road which are approximately 408m (ID2166147) and 402m (ID2166150) walking distance from the site. These stops are serviced by Routes 817 and 819. Bus route 817 runs between Fairfield Station and Cabramatta and provides services to the local town centre to the north-east and Cabramatta town centre. Bus route 819 runs between Liverpool Station and Prairiewood. Both routes are serviced at a frequency of at least one service every hour from 6am to 9pm Monday to Friday and 8am to 6pm on Saturdays and Sundays.

4 Project Description

4.1 Demolition

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

4.2 Removal of Trees

A total of 22 trees and shrubs are located within the site and the proposal includes the removal of 20 of these. Out of the 20 trees and shrubs proposed for removal, 4 are protected trees and 16 are exempt trees and shrubs. The tree removal within the site boundaries is recommended primarily to accommodate the proposed development or the individual species are recommended for removal as they are not considered to be significant or worthy of retention (refer to submitted Arboricultural Impact Assessment in **Appendix K**). Tree 3 and 8 located within the site will be retained and protected.

Two street trees are located adjacent to the site frontages (Trees 1 and 2) which will be retained and protected. Appropriate replacement planting, including trees capable of reaching mature heights of 6-12m, will be provided as part of the proposed landscaping plan to compensate for the loss of these trees (refer to the Landscape Plan in **Appendix B**).

4.3 Proposed Dwellings

The proposed seniors housing development contains a total of 13 independent living units consisting of 7 x 1-bedroom and 6 x 2-bedroom dwellings. All dwellings have been designed in accordance with the Schedule 4 Housing SEPP requirements for seniors housing.

The proposed development represents a contemporary, high-quality design. The use of a mixture of face brick and vertical cladding for external walls and metal roofing is compatible with the locality. Passive surveillance is maximised through orienting living spaces, balconies and window openings to both street frontages.

Cut and fill is proposed to provide a level building platform. Retaining walls up to 1m high proposed to assist with stability of the site (refer to the Architectural Plans in **Appendix A**).

A total of 6 surface car parking spaces will be provided on the site to service the development.

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 (refer to Landscape Plans in **Appendix B**).

Each unit will be provided with its own enclosed private open space area, either in the form of a ground level patio or balcony, which is directly accessible from the internal living areas.

Stormwater will be collected via a series of stormwater pits and gutters on the site connected to an underground detention tank and separate rainwater tank located under the driveway draining to the proposed kerb inlet pit within Welwyn Road. New drainage works within Welwyn Road will connect the new kerb inlet to an existing kerb inlet pit further east on Welwyn Road. Roof water will be collected from downpipes and connected to an underground rainwater tank (5000L) for recycling with overflow connected to the underground detention tank.

The car park and ground level entry are to be constructed over the sewer line, with the first-floor building being cantilevered over the sewer line, providing a minimum clearance of approximately 2.4m. These works are subject to Sydney Water approval as part of the detailed design.

Front fencing of vertical battens and brickwork design is proposed along the both street frontages to enclose each front courtyard and will be set back between 1-3m from the front boundary. A variety of landscaping is proposed between the fence line and the boundary to delineate public and private land. A new 1.8m high metal fence is proposed along the side and rear boundaries. This fence line tapers down to 0.9m along the site's western boundary forward of the front building, and 1.2m along the site's southern boundary forward of the front building line, to ensure adequate vehicular sightlines are maintained from both the subject site and adjoining sites.

New footpaths are proposed to both the Stevenage and Welwyn Road frontages adjacent to the site.

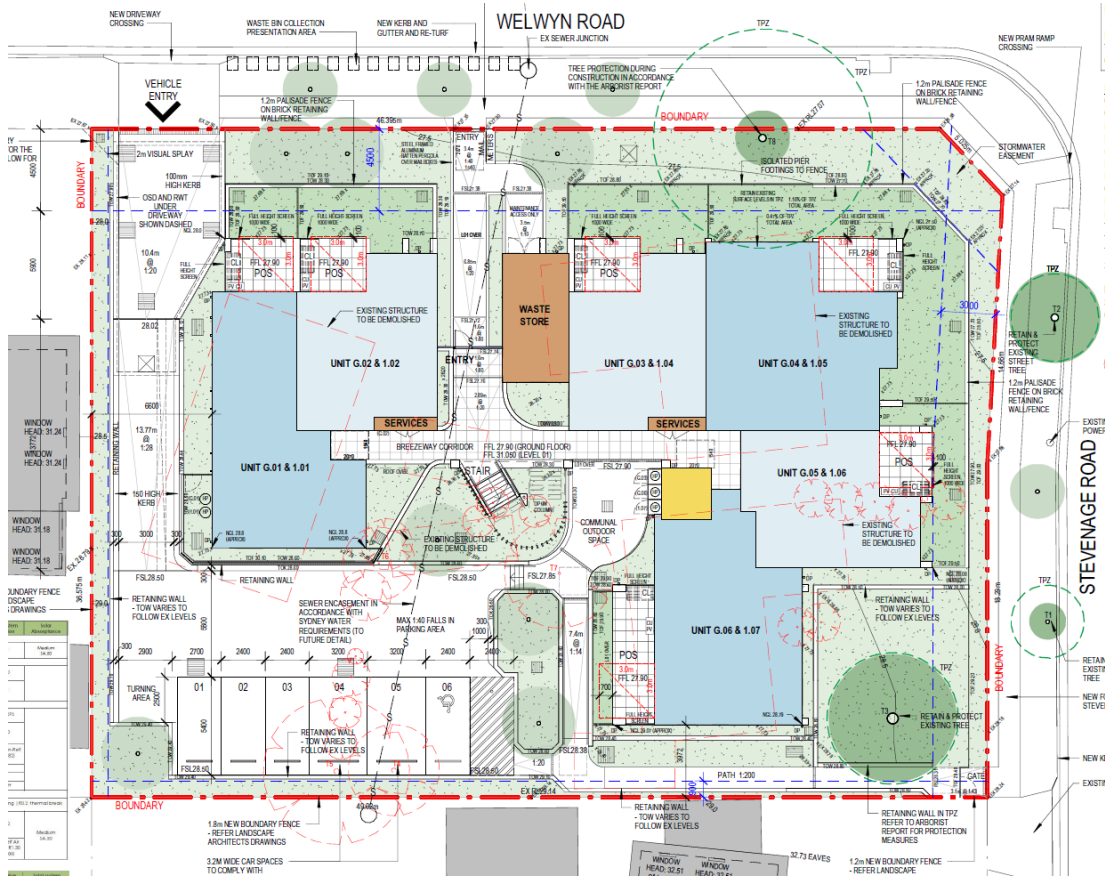


Figure 12 Extract from Architectural Plans – Site Plan (Source: Architectural Plans, Become, dated 26.03.2025)

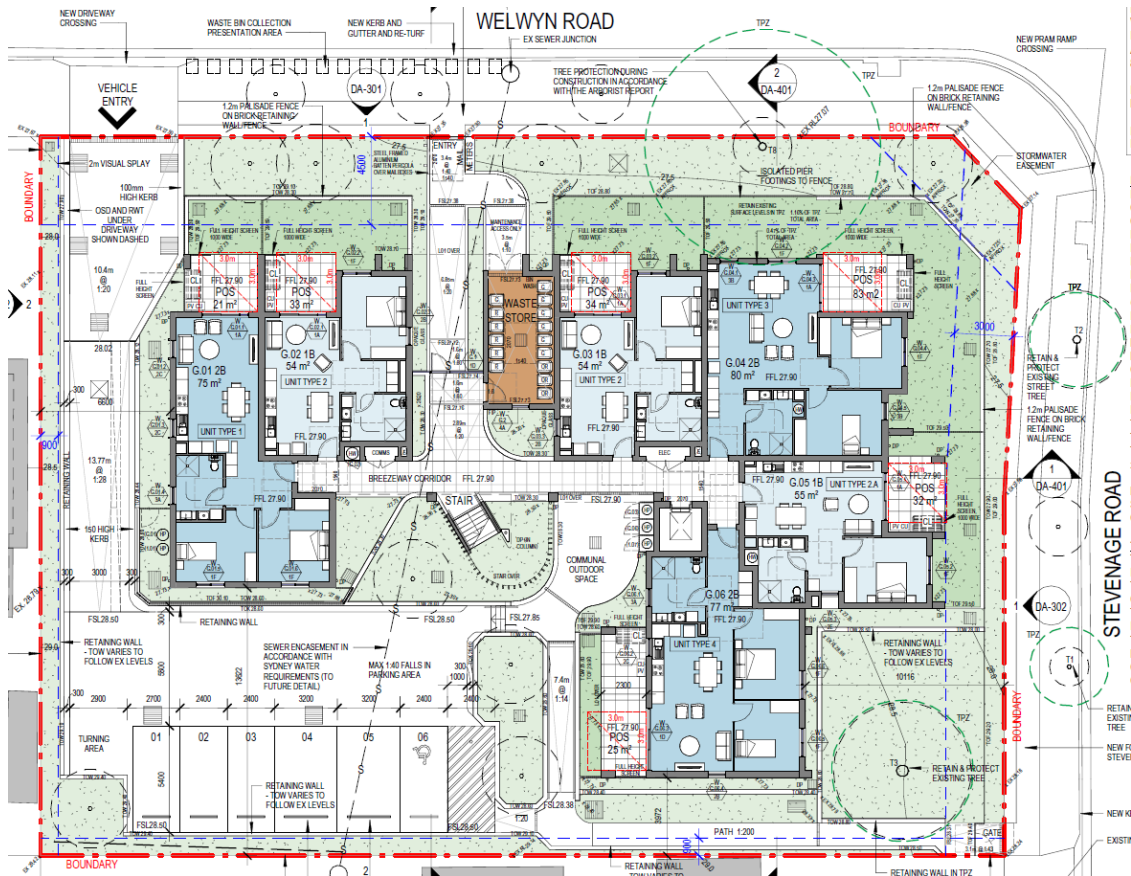


Figure 13 Extract from Architectural Plans – Ground Floor Plan (Source: Architectural Plans, Become, dated 26.03.2025)



Figure 14 Extract from Architectural Plans –First Floor Plan (Source: Architectural Plans, Become, dated 26.03.2025)

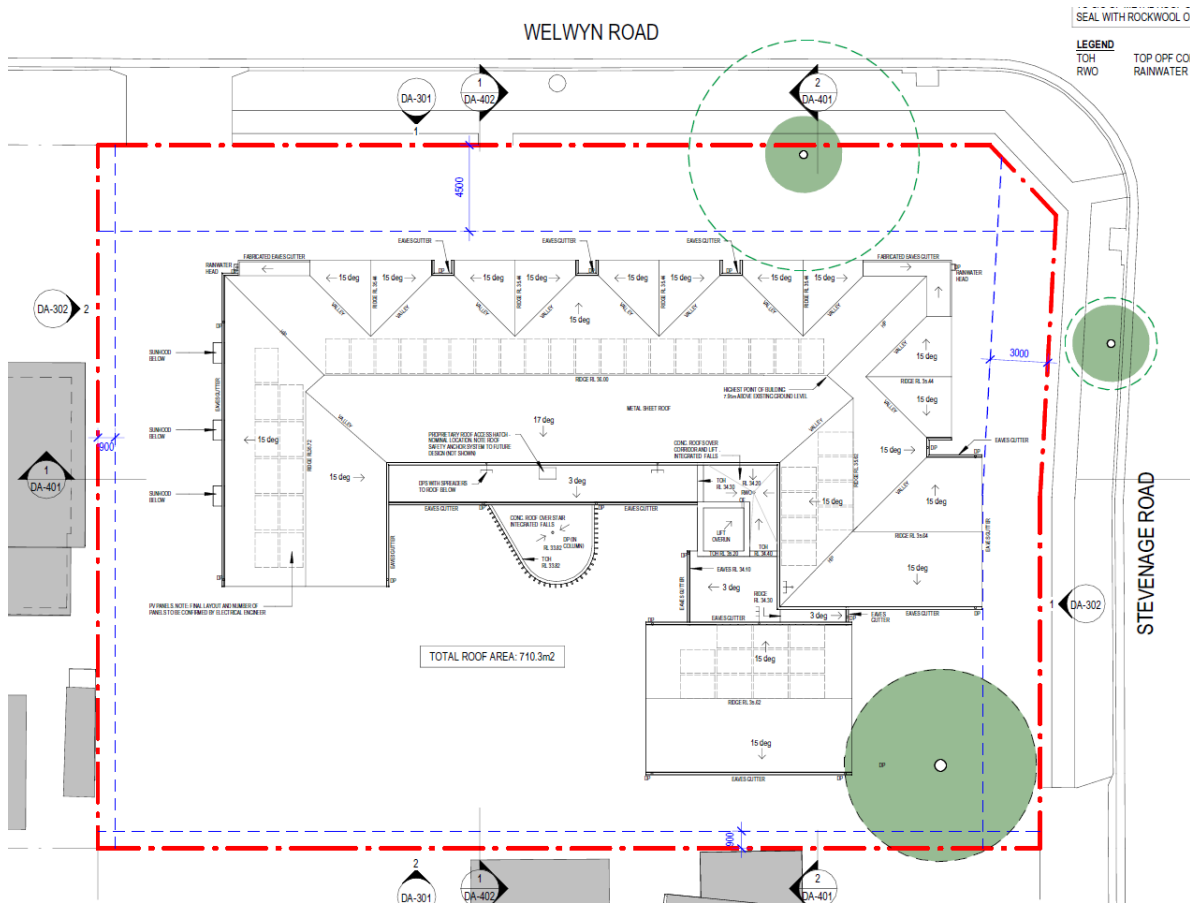


Figure 15 Extract from Architectural Plans –Roof Plan (Source: Architectural Plans, Become, dated 26.03.2025)



Figure 16 Extract from Architectural Plans – Welwyn Road & Stevenage Road Streetscape Perspective (Source: Architectural Plans, Become, dated 26.03.2025)



Figure 17 Extract from Architectural Plans – Welwyn Road Streetscape Perspective (Source: Architectural Plans, Become, dated 26.03.2025)

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:
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Appendix A Architectural Plans

Coversheet	DA-000			Become
Project Details	DA-001	G	21.02.2025	Become
Development Data	DA-002	F	12.03.2025	Become
Context Analysis	DA-101	C	21.02.2025	Become
Context Analysis	DA-102	C	21.02.2025	Become
Site Analysis	DA-103	C	21.02.2025	Become
Site Analysis	DA-104	G	21.02.2025	Become
Existing/Demolition Site Plan	DA-201	D	21.02.2025	Become
Proposed Site Plan	DA-202	J	26.03.2025	Become
Proposed Ground Floor Plan	DA-203	N	26.03.2025	Become
Proposed Level 01 Plan	DA-204	M	26.03.2025	Become
Proposed Roof Plan	DA-205	G	26.03.2025	Become
Proposed Building Elevations- North and South	DA-301	H	26.03.2025	Become
Proposed Building Elevations- West & East	DA-302	G	26.03.2025	Become
Proposed Building Sections- Sheet 1	DA-401	H	26.03.2025	Become
Proposed Building Sections- Sheet 2	DA-402	G	26.03.2025	Become
Unit Type Plans	DA-501	G	26.03.2025	Become
Perspective Views- Sheet 1	DA-601	C	21.02.2025	Become
Perspective Views- Sheet 2	DA-602	C	21.02.2025	Become
Shadow Diagrams- 21 st June 9am	DA-701.1	L	26.03.2025	Become
Shadow Diagrams- 21 st June 10am	DA-701.2	L	26.03.2025	Become
Shadow Diagrams- 21 st June 11am	DA-701.3	L	26.03.2025	Become
Shadow Diagrams- 21 st June 12pm	DA-701.4	L	26.03.2025	Become
Shadow Diagrams- 21 st June 1pm	DA-701.5	L	26.03.2025	Become
Shadow Diagrams- 21 st June 2pm	DA-701.6	L	26.03.2025	Become
Shadow Diagrams- 21 st June 3pm	DA-701.7	L	26.03.2025	Become
Solar View Diagrams	DA-702	K	26.03.2025	Become
Compliance Diagrams	DA-703	L	02.04.2025	Become
Cut and Fill Plan	-	C	13.02.2025	Become

Appendix B Landscape Plans

Landscape Plan	1 of 2	D	24.02.2025	Greenland Design
Landscape Details and Specification	2 of 2	D	24.02.2025	Greenland Design

Appendix C Stormwater Plans

Stormwater Specification Sheet	1 of 9	C	13.02.2025	MSL Consulting Engineers
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Title / Name:	Drawing No. / Document Ref	Revision / Issue:	Date [dd.mm.yyyy]:	Prepared by:
Existing Stormwater & Sewer Demolition & Relocation Plan	2 of 9	C	13.02.2025	MSL Consulting Engineers
OSD Catchment Area	3 of 9	C	13.02.2025	MSL Consulting Engineers
Site Drainage Plan	4 of 9	C	13.02.2025	MSL Consulting Engineers
OSD/Rainwater Tank Base & Roof Plan	5 of 9	C	13.02.2025	MSL Consulting Engineers
OSD/Rainwater Tank Sections & Stormwater Details	6 of 9	C	13.02.2025	MSL Consulting Engineers
Stormwater Details	7 of 9	C	13.02.2025	MSL Consulting Engineers
Sediment & Erosion Control Plan	8 of 9	C	13.02.2025	MSL Consulting Engineers
Sediment & Erosion Control Details	9 of 9	C	13.02.2025	MSL Consulting Engineers
Appendix D Public Domain Works Plan				
Overall Site Footpath Layout	1 of 16	C	01.04.2025	MSL Consulting Engineers
Footpath Layout- Sheet 1	2 of 16	C	01.04.2025	MSL Consulting Engineers
Footpath Layout- Sheet 2	3 of 16	C	01.04.2025	MSL Consulting Engineers
Footpath Layout- Sheet 3	4 of 16	C	01.04.2025	MSL Consulting Engineers
Footpath Layout- Sheet 4	5 of 16	C	01.04.2025	MSL Consulting Engineers
Footpath Layout- Sheet 5	6 of 16	C	01.04.2025	MSL Consulting Engineers
Footpath Layout- Sheet 6	7 of 16	C	01.04.2025	MSL Consulting Engineers
Footpath Layout- Sheet 7	8 of 16	C	01.04.2025	MSL Consulting Engineers
Footpath Layout- Sheet 8	9 of 16	C	01.04.2025	MSL Consulting Engineers
Footpath Long section- Sheet 1	10 of 16	C	01.04.2025	MSL Consulting Engineers
Footpath Long section- Sheet 2	11 of 16	C	01.04.2025	MSL Consulting Engineers
Footpath Long section- Sheet 3	12 of 16	C	01.04.2025	MSL Consulting Engineers

Title / Name:	Drawing No. / Document Ref	Revision / Issue:	Date [dd.mm.yyyy]:	Prepared by:
Footpath Long section- Sheet 4	13 of 16	C	01.04.2025	MSL Consulting Engineers
Footpath Standard Details- Sheet 1	14 of 16	C	01.04.2025	MSL Consulting Engineers
Footpath Standard Details- Sheet 2	15 of 16	C	01.04.2025	MSL Consulting Engineers
Footpath Standard Details- Sheet 3	16 of 16	C	01.04.2025	MSL Consulting Engineers

Appendix E Survey Plan

Survey Plan Showing Detail and Levels	1 of 1	A	14.07.2023	Mepstead & Associates
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Appendix F Longitudinal Survey to Bus Stop

Survey Plan Showing Detail and Levels	1 of 2	A	14.07.2023	Mepstead & Associates
Survey Plan Showing Detail and Levels	2 of 2	A	14.07.2023	Mepstead & Associates

Appendix G Notification Plan

Cover Page	NP- 001	B	21.02.2025	Become
Site & Landscape Plan	NP- 002	D	26.03.2025	Become
Development Data	NP- 003	D	02.04.2025	Become
Proposed Building Elevations – North and South	NP- 004	D	26.03.2025	Become
Proposed Building Elevations – West and East	NP- 005	D	26.03.2025	Become
Shadow Diagrams	NP- 006	D	26.03.2025	Become

Appendix H Statutory Notifications and Council response**Appendix K Arboricultural Impact Assessment**

Arboricultural Impact Assessment	NL_26-28 STEVENAGE _AIA_280325	6	28.03.2025	New Leaf Arboriculture
Appendix M BASIX Certificate	Cert No. 1785958M_03	-	31.03.2025	Firststyle Homes Pty Limited
Appendix N NatHERS Certificates	Cert No. #HR-ZCHVSD-03	-	31.03.2025	Sustain erbas
Appendix O NatHERS Thermal Performance Specification	-	-	-	Sustain erbas

Title / Name:	Drawing No. / Document Ref	Revision / Issue:	Date [dd.mm.yyyy]:	Prepared by:
Appendix P BCA Compliance Assessment	P240121	2	23.02.2025	BCA vision
Appendix Q Geotechnical Investigation	23/1711	-	June 2023	STS Geotechnics
Appendix U Access Report	23349	D	28.03.2025	Vista access architects
Appendix V Traffic Impact Assessment	838 rep final	B	28.02.2025	Amber Traffic and Transport Direction
Appendix W Waste Management Plan-	G181	A	December 2024	Creative Planning Solutions
Appendix X Acoustic Assessment	20231276.1/1 810A/R1/RF	1	18.10.2024	Acoustic Logic

Appendix I Section 10.7 Planning Certificates

Lot 52 DP 225999, Cert no. 549/2025, dated 18.02.2025 - Fairfield City Council

Lot 53 DP 225999, Cert no. 548/2025, dated 18.02.2025 - Fairfield City Council

Lot 54 DP 225999, Cert no. 547/2025, dated 18.02.2025 - Fairfield City Council

Appendix J Title and Deposited Plans

Title Search, Folio: 52/22599, Search date 27.02.2023, First Schedule: New South Wales Land and Housing Corporation

Title Search, Folio: 53/22599, Search date 27.02.2023, First Schedule: New South Wales Land and Housing Corporation

Title Search, Folio: 54/22599, Search date 27.02.2023, First Schedule: New South Wales Land and Housing Corporation

The Minister became the legal owner of the land on 9 June 2025 even though the NSW Land Registry Services title register had not been updated (Schedule 2A, section 2(a) of the Housing Act 2001).

Appendix L Aboriginal Heritage Information Management System

AHIMS Search result - 02.04.2025

Appendix R Design compliance and checklists

Architect's Certificate of Building Design Compliance - 26.03.2025

Certificate of Landscape Documentation Compliance - 25.02.2025

Certificate of Stormwater Documentation Compliance - 13.02.2025

Certificate of Civil Documentation Compliance - 13.02.2025

Appendix S Design Quality Principles Statement - March 2025

Appendix T Housing for Seniors Checklist

Housing SEPP 2021, Senior Housing Design Guideline, Good design for social housing and LAHC Design Requirements compliance table - undated and prepared by Become

5 Zoning and Permissibility

The site is zoned R2 Low Density Residential under *Fairfield Local Environmental Plan 2013* (FLEP 2013). The proposed development is defined as ‘seniors housing’ under the provisions of FLEP 2013 and is permissible with consent in the R2 zone (refer to **Figure 18**).

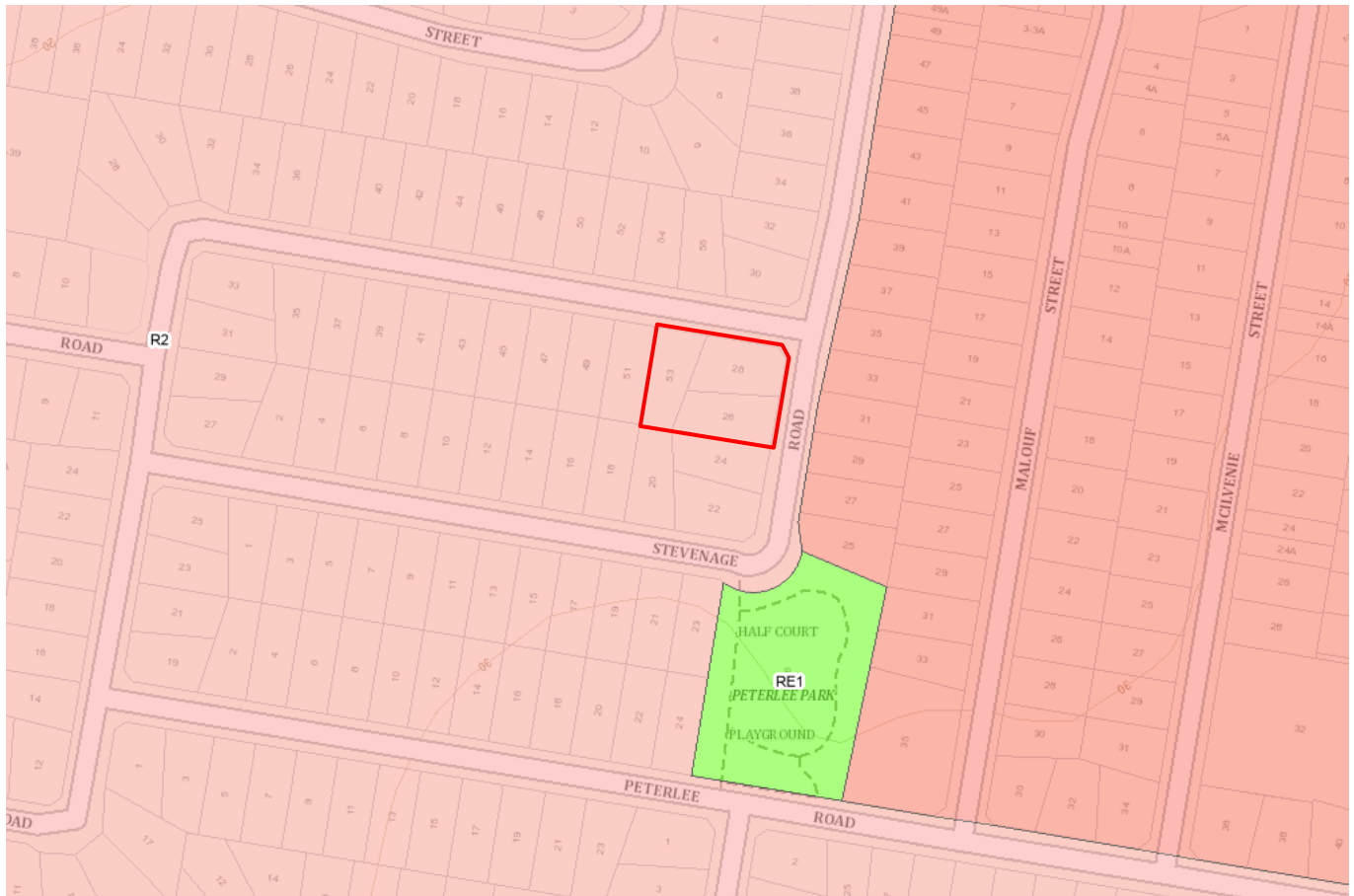


Figure 18 Land zoning map (Source: extract from NSW Planning Portal Spatial Viewer)

The relevant objectives of the R2 zone, as set out in FLEP 2013 are:

- To provide for the housing needs of the community within a low density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.

The proposed development is consistent with the above objectives because it:

- will provide new affordable housing that meets the identified needs of the community, and
- will provide a high quality and attractive development that has been sympathetically designed to fit within its context and complement the characteristics of the locality.

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

Table 6 in subsection 6.5.2 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 EPA& 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 **Table 4** below have been taken into account in considering the likely impact of the proposed activity on the environment. The table and comments made in this section of the REF are not mutually exclusive and are to be read in conjunction with the other sections of the REF dealing with the environmental impacts of the proposed development activity.

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

Factors to be taken into account concerning the impact of an activity on the environment.	Comment
Is the activity of a kind for which specific guidelines are in force? If so the factors to be taken into account when considering the likely impact of the activity on the environment are those referred to in the guidelines.	No specific guidelines This does not include guidelines such as the Seniors 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 EPA regulation 2021.

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

Guidelines for Division 5.1 assessments require the following Environmental factors to be taken into account:	Relevant?	Impact Assessment		
	YES/NA	Temporary	Minor	Significant [Note 1]
(a) environmental impact on the community	Yes	x	x	
(b) transformation of a locality;	Yes		x	
(c) environmental impact on the ecosystems of the locality;	Yes	x	x	
(d) reduction of the aesthetic, recreational, scientific or other environmental quality or value of a locality;	Yes	x	x	
(e) effect on a locality, place or building having aesthetic, anthropological, architectural, cultural, historical, scientific or social significance or other special value for present or future generations;	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

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, which identify priorities for the community's future. These themes comprise 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 include 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.

Theme 2 'Places and Infrastructure' includes as Goal (a) 'An accessible and liveable city' with the following outcomes identified:

- 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. The proposed upgrades to the footpath network will benefit the wider community, contributing to the provision of a more accessible and liveable city.

Fairfield City 2040 A Land Use Vision- Shaping a Diverse City- Local Strategic Planning Statement (March 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 13 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 13 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]

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

The Minister, 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 the activity against these controls is provided in **Table 11** 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 Housing for seniors and people with a disability – Part 5, Chapter 3

Division 1 – Land to which Part applies

This division sets out the circumstances in which the provisions of Part 5, Chapter 3 do, or do not, apply to land. Refer to **Table 5** below.

Table 5: Compliance with the relevant provisions of Chapter 3, Part 5, Division 1

Provision	Compliance
Division 1 – Land to which Part applies	
79 Land to which Part applies	
This Part applies to land in the following zones – (a) Zone RU5 Village, (b) Zone R1 General Residential, (c) Zone R2 Low Density Residential, (d) Zone R3 Medium Density Residential, (e) Zone R4 High Density Residential, (e1) Zone E1 Local Centre, (e2) Zone E2 Commercial Centre,	Complies – the site is zoned R2 Low Density Residential.

Provision	Compliance
(e3) Zone E3 Productivity Support, (e4) Zone MU1 Mixed Use, (f) Zone B1 Neighbourhood Centre, (g) Zone B2 Local Centre, (h) Zone B3 Commercial Core, (i) Zone B4 Mixed Use, (j) Zone B5 Business Development, (k) Zone B6 Enterprise Corridor, (l) Zone B7 Business Park, (m) Zone B8 Metropolitan Centre, (n) Zone SP1 Special Purposes, (o) Zone SP2 Infrastructure, (o1) Zone SP4 Enterprise under the following local environmental plans — (i) <i>Canada Bay Local Environmental Plan 2013</i> , (ii) <i>Central Coast Local Environmental Plan 2022</i> , (iii) <i>Penrith Local Environmental Plan 2010</i> , (iv) <i>Pittwater Local Environmental Plan 2014</i> , (v) <i>Port Macquarie-Hastings Local Environmental Plan 2011</i> , (vi) <i>Sutherland Shire Local Environmental Plan 2015</i> , (vii) <i>The Hills Local Environmental Plan 2019</i> , (viii) <i>Warringah Local Environmental Plan 2011</i> , (o2) Zone SP5 Metropolitan Centre, (p) Zone RE2 Private Recreation.	
80 Land to which Part does not apply — general	
(1) This Part does not apply to the following land — (a) land to which <i>Warringah Local Environmental Plan 2000</i> applies that is located within locality B2 (Oxford Falls Valley) or C8 (Belrose North) under the Plan, (b) land described in Schedule 3. (2) Nothing in Schedule 3 operates to preclude the application of this Part to land only because — (a) the land is identified under <i>State Environmental Planning Policy (Resilience and Hazards) 2021</i> , Chapter 2, or (b) in relation to land used for the purposes of an existing registered club — the land is described in another environmental planning instrument as — (i) private open space, or (ii) open space where dwellings or dwelling houses are permitted.	The site is not on land to which Warringah LEP 2000 applies. The land is not described in Schedule 3. Refer to the assessment under the heading 'Schedule 3 Environmentally sensitive land' below. NA – the site is not located within the coastal zone. NA – the land is not used for the purposes of a registered club.
Schedule 3 Environmentally sensitive land	
Land shown cross-hatched on the Bush Fire Evacuation Risk Map.	The site is not identified on bush fire evacuation risk map.
Land identified as coastal wetlands and littoral rainforests area within the meaning of <i>State Environmental Planning Policy (Resilience and Hazards) 2021</i> , Chapter 2.	The land is not identified as coastal wetlands or littoral rainforest.

Provision	Compliance
Land identified as coastal vulnerability area within the meaning of <i>State Environmental Planning Policy (Resilience and Hazards) 2021</i> , Chapter 2.	The land is not identified as being within a coastal vulnerability area.
Land declared as an area of outstanding biodiversity value under the <i>Biodiversity Conservation Act 2016</i> , section 3.1.	The land is not declared as an area of outstanding biodiversity value.
Land identified on the Map within the meaning of the <i>Biodiversity Conservation Regulation 2017</i> , section 7.3.	The land is not so identified as a mapped area of biodiversity.
Land identified in another environmental planning instrument as follows — (a) (Repealed) (b) open space, (c) natural wetland	The land is not identified in another environmental planning instrument as either open space or natural wetland.

6.5.2 Development without Consent

Demolition

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

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

Further the notification requirements of section 43 of the Housing SEPP mimic those in 108C of the Housing SEPP. Details with compliance with 108C are detailed in **Table 6** below.

Development for Seniors Housing

The Housing SEPP is very specific in terms of the matters that the Minister 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.

Chapter 3, Part 5, Division 8 of the Housing SEPP permits seniors housing to be carried out by the Minister as ‘development without consent’ subject to the provisions set out under that section. Table 6 below demonstrates compliance with the relevant provisions of the Housing SEPP.

Table 6 Compliance with relevant provisions under Part 5, Division 8 of the SEPP for seniors housing 'development without consent' carried out by the Minister

Provision	Compliance
108A – Development to which Division applies This Division applies to development for the purposes of senior housing involving the erection of a building on land -	
(a) on which development for the purposes of seniors housing is permitted with consent under another environmental planning instrument, or	The development is permissible with consent within the R2 Low Density Residential zone under the FLEP 2013.
(b) in a prescribed zone or an equivalent land use zone.	The R2 zone is also a prescribed zone under the SEPP. Part 5, Division 8 of the SEPP therefore applies.
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 Table 8 below.
(b) the development will not result in a building with a height of more than- (i) 9.5m, or (ii) if the roof of the building contains servicing equipment resulting in the building having a height of more than 9.5m and the servicing equipment complies with section 84(3) – 11.5m, and	The maximum building height is 7.95m.
(c) the seniors housing will not contain more than 40 dwellings on the site.	The development is for 13 dwellings on the site.
(2) <i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i> , sections 2.15 and 2.17 apply to the development and, in the application of the clauses –	Sections 2.15 and 2.17 of <i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i> are not applicable to the site or development.
(a) a reference in section 2.15 to “this Chapter” is taken to be a reference to this section, and	Noted.
(b) a reference in the sections to a public authority is taken to be a reference to the relevant authority.	Noted.
108C – Notification before carrying out development (1) Before carrying out development to which this Division applies, a relevant authority must do the following –	
(a) request that the council nominate persons who must, in the council’s opinion, be notified of the development	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 24 March 2025. Council provided a response on 28 March 2025 advising that the extent of notification is considered satisfactory.
(b) give written notice of the intention to carry out the development to – (i) the council, and (ii) the persons nominated by the council under paragraph (a), and (iii) the occupiers of adjoining land	A letter notifying Fairfield City Council of the proposed development activity was sent by the Minister on 4 April 2025. Letters notifying occupiers of adjoining land of the proposed development activity were sent by the Minister on 3 April 2025.

Provision	Compliance
(c) take into account the responses to the notice that are received within 21 days after the notice is given	Council responded to the Minister's notification by email dated 9 May and 16 May 2025. Comments on the response are provided in Section 7.1 of this REF. 1 submission was received from adjoining owners or occupiers. Comment on the submission is provided in Section 7.2 of this REF.
(2) In this section, a reference to the council is a reference to the council for the land on which the development is proposed to be carried out.	Noted
108CA Landcom must notify Secretary of Department of Communities and Justice	Not applicable.
108CB- Considerations before carrying out development	
(1) Before carrying out development to which this division applies, the relevant authority must consider –	
(a) The <i>Seniors Housing Design Guide</i> , published by the Department in December 2023, and	Consideration of the Guide is outlined in Appendix T and Section 6.5.4 of this REF. These conclude that the guidelines have been considered.
(b) The design principles for seniors housing set out in Schedule 8.	Consideration of these principles is outlined in Appendix T and Section 6.5.7 of this REF.
(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 –	Note: Under section 35F of the <i>Housing Act 2001</i> , the Minister administering the <i>Housing Act 2001</i> has the same functions as the NSW Land and Housing Corporation (LAHC) under relevant legislation, which includes the <i>Environmental Planning and Assessment Act 1979</i> and any regulations or subordinate instruments made under that Act.
(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 T and Section 6.5.5 of this REF. These conclude that the development complies with all relevant development standards relating to the Good Design for Social Housing.
(b) the <i>NSW Land and Housing Corporation Design Requirements</i> , published by the Land and Housing Corporation in February 2023.	Refer to checklist in Appendix T and Section 6.5.6 of this REF. These conclude that the development complies with all relevant development standards relating to the NSW Land and Housing Corporation Design Requirements
(4) Before carrying out development to which this division applies, Landcom must consider the <i>Landcom Affordable Housing Design Guideline</i> , published by Landcom, in partnership with the Government Architect NSW, in November 2023	Not applicable.
108D - Exempt development Development for the purposes of landscaping and gardening is exempt development if it is carried out by or on behalf of a relevant authority in relation to seniors housing	Noted.
108E - Subdivision of seniors housing not permitted Development consent must not be granted for the subdivision of seniors housing.	No subdivision proposed. The lots will be consolidated as part of the development.

The Housing SEPP requires the Minister 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 7** and **Table 8** below.

Table 7 Consideration of section 84(2) (c) (iii), 85, 88, 89 of the Housing SEPP 2021

Provision	Compliance
<p>84 Development standards – general</p> <p>(2) Development consent must not be granted for development to which this section applies unless –</p> <p>(c) for development on land in a residential zone where residential flat buildings are not permitted –</p> <p>(iii) if the development results in a building with more than 2 storeys – the additional storeys are set back within planes that project at an angle of 45 degrees inwards from all side and rear boundaries of the site.</p>	<p>The proposed development is in the R2 zone where residential flat buildings are not permitted.</p> <p>Not applicable as the proposed development is 2 storeys.</p>
<p>84 Development standards – general</p> <p>(2) Development consent must not be granted for development to which this section applies unless –</p> <p>(c) for development on land in a residential zone where residential flat buildings are not permitted –</p> <p>(iii) if the development results in a building with more than 2 storeys – the additional storeys are set back within planes that project at an angle of 45 degrees inwards from all side and rear boundaries of the site.</p>	<p>The proposed development is in R2 zone where residential flat buildings are permitted.</p> <p>Not applicable as the proposed development is 2 storeys.</p>
<p>85 Development standards for hostels and independent living units</p> <p>(1) Development consent must not be granted for development for the purposes of a hostel or an independent living unit unless the hostel or independent living unit complies with the relevant standards specified in Schedule 4.</p> <p>(2) An independent living unit, or part of an independent living unit, located above the ground floor in a multi-storey building need not comply with the requirements in Schedule 4, sections 2, 5–13 and 15–21 if the development application is made by, or by a person jointly with, a social housing provider or Landcom.</p> <p>Note – Development standards concerning accessibility and usability for residential care facilities are not specified in this Policy. For relevant standards, see the Building Code of Australia.</p>	<p>The proposed development complies with relevant standards specified in Schedule 4 as demonstrated in Table 9 below.</p> <p>Noted.</p>
<p>88 Restrictions on occupation of seniors housing</p> <p>(1) Development permitted under this Part may be carried out for the accommodation of only the following –</p> <p>(a) seniors or people who have a disability,</p> <p>(b) people who live in the same household with seniors or people who have a disability,</p> <p>(c) staff employed to assist in the administration and provision of services to housing provided under this Part.</p> <p>(2) Development consent must not be granted under this Part unless the consent authority is satisfied that only the kinds of</p>	<p>Identified Requirement Nos. 73 & 74 are recommended to achieve compliance.</p>

Provision	Compliance
people referred to in subsection (1) will occupy accommodation to which the development relates.	
89 Use of ground floor of seniors housing in business zones	Not applicable as the site is located in a residential zone.

Table 8 Consideration of non-discretionary standards for Independent Living units (Section 108)

Development Standard	Required	Proposed	Complies
2 (a) Building Height:	9.5m or less	7.95m	Yes
2(b) Height of Servicing Equipment	11.5m or less If greater than 9.5m, not more than 20% of roof area	7.95m	Yes
2(c) Density and Scale:	Floor Space Ratio 0.5:1 or less	0.5:1	Yes It is noted that the common corridors within the development have been designed as open breezeways and are therefore excluded from the calculation of floor space. In accordance with recent Land and Environment Court decisions and best practice. Each breezeway end has been designed with one side as an open form, ensuring the breezeway is open to the elements. Further, all walls adjoining the breezeway are to be constructed as external walls. This design is considered satisfactory to enable the open breezeways to be excluded from floor space calculations. In any case, compliance with the floor space ratio control is a consideration rather than a requirement.
2(d) Landscaped Area:	Minimum landscaped area that is the lesser of: (i) 35m ² per dwelling (13 x 35m ² = 455m ²) (ii) 30% of the site area (538.74m ²). Landscaped area minimum requirement is 455m ² .	640m ²	Yes
2(f) Deep Soil Zone:	Minimum 15% of area of site (15% x 1,795.8m ² = 269.37m ²)	437m ² or 24.33%	Yes
	Minimum 65% to be preferably located at rear of site (269.37m ² x 65% = 175.09m ²)	50m ² .	Does not comply. The corner allotment does not provide a 'rear setback' that is otherwise provided in mid-block sites. The deep soil landscaping is focused in the front peripheries of the site to Welwyn and Stevenage Road. This provides sufficient setback for two existing trees within the front setback to be

Development Standard	Required	Proposed	Complies
			retained and opportunities for new trees to be planted. 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 will ensure a high-quality landscape setting as viewed from the street.
	Minimum dimension 3m	3m	Yes
2(g) 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	77% (10/13)	Yes
2(h) Private Open Space:	Ground level:		
	Minimum 15m ² per dwelling	Minimum 21m ² - 83 m ²	Yes
	One area minimum 3m x 3m, accessible from living area	Minimum 3m x 3m courtyards.	Yes
	Upper level/s:		Yes
	1 bedroom: Minimum 6m ² Minimum dimensions 2m	Minimum 10m ² Minimum 2m	
	2 or more bedrooms: Minimum 10m ² Minimum dimensions 2m	Minimum 11m ² Minimum 2m	
2(j) Car parking:	Minimum 1 car parking space for each 5 dwellings (Minister concession) – 3 car parking spaces required	6 car parking spaces	Yes

6.5.3 Development standards for Accessibility

Consideration of the development standards for accessibility set out in section 85 and Schedule 4 is demonstrated in **Table 9** below.

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

Table 9 Consideration of 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.	Complies. 100% of the ground floor units have accessible paths of travel in accordance with AS1428.1 to the front boundaries as confirmed by the Access Report prepared by Vista Access Architects (Appendix U).
'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 1:10.
Common areas	All common areas and facilities to have wheelchair accessibility as per AS1428.1.	Complies. All common areas including garbage bin storage area and letter boxes have access by accessible paths as detailed in the Access Report prepared by Visat Access Architects (Appendix U).
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.	Complies. Letterboxes have been provided adjacent to Welwyn Road pedestrian entrance and are accessible by a continuous accessible path of travel as per AS1428.1. Compliance detailed in the Access Report prepared by Vista Access Architects (Appendix U). Further specification to be provided at detailed construction documentation stage (refer to Identified Requirement No. 73).
Multiple letterboxes	The structure must be in a prominent location.	Complies. Letterboxes have been provided adjacent to Welwyn Road 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 (refer to Identified Requirement No. 73).
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 –	As a social housing provider, the Minister is required to provide 3 car parking spaces in accordance with 108(2) of the Housing SEPP, all of the required 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>	<p>spaces meet the accessibility requirements of Housing SEPP as detailed below.</p> <p>(2)(a) NA – parking spaces are provided in a group</p> <p>(b) Complies - 1 space complies with AS2890.6 and 2 spaces have a minimum width of 3.2m and a maximum gradient of 1:40 in any direction.</p> <p>Further details are contained in the Access Report prepared by Vista Access Architects (Appendix U).</p> <p>An additional 3 car parking spaces are provided over and above the minimum requirements specified in the Housing SEPP. These spaces comply with the requirements of AS2890.1 for standard car parking spaces.</p>
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.	The proposal does not incorporate power-operated doors, gates, barriers and the like as they pose a maintenance issue for the Minister.
	(7) A parking space, other than a parking space under subsection (6), must be —	Not applicable all car parking is in a common area.
	(a) secured by a power-operated door, or	
	(b) capable of accommodating the installation of a power-operated door, including by having —	
	(i) access to a power point, and	
	(ii) an area for motor or control rods for a power-operated door.	
	(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 <i>common area</i> if it is not attached to or integrated with a hostel or independent living unit.	Noted.
5. Accessible entry		
Main entrance to a dwelling	<p>Must have —</p> <p>(a) a clear opening that complies with AS 1428.1, and</p> <p>(b) a circulation space in front of the door and behind the door that complies with AS 1428.1.</p>	<p>Complies.</p> <p>Further specification to be provided at detailed construction documentation stage (refer to Identified Requirement No. 73).</p>
6. Interior		
Note: consideration only required for ground floor units in accordance with clause 85(2)		
Internal doorway	(1) Must have an unobstructed opening that complies with AS1428.1	<p>Complies.</p> <p>Further specification to be provided at detailed construction documentation</p>

		stage (refer to Identified Requirement No. 73).
Internal corridor	(2) Must have a minimum unobstructed width of 1,000mm	Complies. Further specification to be provided at detailed construction documentation stage (refer to Identified Requirement No. 73).
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.	Complies. Further specification to be provided at detailed construction documentation stage (refer to Identified Requirement No. 73).

7. Bedroom

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

	At least one bedroom in a dwelling must have the following — (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 wardrobe and a queen-size bed, (b) a clear area around the area for the bed of at least — (i) 1,200mm at the foot of the bed, and (ii) 1,000mm on each side of the bed, (c) at least 2 double general power outlets on the wall where the head of the bed is likely to be, (d) at least one general power outlet on the wall opposite the wall where the head of the bed is likely to be.	Complies. Further specification to be provided at detailed construction documentation stage (refer to Identified Requirement No. 73).
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8. Bathroom

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

	(1) At least one bathroom in a dwelling 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 bathrooms in each dwelling comply with the requirements of this clause as confirmed by the submitted Access Report prepared by Vista Access Consultants (Appendix U). Further specification to be provided at detailed construction documentation stage (refer to Identified Requirement No. 73).
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	<p>2) The bathroom must have the following —</p> <p>(a) a slip resistant floor surface that achieves a minimum rating of P3 in accordance with AS 4586—2013,</p> <p>(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,</p> <p>(c) a shower that —</p> <p>(i) is accessible without a shower-hob or step, and</p> <p>(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</p> <p>(iii) is in the corner of a room, and</p> <p>(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 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>	<p>Complies</p> <p>Capable of Compliance.</p> <p>Further specification to be provided at detailed construction documentation stage (refer to Identified Requirement No. 73).</p> <p>Complies</p>
	<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.</p>	<p>Noted.</p>

9. Toilet

Note: consideration only required for ground floor units in accordance with clause 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 as detailed in the Access Report prepared by Vista Access Architects (Appendix U).</p> <p>Further specification to be provided at detailed construction documentation stage (refer to Identified Requirement No. 73).</p>
	<p>(2) The toilet must have the following —</p> <p>(a) a water closet pan —</p>	<p>Does not comply with (2)(b)(ii).</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 in 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>The design complies all requirements, other than with the circulation space requirement in front of the water closet pan, which is not clear of the door swings and therefore does not comply with (2)(b)(ii).</p> <p>The preference for the bathroom layout is to locate the shower diagonally opposite to the door, to reduce the opportunity for excess water in proximity to the doorway, to reduce opportunity for slips, falls and water damage. This results in the water closet pan not complying with the required 1,200mm circulation space. Notwithstanding, the circulation space in front of the water closet pan will comply with the requirements under AS1428.1 and is considered to provide an acceptable level of amenity. Identified Requirement No.73 has been imposed to clarify that this non-compliance has been considered and the resultant water closet pan design is considered to be acceptable. In any case, compliance with this requirement in Schedule 4 is a consideration, with compliance not mandatory.</p>
	(3) A removable shower screen may be located in the circulation space specified in subsection (2)(c).	Noted.

10. Surfaces of balconies and external paved areas

Note: consideration only required for ground floor units in accordance with clause 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 <i>Standards Australia Handbook SA HB 198:2014, Guide to the specification and testing of slip resistance of pedestrian surfaces</i>, published on 16 June 2014.</p>	<p>Complies.</p> <p>Further detailed information will be required at construction documentation stage to ensure compliance (refer to Identified Requirement No. 73).</p>
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11. Door Hardware

Note: consideration only required for ground floor units in accordance with clause 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>Capable of compliance.</p> <p>Further detailed information will be required at construction documentation stage to ensure compliance (refer to Identified Requirement No. 73).</p>
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12. Switches and power points

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

	<p>(1) Switches and power points must —</p> <p>(a) comply with AS 1428.1, or</p>	Capable of compliance.
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- (b) be capable of complying with AS 1428.1 through future adaptation.
- (2) Subsection (1) does not apply to —
 - (a) remote controls, or
 - (b) power points likely to serve appliances that are not regularly moved or turned off.

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

13. Private Passenger Lifts

- (1) This section applies to a private passenger lift that is required by this schedule to be accessible only from inside a particular dwelling.

Not Applicable.

Private passenger lifts have not been proposed.

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.

Complies.

The bedroom in each dwelling complies with the requirements as detailed in the Access Report prepared by Vista Access Architects (**Appendix U**).

Further specification to be provided at detailed construction documentation stage (refer to **Identified Requirement No. 73**).

16. Living room

Note: consideration only required for ground floor units in accordance with clause 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.

Complies.

The living room in each dwelling complies with the requirements as detailed in the Access Report prepared by Vista Access Architects (**Appendix U**).

Further specification to be provided at detailed construction documentation stage (refer to **Identified Requirement No. 73**).

17. Main area of private open space

Note: consideration only required for ground floor units in accordance with clause 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.

All ground floor units have level access to private open space. Compliance achievable as detailed in the Access Report prepared by Vista Access Architects (**Appendix U**). Further details to be verified at construction documentation

		stage (refer to Identified Requirement No. 73).
18. Kitchen		
Note: consideration only required for ground floor units in accordance with clause 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. Further detailed information will be required at construction documentation stage to ensure compliance (refer to Identified Requirement No. 73).
	(2) The kitchen must have a circulation space with a diameter of at least 1,200mm between each bench top, cupboard or large appliance and each other bench top, cupboard or large appliance.	Complies. Further detailed information will be required at construction documentation stage to ensure compliance (refer to Identified Requirement no. 73).
	(3) Each circulation space specified in subsection (2) must be capable of being increased to a diameter of 1,550mm without — (a) relocating the sink, or (b) moving a load-bearing wall, or (c) breaching another circulation requirement.	Complies. Further detailed information will be required at construction documentation stage to ensure compliance (refer to Identified Requirement no. 73).
	(4) The kitchen must have the following fittings — (a) a bench that includes at least one work surface that is — (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 — (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.	Complies. Further detailed information will be required at construction documentation stage to ensure compliance (refer to Identified Requirement no. 73).
	(5) The cupboards must — (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.	Complies. Further detailed information will be required at construction documentation stage to ensure compliance (refer to Identified Requirement no. 73).
	(6) An overhead cupboard in the kitchen must be capable of being fitted with “D” pull cupboard handles towards the bottom of the cupboard.	Capable of compliance. Further detailed information will be required at construction documentation

		stage to ensure compliance (refer to Identified Requirement No. 73).
	(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.	Capable of compliance. Further detailed information will be required at construction documentation stage to ensure compliance (refer to Identified Requirement No. 73).
	(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.	Capable of compliance. Further detailed information will be required at construction documentation stage to ensure compliance (refer to Identified Requirement No. 73).
	(9) Cabinetry below a work surface must be able to be easily removed to allow wheelchair access to the work surface.	Capable of compliance. Further detailed information will be required at construction documentation stage to ensure compliance (refer to Identified Requirement No. 73).

19. Laundry

Note: consideration only required for ground floor units in accordance with clause 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 each dwelling complies with the requirements of this clause as per the Access Report (Appendix U). Further detailed information will be required at construction documentation stage to ensure compliance (refer to Identified Requirement No. 73).
	(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 private open space or any clothesline provided for the dwelling.	Complies. Further detailed information will be required at construction documentation stage to ensure compliance (refer to Identified Requirement No. 73).
	(3) The space specified in subsection (2)(c) may overlap with a door swing or the circulation space for a door.	Noted.
	(4) For laundry facilities in a cupboard, the cupboard must be capable of being fitted with "D" pull cupboard handles in the following locations — (a) for below-bench cupboards — towards the top, (b) for overhead cupboards — towards the bottom,	Capable of compliance. Further detailed information will be required at construction documentation stage to ensure compliance (refer to Identified Requirement No. 73).

	(c) for floor-to-ceiling doors — between 900mm and 1,100mm above the finished floor level.	
	(5) In this section — <i>laundry</i> includes laundry facilities in a cupboard.	Noted.
20. Linen Storage		
	An independent living unit must have a floor-to-ceiling linen storage cupboard that — (a) is at least 600mm wide, and (b) has adjustable shelving.	Complies. Further detailed information will be required at construction documentation stage to ensure compliance (refer to Identified Requirement No. 73).
21. 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.	Capable of compliance. Further detailed information will be required at construction documentation stage to ensure compliance (refer to Identified Requirement No. 73).
22. Garbage and recycling		
	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.	Complies. Further detailed information will be required at construction documentation stage to ensure compliance (refer to Identified Requirement No. 73).

6.5.4 Seniors Housing Design Guide

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

The Guide offers design principles and best practice for developments assessed under the Housing SEPP. Part 2 of the Guide includes chapters that assist to understand the site, context and future resident needs, leading to better housing solutions for seniors.

In accordance with Part 3, Section 11 of the Guide, the development is considered as ‘stand-alone independent living unit development medium density’. As such, the design principles for independent living set out in Part 3, Section 15 of the Guide are relevant to the design of the development. These principles, as follows, must be considered when designing such developments:

- neighbourhood amenity and streetscape
- solar access and design for climate
- stormwater
- crime prevention
- accessibility
- waste management

Section 108CB(1)(a) of the Housing SEPP requires the relevant authority to take into account the relevant provisions of the Guide 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 Guide is provided at **Appendix T**. The proposed design is consistent with the Guide.

6.5.5 Good Design for Social Housing

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

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 Housing Checklist in **Appendix T**.

Wellbeing

The proposed development supports the wellbeing of future tenants by providing safe and accessible housing where residents have privacy and feel safe.

All units have been designed to comply with accessibility requirements of Schedule 4 of the Housing SEPP. The development therefore caters for varying degrees of mobility, to accommodate the changing needs of tenants over time and allowing them to age in place.

The development incorporates passive and active sustainable design by achieving cross ventilation to 60% of apartments, and at least 2 hours of solar access during the mid-winter solstice to the living areas and private open spaces of 77% of units. Durable and low maintenance materials are proposed and units are appropriately sized to reduce running costs. The proposal achieves a high NatHERS rating with an average of 8.6 stars which exceeds the minimum targets. 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. PV solar panels are predominately positioned on the north facing roof elevations to maximise solar gains.

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 a balcony that accommodates outdoor dining as well as service functions such as clothes drying and air conditioning units. High quality landscaping across the site will enhance the amenity for residents.

Ample car 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 a neutral colour palette will ensure the visual appeal of the development is maintained over time and also make the development indistinguishable from private housing.

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

seating is proposed within a landscaped setting within the communal open space to encourage community connection, supporting the health and wellbeing of residents.

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

Value

The development exceeds sustainability targets, with all 13 dwellings achieving a NatHERS score of 7.4 or above. The scheme incorporates sustainable features including insulation, high-quality glazing, 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 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 City Council.

6.5.6 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 Minister's social housing portfolio. These requirements apply to all new developments undertaken by the Minister and are driven by tenant wellbeing, design quality, environmental performance and operational effectiveness within cost parameters.

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

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

6.5.7 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 compatible with the existing uses and the future character of the area. There are services, facilities and infrastructure that will be available to meet the demands arising from the proposed activity.

The Housing SEPP articulates a range of design principles that the Minister must consider in determining whether to proceed with a proposed seniors housing activity. **Table 10** below demonstrates how the principles have been considered in the design of the proposal.

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

1. Neighbourhood amenity and streetscape
<p>Seniors housing should be designed to —</p> <p>(a) recognise the operational, functional and economic requirements of residential care facilities, which typically require a different building shape from other residential accommodation, and</p>
<p>N/A no residential care facility proposed.</p>
<p>(b) recognise the desirable elements of —</p> <p>(i) the location's current character, or</p> <p>(ii) for precincts undergoing a transition — the future character of the location so new buildings contribute to the quality and identity of the area, and</p>
<p>The existing character is predominantly single and two storey residential development of varying age and architectural style. A mix of brick, fibro clad or weatherboard construction with tiled 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 brick and rendered 2 storey dwellings with pitched roofs.</p> <p>The proposed development reflects and respects the existing character of the local area. The proposed use of brick and cladding to all external elevations, articulated elevation design, pitched roof forms and landscaping design integrates with the design and character of the surrounding area.</p> <p>The design of the proposal is a compatible building form which remains consistent with the design and character of the street and the surrounding local area.</p>
<p>(c) complement heritage conservation areas and heritage items in the area, and</p>
<p>The site is not located within a heritage conservation area nor are there any heritage items that adjoin the site.</p>
<p>(d) maintain reasonable neighbourhood amenity and appropriate residential character by —</p> <p>(i) providing building setbacks to reduce bulk and overshadowing, and</p> <p>(ii) using building form and siting that relates to the site's land form, and</p> <p>(iii) adopting building heights at the street frontage that are compatible in scale with adjacent buildings, and</p> <p>(iv) considering, where buildings are located on the boundary, the impact of the boundary walls on neighbours, and</p>
<p>The development has been designed to reflect the desirable characteristics of the area which include landscaped front setbacks, prominent entry points and face brick or cladding to external elevations. Additional street trees will contribute to the established corridor of street tree planting along Welwyn Road and Stevenage Road.</p> <p>The proposed building setbacks are compatible with the streetscape character of the locality and are consistent with Council's DCP requirements. The development is below the height limit permitted under the Housing SEPP and FLEP 2013 and provides generous side and rear setbacks, to minimise building bulk, overlooking and overshadowing.</p> <p>Given the orientation of the site and proposed building setbacks, minimal overshadowing is cast upon the adjoining properties.</p> <p>At 9am, minor overshadowing falls upon the eastern side elevation of 51 Welwyn Road which includes a number of windows and a minimal amount of the rear garden. By approximately 10am there is no additional overshadowing falling upon 51 Welwyn Road.</p>

The proposed building also casts shadow to the south from 9am, overshadowing 24 Stevenage Road. There are 2 north-facing side windows, together with a corner of the rear facing façade that are intermittently overshadowed by the development between 9am-12pm. The rear garden also receives some minor overshadowing prior to 12pm. By 12pm onwards, there is no additional overshadowing falling upon 24 Stevenage Road.

The proposed overshadowing to surrounding buildings is considered to be minor and does not unreasonably overshadow primary elevations or principal open space areas. On balance, the level of overshadowing is reasonable and the adjoining properties continue to receive an acceptable amount of sunlight as a result of the proposed development.

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

The elevated breezeway has been set back from the southern boundary by 17m, which is considered to satisfactorily minimise the visual impact of the structure. **Identified Requirement 83** is recommended to ensure that any light spill from this open breezeway does not cause nuisance to adjoining properties.

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

The proposed building line sits forward of the existing building line along Welwyn Road and Stevenage Road. Notwithstanding, this is consistent with the FDCP 2024 primary front setback requirement of 4.5m and secondary front setback requirement of 3m for multi-dwelling developments and contributes to defining the character and appearance of the corner lot.

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

The proposed landscape design incorporates substantial plantings within both site frontages and to the rear of the development which will enhance the streetscape, soften the built form as viewed from the street and provide a vegetative buffer to adjoining neighbours for additional amenity.

The proposal requires the removal of 4 protected trees and 16 exempt trees and shrubs located with the site. The new planting scheme incorporates a mix of ground covers and native shrubs. A total of 11 new trees will be planted to offset the loss of tree canopy. 4 large native trees (Water Gum and Native Frangipani) are proposed within the front and rear setbacks that will grow to a mature height of 3-12m. 3 Crepe Myrtle trees are proposed within the rear setback area. 4 new trees (Bottlebrush) will be located within the council verge.

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

There are 6 existing protected trees and 16 exempt trees and shrubs on site. The Arboricultural Impact Assessment (**Appendix K**) recommends the removal of all trees and shrubs within the site, except for two trees (Tree 3 and 8), due to their suitability and proximity to the proposed building. As outlined above, substantial replacement planting is proposed to compensate for the loss of existing vegetation. This will include 7 new trees on the site capable of achieving a mature height of 6-12m, as well as over 400 shrubs and groundcovers. Over time, this replacement vegetation will provide additional habitat for fauna in the long-term. There are 2 existing street trees located in the Stevenage frontage which will be retained and protected. As set out above, 4 new street trees (bottle brush) are proposed to be planted in Council's verge within both the Welwyn Road and Stevenage Road frontage.

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

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

Visual and acoustic privacy [section 100]

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

(a) using appropriate site planning, including considering the location and design of windows and balconies, the use of screening devices and landscaping, and

(b) ensuring acceptable noise levels in bedrooms of new dwellings by locating them away from driveways, parking areas and paths.

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

The building has generally been designed so that high use areas such as living rooms and private open space areas are oriented predominately to the front to minimise privacy impacts. Where windows and balconies face side and rear boundaries, adequate setbacks have been incorporated, windows have been generally limited and balconies have been provided with screening.

Vehicle driveway and car parking is proposed to the rear of the site to provide additional separation between the proposed building and neighbouring properties.

Boundary fencing to a height of 1.8m will assist with mitigating visual and acoustic impacts associated with the internal hard standing car parking area oriented to the south-west. The proposed perimeter landscaping along the western and southern boundaries will also act as a visual and acoustic buffer between the car park and adjacent development. The generous setbacks to the north and east provides a large deep soil area which will accommodate shade trees and dense landscape plantings which will create a pleasant outlook when viewed from neighbouring properties and the street scene.

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

Solar access and design for climate [section 101]

The design of seniors housing should —

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

The site frontage has a northerly and easterly orientation. The development has been designed so that 9 of the 13 units have living areas and private open space that captures this northern orientation and achieve good solar access. The remaining 4 units capture direct sunlight to living areas and private open space during either the morning or afternoon periods.

77% (10 of 13 units) of units achieve at least 2 hours of direct solar access to living areas in mid-winter, and 100% (13 of 13 units) achieve direct solar access to an area of private open space, which exceeds the 70% targets set under the Housing SEPP. Overall, the development exceeds the sustainability targets and achieves an average NatHERS rating of 8.6, with no individual unit achieving less than 7.4 stars.

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

Stormwater [section 102]

The design of seniors housing should aim to —

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

Stormwater will be collected via an underground OSD tank located immediately beneath the driveway. Roof water from the proposed development will be collected from downpipes and connected to a below-ground 5,000L rainwater tank to facilitate water re-use for landscape irrigation. A series of stormwater pits and gutters on the site enable stormwater to drain to the rainwater and OSD. Excess water is discharged to the kerb in Welwyn Road. Site stormwater will be captured and drained as shown on the submitted stormwater management plans (**Appendix C**),

Hard surfaces have been minimised in private garden areas and landscaping where possible.

Crime prevention [section 103]

Seniors housing should –

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

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

Site planning enforces territorial reinforcement by establishing clear entry points and boundaries through fencing and landscaping. The central entry point provides a secure progression from public to private spaces and will create a safe environment for residents. In total 9 out of 13 units address Welwyn Road and provide passive surveillance of the pedestrian entrance. Access to all units is via the central entry corridor accessed from Welwyn Road. This corridor leads to the rear communal outdoor space and car parking area. A secondary pedestrian access is provided from Stevenage Road, which will also be provided with a gate.

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 rear common space, communal carparking and driveway.

Peep-holes 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. 77**).

Accessibility [section 104]

Seniors housing should –

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

The closest bus stops ID 2166146 and 2166151 located approximately 200m from the site do not have a safe pedestrian crossing infrastructure across Canley Vale Road. Therefore, the closest bus stops providing a “suitable access pathway” from the site as per the Housing SEPP definition, are located on Canley Vale Road approximately 408m (ID2166147) and 402m (ID2166150) from the site.

These closest bus stops marginally exceeds the 400m maximum distance specified under clause 93(3)(a) of the Housing SEPP. Noting that the Minister is not required to consider clause 93. Notwithstanding, the distance only marginally exceeds the maximum requirements stipulated for other seniors housing and provides a direct and intuitive pathway and is considered to be acceptable.

The Access Report (**Appendix U**) demonstrates that 2 new kerb ramps and repairs are required to the footpath along Stevenage Road to enable safe pedestrian links between the site and Canley Vale Road. A new footpath will be constructed to the Welwyn and Stevenage Road frontage of the site.

Identified Requirement No. 78 will require the construction of a new footpaths on Welwyn and Stevenage Roads.

Identified Requirement No. 79 will be included requiring new kerb ramps and various footpath upgrades to be undertaken along the footpath between the site and bus stops on Canley Vale Road to ensure a compliant pedestrian link is provided to meet the Housing SEPP requirements.

Car parking is provided for residents within the site, 3 of the parking spaces meet the accessibility requirement of the Housing SEPP. Accessible pathways are provided between the car parking area and the internal lobby. There is ample street parking available on Stevenage Road and Welwyn Road for visitors if required.

Waste management [section 105]

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

A waste storage area is provided in an enclosed room within the under croft area adjacent to the main entry on Welwyn Road and will accommodate general waste, recycling and green waste. The proposed waste room is designed with a window facing the main entry door of the building to increase passive surveillance. The waste storage area has two entries to avoid the creation of entrapment spaces. The site will be serviced by Council's standard kerb-side waste collection service, with bins taken to the kerb by a contractor.

6.6 Other State Environmental Planning Policies

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

Table 11 Compliance with other applicable State and Environmental Planning Policies

SEPP (Sustainable Buildings) 2022

A BASIX Certificate and associated NatHERS Certificate have been obtained for the development proposal (refer to **Appendix M**). The certificates confirm that the development complies with the minimum requirements for water, energy and thermal performance.

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 childcare 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.

Chapter 2 – Vegetation in non-rural areas. 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 4 protected trees (refer to the Arboricultural Impact Assessment at **Appendix K**).

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.

Chapters 3 & 4 – Koala habitat protection 2020 and 2021, are not applicable as the land is not within a prescribed zone, or equivalent land use zone – section 3.3 and section 4.4.

Chapter 5 – River Murray Lands is not applicable, the land is not shown on the map and is not located in the riverine land of the River Murray, pursuant to section 5.3.

Chapter 6 – Water Catchments. The site is located within a regulated catchment, namely, the Georges River Catchment. Accordingly, the controls for development set out in Division 2, Chapter 6, Part 6.2 of the Biodiversity and Conservation SEPP apply to the activity.

Under Section 171A(1) of the EP&A Regulation, the Minister, 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 *State Environmental Planning Policy (Biodiversity and Conservation) 2021*, sections 6.6(1), 6.7(1), 6.8(1) and 6.9(1). Further, as the consent authority the Minister must be satisfied under State Environmental Planning Policy (Biodiversity and Conservation) 2021, sections 6.6(2), 6.7(2), 6.8(2) and 6.9(2).

6.6 Water quality and quantity

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

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

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

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

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

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

Comment: Stormwater will be collected within the site via a series of stormwater pits and gutters on the site connected to an underground detention tank draining to the street drainage pit on the Welwyn Road frontage. Roof water will be collected from downpipes and connected to a 5m³ underground rainwater tank for recycling with overflow connected to an onsite detention tank (OSD) with a storage volume of 26.8m³. The proposed development complies with the controls set out in Division 2, Chapter 6, Part 6.2 of the Biodiversity and Conservation SEPP that apply to the activity.

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

Identified Requirement Nos. 6 and 42 are recommended to ensure 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 and is not located near wetlands/littoral rainforests. Suitable erosion and sedimentation controls will be required to minimise erosion and maintain water quality. (refer to **Identified Requirement No. 13**). 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 – Not applicable. 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 - 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.

The site is located within a developed residential area of Canley Heights. The Section 10.7 Planning Certificates do not identify the site as potentially contaminated (refer to **Appendix I**). Notwithstanding, the *draft Contaminated Land Planning Guidelines* (draft Guidelines) prepared by the former Department of Planning and Environment and the Environment Protection Authority provides a checklist of matters to be considered in an initial evaluation of land in relation to potential for contamination. These matters are considered in the **Table 12** below:

Table 12 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	The Minister's records indicate that the land has been used for residential purposes since the early 1960's. Prior to this, the land is detailed as being naturally vegetated.
(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	The Minister's records indicate that the land has not been used for a potentially contaminating activity listed in Table 1, Appendix 1 of the draft Guidelines.
(c) Is the subject land currently used for a potentially contaminating activity listed in Table 1 in Appendix 1?	No	All lots contain a single storey detached dwelling and associated structures.

(d) Has the subject land ever been regulated through licensing or other mechanisms in relation to any potentially contaminating activity listed in Table 1 in Appendix 1?	No	The Minister's 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.
(h) Are there any human or environmental receptors that could be affected by contamination?	No	Identified requirement No. 17 has been recommended to cover the possibility of discovering site contamination during construction/demolition 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.

Given the above it is unlikely that the site is contaminated however a recommended **Identified Requirement No. 17** requires implementation of management measures in the unlikely event of contamination prior or during construction works.

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 13** below.

Table 13 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).	Complies. Maximum building height (measured in accordance with the LEP definition) is 7.95 metres.

Relevant Provisions / Development Standards for Seniors Housing

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).	Does not comply. Proposed FSR is 0.5:1 and will comply with the Housing SEPP, which prevails over the LEP provisions.
6.2	Earthworks	(3) Before granting development consent for earthworks (or for development involving ancillary earthworks), the consent authority must consider the following matters – (a) the likely disruption of, or any detrimental effect on, existing drainage patterns and soil stability in the locality of the development, (b) the effect of the development on the likely future use or redevelopment of the land, (c) the quality of the fill or of the soil to be excavated, or both, (d) the effect of the proposed development on the existing and likely amenity of adjoining properties, (e) the source of any fill material and the destination of any excavated material, (f) the likelihood of disturbing relics, (g) proximity to and potential for adverse impacts on any watercourse, water catchment or environmentally sensitive area (h) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.	Complies. A Geotechnical Investigation (Appendix Q) was undertaken, and the results have informed the design of the development. The proposed activity includes areas of cut and fill, as detailed in the Architectural Drawings in Appendix A . A maximum excavation depth of approximately 1m is proposed across the site. The proposed development has been designed to ensure minimal disruption and detrimental effect on existing drainage patterns and soil stability in the locality. It will have minimal adverse impact on the future use or redevelopment of the land. Where possible, excavation has been set back from common boundaries. Where possible, excavated material will be used onsite as fill or for landscaping purposes as per the Waste Management Plan (Appendix W). Identified Requirement No. 46 is recommended to cover the potential disturbance of any relics found on the site during demolition and construction. The hydraulics consultant has certified that site drainage has been designed in accordance with Council's requirements (refer Certificate of Stormwater Compliance in Appendix R). The proposed stormwater management system will ensure water quality is maintained. Further, erosion and sedimentation measures will be implemented during works to ensure that there are no adverse impacts on

Relevant Provisions / Development Standards for Seniors Housing

any watercourse, water catchment or environmentally sensitive areas.

6.8 Fairfield Citywide Development Control Plan 2024

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 14** below.

Table 14 Fairfield Citywide Development Control Plan 2024

Compliance with setback 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 46.4m frontage along Welwyn Road, a 32.92m frontage along Stevenage Road, a southern boundary width of 48.96m and a western boundary width of 36.58m.
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 provided with an adequate splay to the corner of Welwyn Road and Stevenage Road. The building line has been set in from the boundary. Fencing will be set back from the boundary line on Welwyn Road and Stevenage Road to maintain visibility splays.
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 Fairfield LEP 2013 noting the exceptions. (0.45:1)	Does not comply. A FSR of 0.5:1 is proposed which will comply with the FSR standard for the site as set out in the Housing SEPP
6A.2.2 Building Height	Maximum height of building for any dwelling housing development must comply with height of building development standards prescribed on	Complies with overall height. A building height of 7.95m is proposed. This is in keeping with the height requirements for the site as set

Compliance with setback controls for multi-unit housing

	<p>the <i>Fairfield LEP 2013 Height of Building Map</i>.</p> <p>For multi dwelling housing with a maximum height of buildings of 9m (2 storeys):</p> <p>i. for buildings with pitched roofs, the maximum heights of the eave line and the ridgeline from ground level (existing) shall not exceed 7.2 metres and 9 metres respectively.</p>	<p>out in the FLEP 2013 and Housing SEPP which prevails.</p> <p>The maximum height of the eave line exceeds 7.2m, however this is due to the sloping topography of the site. Notwithstanding this, the overall height of the building does not exceed 7.95m consistent with the 9m maximum height requirement under FLEP 2013.</p> <p>The maximum height of the ridgeline from the existing ground level does not exceed 9m.</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.</p> <p>Primary front setback - 6m front setback provided to Welwyn Road.</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>The secondary frontage must orient the dwellings to the street in such a manner that the dwellings have a direct relationship with the street. 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 secondary setback.</p>	<p>Complies.</p> <p>Secondary setback - 3m provided to Stevenage Road.</p>
6A.2.3.3 Side and Rear Setback Controls Ground Floor 6A.2.3.3 Side and Rear Setback Controls Upper Floor	<p>Side and rear setbacks not built to the boundary should be at least 900mm from the boundary.</p> <p>Beyond the first 20 metres of the site, 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</p>	<p>Complies.</p> <p>The proposal achieves a minimum 6.6m setback from the western side boundary, and a 3.97m setback from the southern side boundary.</p> <p>These setbacks are considered to reasonably satisfy solar access controls in that neighbouring</p>

Compliance with setback controls for multi-unit housing

	<p>privacy requirements of Sections 6A.5.1 Solar Access and 6A.5.3 Privacy of this Chapter. 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>dwellings will continue to receive 2 hours of sunlight between 9am and 3pm during the midwinter solstice.</p> <p>Privacy impacts have also been reasonably addressed in that the facade 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>Complies.</p> <p>The proposal is well articulated across all elevations of the building to assist in breaking the bulk of the development.</p> <p>Primary frontage of the site is on Welwyn Road which provides vehicle and pedestrian access.</p> <p>Along Stevenage Road, units and private open space have been orientated to have a relationship with the road and to ensure passive surveillance.</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> <ul style="list-style-type: none"> a. General bin b. Dry recycling bin c. 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, either through a side passage or through a garage, to the collection point on the street must be provided.</p>	<p>Complies.</p> <p>A waste storage room has been integrated into the building adjacent to the main entry on Welwyn Road. The waste room will accommodate general waste, recycling and green waste.</p> <p>This is accessible off Welwyn Road and from the internal breezeway corridor.</p> <p>The waste storage area is adequately located away from the habitable room windows.</p> <p>The site will be serviced by council's standard kerb-side pickup service, and bins will be taken to the kerb by a contractor for the Minister.</p> <p>Fairfield Council on 14 November 2024 provided the following waste bin requirements.</p>

Compliance with setback controls for multi-unit housing

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 13 = 7x 240L bins
- Recycling waste:
80L/unit/fortnightly 80L x 13 = 5 x 240L bins
- Organics = (13 x 40L)/240L = 3x 240L bins collected

The bin rates as shown in the Architectural Plan (**refer to Appendix A**) complies with the above Council requirements.

7 Notification, Consultation and Consideration of Responses

7.1 Council Notification

In accordance with section 108C of the Housing SEPP, Fairfield City Council was notified of the proposed development by letter dated 4 April 2025 (refer to **Appendix H**). The notification response period formally closed on 1 May and Council requested an extension of time to respond to the notification, which was granted by the Minister, and the response timeframe was extended until 9 May 2025.

Council responded on 9 May 2025 as detailed in **Table 15** and further outlined that engineering comments were pending. However, on 16 May 2025 Council confirmed that no further comments would be provided.

Key issues raised by Council are summarised and a full copy of council's submission is provided in **Appendix H**. A response to the key issues raised is in **Table 15** below.

Table 15 Issues raised in Council submission

Issues raised	Response
<u>Setback of driveway/carpark from boundary</u> The proposed driveway and carpark should be set back from the property boundaries by 1m. This would allow for dense landscaping, which would assist in screening the development and reduce potential impacts on the adjacent residences.	Complies. The carpark and driveway are both setback 1m from the western and southern boundaries. As shown in the Landscape Plan (Appendix B), new plants, such as 22 Forest Flame, 3 Hairpin Banksia and 25 Honey Gem Grevillea, are proposed within the 1m setbacks. These trees/shrubs will reach a mature height between 1.5 - 4m and mature spread between 1.5m – 3m, assisting in screening the development. Given that the building is adequately setback from the western (6.6m) and southern boundaries (3.9m), there is further landscaping proposed between the building and the boundaries, further reducing any potential impact on the adjacent properties.

7.2 Notification of Occupiers of Adjoining Land and Other Persons

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

On 24 March 2025 advice was sought from Council regarding additional persons or property that should be notified of the development. Council responded on 28 March 2025 providing landowners details and advising that the notification map is consistent with Council's Community Participation Plan and acceptable to Council. **Figure 19** illustrates the properties in which the occupiers and landowners were notified of the development.



Figure 19 Map of Properties Notified of the Proposed Development (Source: Homes NSW)

Under section 108C(1)(b) of Housing SEPP, owners and occupiers of adjoining land, as identified in the above map, were notified of the proposed development activity by letter dated 3 April 2025. A copy of the pro-forma notification letter is provided at **Appendix H**.

The notification response period formally closed on 1 May 2025 and 1 submission was received. The key issues raised are discussed in Error! Reference source not found..

Table 16 Issues raised by adjoining owners / neighbours

Issues raised	Response
Submission 1: Concerns about increase in street parking and difficulty accessing their driveway on Welwyn Road if more cars are parked on either side of the road. The road currently has large number of cars, boat trailers and boats parked in it.	<p>The car parking spaces within the development exceed Section 108(2)(j) of the Housing SEPP which requires a minimum of 3 car parking spaces on site. The proposed development will provide 6 parking spaces.</p> <p>It is noted that the Council are responsible for regulating on-street parking. Notwithstanding, social housing tenants typically have lower car ownership rates than the general community. Accordingly, the car parking provision is considered to be adequate for the proposed development.</p> <p>With regards to traffic impacts, the Traffic Impact Assessment Report (Appendix V) indicates that the proposed development would generate up to 3 additional vehicle trip per hour during peak periods. This increase is minor in the context of the existing road network and therefore is not expected to have any significant impacts on the existing local street network.</p> <p>The site is also well located with regards to bus services to Canley Heights and Cabramatta town centres. Having direct access to regular public transport services will reduce reliance on the use of private vehicles for this Seniors Housing development.</p>

7.3 Notification of Specified Public Authorities

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

8 Review of Environmental Factors

A review of other environmental factors associated with the proposed activity, and the measures required to mitigate any adverse impacts to the environment, are provided below.

8.1 Neighbourhood Character

The site is located within an established residential area predominantly supporting older style single and 2-storey detached dwelling houses that are constructed of fibro, weatherboard or brick with a mix of pitched tiled and metal roofing. There are interspersed contemporary two storey dwellings recently constructed in the surrounding streets, indicating the area is experiencing some renewal. Currently there is a low level of transition from low density housing to medium density development despite this form of seniors housing being permissible within the zone.

The proposed development represents a contemporary, high-quality design, that will complement the existing development in the local area. The use of face brick and cladding for external walls and pitched metal roofing will make a positive contribution to the existing character of the locality. The design also incorporates adequate articulation and fenestration to minimise the perceived bulk and scale of the 2-storey built form.

The building has been orientated towards the road frontages, with balconies overlooking the roads which increases street presence and encourages passive observation of the public spaces. Suitable design treatments, including fencing, landscaping and a considered planting mix ensures the proposal will generate benefits to the neighbourhood character. The development has been designed to be indistinguishable from private housing.

Stevenage Road benefits from established street tree planting which creates a leafy canopy and defines the streetscape character. The retention of street trees fronting the site and planting of 4 new street trees will contribute to overall streetscape character of both Welwyn and Stevenage Roads. Landscaping proposed within the development will help soften the development and make a positive contribution to the streetscape presence.

Mitigation Measures

No mitigation measures are required.

8.2 Bulk and Density

The proposed development is consistent with the bulk and scale envisaged on the site under the relevant planning controls. The proposal incorporates a floor space ratio of 0.5:1 which complies with the FSR control under the Housing SEPP. Whilst this exceeds the maximum 0.45:1 FSR control under the FLEP 2013, the bulk and scale of the development is considered to be compatible with the surrounding locality.

The building height of 7.95m will comply with both the Housing SEPP and the FLEP 2013. The 2-storey buildings incorporate appropriate setbacks and separation from the adjacent buildings, distinguished by a variety of articulation features, external finishes and materials to reduce the visual bulk of the development. The development is designed with suitable facade articulation and roof form to minimise bulk and scale. The built form is an appropriate response to the existing and desired future character envisaged for the R2 Low 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.

Mitigation Measures

No mitigation measures are required.

8.3 Streetscape

The proposed development will make a positive contribution to the Welwyn and Stevenage Road presentation, by virtue of the following:

- The proposed development will replace ageing housing stock that has reached the end of its economic life with a contemporary, architecturally designed residential development that uplifts the existing character of the locality.
- The built form has been designed to address both street frontages. The incorporation of street-facing windows, separate pedestrian entries, and balconies facing Welwyn and Stevenage Roads improves casual surveillance of both streets.
- The Welwyn Road façade has been articulated with balconies, rows of pitched roof forms, a defined entry lobby and accessway to create visual separation and reduce the overall scale of the development when viewed from the street. 5 balconies front Welwyn Road which will provide an active and engaging streetscape presence.
- The Stevenage Road frontage includes primary living areas and balconies which address and provide an active frontage to Stevenage Road.
- The street corner is well designed, featuring a corner balcony that increases streetscape presence.
- The use of contrasting light and darker-toned bricks, and vertical profile prefinished fibre cement cladding create a classic and timeless architectural style that will be sympathetic to the surrounding existing development.
- Within the site it is proposed to retain 2 trees and along the Stevenage Road frontage it is proposed to retain 2 trees within the road reserve which will assist to soften the development and make a positive contribution to the streetscape presence.
- Significant landscaping has been proposed in the front setback areas including feature canopy trees, as well as shrubs and grasses which will help soften the development and make a positive contribution to the streetscape presence. Along the road reserve 4 new street trees are proposed to be planted, with 3 proposed within Welwyn Road and 1 within Stevenage Road, which will improve the appearance of the site from Welwyn and Stevenage Roads.
- A number of small COS areas and landscaped areas have been designed with a variety of plantings including trees and shrubs that will enhance the quality of the public domain, while providing privacy and amenity benefits to tenants.
- Car parking is provided to the rear of the building footprint and will be generally obscured from street view, resulting in a built form that has been designed with consideration of the surrounding dwellings.
- Waste storage room has been carefully designed to integrate within the built form as viewed from Welwyn Road.

Mitigation Measures

No mitigation measures 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 as discussed in sections Error! Reference source not found. to Error! Reference source not found. above. Articulation, a neutral colour palette, and new landscaping across the site will assist with the overall aesthetic of the site and add to the long-term visual amenity of the surroundings.

Mitigation Measures

No further mitigation measures are required.

8.5 Privacy

A high level of internal and external privacy will be maintained by the proposed development, by virtue of the following:

- Where possible, living areas are orientated to face the two street frontages rather than towards side and rear boundaries. Where this isn't possible, adequate setbacks have been maintained and privacy screening provided to balconies. Windows have been minimised to reduce opportunity for overlooking.
- Ground floor courtyards within the development have been appropriately separated from common areas by fencing and/or landscape treatments.
- All balconies, except for Unit 1.07, are orientated towards Welwyn and Stevenage Roads.
- Unit 1.07 balcony will have privacy screening along the southern elevation to ensure the privacy for adjacent development at 24 Stevenage Road.
- Unit 1.07 window on the southern elevation incorporates translucent glass to ensure that overlooking is mitigated to the adjacent development at 24 Stevenage Road.
- 10mm gap powder coated vertical batten balcony balustrades are proposed which will assist in protecting the privacy of both tenants and neighbours.
- The first-floor common breezeway has been set back approximately 17m from the rear boundary and full height louvres provided to the common stairwell, to mitigate overlooking impacts to adjoining properties at 20 and 24 Stevenage Road.
- Further screening between the proposed development and adjoining neighbours will be achieved through substantial canopy tree planting in deep soil areas provided at the side and rear of the site (refer to the Landscape Plan in **Appendix B**).
- Proposed 1.8m metal fencing will mitigate unacceptable overlooking from ground level units into properties to the south and west.

Mitigation Measures

No mitigation measures required.

8.6 Solar Access

The design and siting of the proposed development will provide adequate daylight access to the proposed dwellings' living areas and private open spaces. The architectural plans (refer to **Appendix A**) demonstrate that 77% of dwellings receive at least 2 hours direct solar access to the living and POS areas on June 21 (mid-winter), which meets the requirements under the Housing SEPP.

In accordance with the LAHC Design Requirements, 100% of units will receive at least 15 minutes of solar access, with no 'no sun' units proposed.

Thoughtful placement of living areas and open spaces will maximise solar access to these areas thus satisfying the Housing SEPP requirements

Mitigation Measures

No mitigation measures are required.

8.7 Overshadowing

The shadow diagrams (refer to **Appendix A**) confirm the development has been designed to minimise overshadowing of surrounding development. Given the orientation of the site and generous setbacks to the south and west boundaries, minimal overshadowing will be cast upon adjoining properties.

The shadow diagrams demonstrate that any impacts are deemed supportable for the following reasons:

- **51 Welwyn Road** - At 9am, minor overshadowing falls upon the eastern side elevation of 51 Welwyn Road which includes a number of windows. A minimal amount of the rear garden of 51 Welwyn Road is also overshadowed at this time. By approximately 10am there is no additional overshadowing falling upon 51 Welwyn Road. North-facing front façade windows, and the rear POS of this adjoining property remain unaffected by the proposed development and as such, the level of overshadowing is considered to be reasonable. In any case, sunlight to ground floor windows in proximity to the side boundary are generally unable to be protected from overshadowing.
- **20 Stevenage Road** – Minimal impact is cast upon the rear garden of 20 Stevenage Road, with any additional impact being within the shadows cast by the dividing fence line.
- **24 Stevenage Road** – From 9am, minor overshadowing falls upon 24 Stevenage Road. There are 2 north-facing side windows, together with part of the rear facing façade of this property that are intermittently overshadowed by the development between 9am-12pm. The rear garden receives some minor overshadowing prior to 12pm. By 12pm onwards, there is no additional overshadowing cast upon this adjoining property. The north-facing side windows would receive in excess of 2 hours sunlight, and the rear garden remains predominantly unimpacted by the proposed development. On balance, this property will continue to receive at least 2 hours of sunlight between 9am-3pm during the midwinter solstice.
- No shadow will be cast to any other adjoining property.

As identified above, the proposed development will not materially reduce solar access to living and principal private open space areas to less than 2 hours between 9am and 3pm during the midwinter solstice.

Mitigation Measures

No mitigation measures required.

8.8 Traffic & Parking

The proposal incorporates 6 at grade car parking spaces, including 3 parking spaces that have been designed to meet the accessibility requirements of the Housing SEPP. The provision of on-site car parking exceeds the parking requirements set out in the Housing SEPP for seniors housing developments carried out by the Minister by 3 additional spaces. Unrestricted street parking is available on Welwyn and Stevenage Roads to accommodate any overflow parking demand generated by the proposed development. The proposal also includes the removal of 2 redundant vehicle crossovers of Welwyn and Stevenage Road, which will assist with additional on-street parking.

The Traffic Impact Assessment (refer to **Appendix V**) indicates that the development will have a projected net increase of 3 vehicles per hour in the AM peak hour and a net increase in 3 vehicle per hour in the PM peak hour and an overall daily increase of 22 vehicles. It was confirmed that the impact of this additional traffic generation is considered to be minor in this context of the existing road network. The assessment deems the proposal acceptable in terms of traffic generation and will not cause undue strain on the existing local road network.

The proposed car parking area to the rear will be accessed via a driveway accessed from Welwyn Road. A vehicular passing bay is provided at the northern end of the driveway. The proposed entries and parking layout was assessed in the Traffic Impact Assessment (**Appendix V**) and swept path testing was undertaken. The proposed driveway width, sight lines and parking layout was confirmed as compliant with AS2890.1. Of the 3 required car parking spaces, 1 parking space has been designed to comply with the requirements of AS2890.6 and further 2 are compliant with the accessibility requirement in the Housing SEPP, as detailed in the Access Report (refer to **Appendix U**).

Fencelines forward of the front building line along both side boundaries have been tapered down to 1.2m to ensure vehicular sightlines from the subject property and adjoining properties are not obstructed.

Council's kerbside waste collection will be undertaken on Welwyn Road frontage. The waste collection point has been designed accordingly, ensuring the rear of the collection vehicles is at least 10m from the intersection of Welwyn and Stevenage Road.

Mitigation Measures

Identified Requirement No. 78 will require the construction of a new footpaths on Welwyn and Stevenage Roads.

Identified Requirement No. 79 will be included requiring new kerb ramps and footpath repair works to be carried out.

8.9 Flora and Fauna

An Arboricultural Impact Assessment undertaken for the site (refer to **Appendix K**) considers 22 trees and shrubs (Trees 3, 4, 5, 6, 7, 8 and 16 exempt trees and shrubs) within the site and 2 trees within the Stevenage Road reserve.

The proposed development requires removal of 4 protected trees (Tree 4, 5, 6 and 7) and 16 exempt trees and shrubs located on the site. All the trees recommended for removal are within or have major encroachments from the proposed development footprint. Trees 4, 5, 6 and 7 proposed for removal have medium retention value. The remaining 16 trees within the site proposed for removal are all exempt trees or shrubs.

Trees 3 and 8 within the site are proposed for retention and will be protected during construction in accordance with the tree protection measures outlined in the Arboricultural Impact Assessment.

No street trees are proposed to be removed, 2 existing street trees (Trees 1 and 2) within Welwyn Road will be retained and protected during construction in accordance with the tree protection measures outlined in the

Arboricultural Impact Assessment. New street trees (Bottlebrush) are proposed, 2 to be located in Welwyn Road and 2 within Stevenage Road.

There are no other trees on neighbouring properties that have been identified as being impacted by the proposed development.

Appropriate replacement planting is proposed, as indicated on the Landscape Plan (refer to **Appendix B**). The new plantings incorporate a mix of trees, ground covers and shrubs. A total of 11 new trees will be planted to offset the loss of tree canopy. Within the front and rear setback 4 large native trees (Water Gum and Native Frangipani) are proposed that will grow to a mature height of 3-12m. Additionally, 3 Crepe Myrtle trees are proposed to the rear landscaped area. 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

Identified Requirements Nos. 1, 18–20 and 36 are recommended to require the implementation of the Landscape Plan; and the tree protection measures as recommended in the Arboricultural Impact Assessment.

8.10 Heritage (European / Indigenous)

Fairfield City Council's Section 10.7(2) & (5) Planning Certificates did not identify any heritage items on, or in the vicinity of the site and the site is not within a conservation area (refer to **Appendix I**).

Aboriginal Heritage

An Aboriginal Heritage Information Management System (AHIMS) search, dated 2 April 2025 (**Appendix L**) 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, therefore, 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 City 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 Requirement Nos. 46 and 47 have been applied should any cultural heritage relics be discovered on the site during excavation / construction.

8.11 Soils / Contamination / Acid Sulfate Soils / Salinity

Geotechnical

A Geotechnical Investigation has been prepared by STS Geotechnics (**Appendix Q**) and indicates the following:

- The subsurface conditions generally consist of topsoil overlying sandy clays, silty clays, and weathered sandstone. The topsoil is present from the surface to a depth of 0.1m.

- Groundwater was not observed during drilling works.
- Because there are trees and existing dwellings present, abnormal moisture conditions (AMC) prevail at the site. The site is classified a Problem Site (P). Provided the recommendations provided in the report are adopted the site may be reclassified Highly Reactive (H1). Foundation design and construction consistent with this classification shall be adopted as specified in the report.

Contamination

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

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

As detailed above in Section 6.6 of this REF the site is unlikely to be contaminated.

Acid Sulfate Soils

According to Council's Section 10.7(2) & (5) Planning Certificates, the land is not identified as being within an area of Acid Sulfate Soils.

Salinity

Council's Section 10.7(2) & (5) Planning Certificates indicate that the site is affected by salinity. The Geotechnical Investigation (**Appendix Q**) confirms that the EC_e values of 0.5 to 0.7 dS/m are consistent with the presence of non-saline soils.

Mitigation Measures

Identified Requirement No. 17 is recommended to cover the possibility of discovering site contamination during demolition / construction works.

8.12 Drainage / Flood Prone Land / Hydrology/ Water Quality

Stormwater drainage for the proposed development has been designed in accordance with Council's requirements, as certified by the stormwater engineer in **Appendix R**.

Stormwater will be collected via a series of stormwater pits and gutters on the site connected to a 26.8m³ underground detention tank below the driveway that will drain to existing public stormwater infrastructure within Welwyn Road (refer to civil plans in **Appendix C**). Roof water will be collected from downpipes and connect to a 5m³ underground rainwater tank for recycling with overflow connected to the underground detention tank. Stormwater drainage for the proposed development has been designed in accordance with Council's requirements, as certified by the stormwater engineer (refer to **Appendix R**).

The existing stormwater plans (refer to **Appendix C**) identifies an existing stormwater pipe that traverses the front setback of the adjoining property at 24 Stevenage Road and across the subject property. The stormwater investigation hasn't confirmed whether this pipe is still in use. It is noted that there is no easement on Title. To cover the possibility that this pipe is still in use, an identified requirement is recommended to require this pipe is appropriately realigned.

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. 1, 6-9, 14, 29, 42 and 72 have been included to ensure the stormwater management measures are designed and constructed in accordance with Fairfield City Council's standards, and in consultation with Council.

Identified Requirement No.82 is recommended to require further investigation with regards to the existing pipe shown to traverse 24 Stevenage Road and drain across the subject site. Should this pipe be found to be active, the pipe shall be appropriately realigned to ensure stormwater from upstream properties is appropriately discharged in accordance with relevant Council requirements and relevant standards.

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 Demolition / Construction

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

During Occupation

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

The Architectural Plans (**Appendix A**) illustrate the provision for air conditioning units for each individual unit. Specific details of the air conditioning system are to be provided in the detailed construction documentation. Any air conditioning units must be designed and operated in accordance with the acoustic requirements set up EPA Guidelines and the *Protection of the Environment Operations (Noise Control) Regulation 2017*. Acoustic Certification is required at construction documentation stage and prior to occupation to ensure that the air conditioning units are appropriately designed and installed. Their operation is also subject to an ongoing use Identified Requirement.

Mitigation Measures

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

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

Identified Requirements Nos. 2, 58, 60 & 80 have been applied to ensure compliance with the above mitigation measures.

8.15 Air Quality

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

Mitigation Measures

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

8.16 Waste Minimisation

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

During Demolition

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

- Excavation material – topsoil to be kept and re-used for landscaping. Where possible, material will be stockpiled for re-use. Surplus material to be removed to an appropriate recycling/land fill site.
- Mulch from any tree removal to be stored on site and re-used during landscaping phase.
- Bricks to be sorted and stockpiled for recycling. Any broken bricks or blocks and other waste will be stockpiled for collection by a waste disposal contractor.
- Tiles from roof to be recycled.
- Driveway and paving concrete waste will be stockpiled for collection by a recycler.
- All existing timber will be collected for sorting and resale
- Fibro and plasterboard to be sorted for collection and disposal at an approved building waste collection facility.

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

During Construction

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

- The re-use of excavated material can be assessed more accurately. Topsoil will be kept and re-used for landscaping. Where possible material will be stockpiled for re-use. However, the majority of the material will need to be removed to an approved recycling/land fill site.
- Bricks or blocks and other waste will be stockpiled for collection by a waste disposal contractor.
- Concrete waste will be stockpiled for collection by a recycler.
- Timber will be collected for sorting & resale.

- Plasterboard will be stockpiled on site to be collected by waste contractor.
- Metal offcuts from roofing and gutter and downpipes, etc. shall be recycled, wherever possible.
- All unused miscellaneous wastes will be stockpiled on site in waste skip to be collected by waste disposal contractor.

During Occupation

General non-recyclable waste, recyclable waste and green waste will be disposed of in Council's standard waste, recycle and green storage bins located in the waste storage room within the Welwyn Road frontage. Bins can be transported from the waste storage area via a concrete path to the kerb and collection by Council's waste contractor. The waste store area is located at the building's entry so as to be easily accessed by all residents.

Bins will be placed on the street kerb by contractors for collection by Council's waste services.

Mitigation Measures

Identified Requirements Nos. 1, 34b, 44-45 & 50-56 are recommended to ensure construction/demolition waste is appropriately managed and disposed of.

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

8.17 Resource Use & Availability

The proposed activity will not result in any discernible depletion or degradation of natural resources. The proposal has been designed to meet water and energy efficiency targets as demonstrated by the BASIX certificate for the proposal (**Appendix M**). Further, a photovoltaic solar system and rainwater tank for water re-use will contribute to the project's sustainability.

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

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

Mitigation Measures

No additional mitigation measures are required.

8.18 Community / Social Effects

The proposed development will generate several positive community and social effects, including:

- assist the Minister in meeting significant, long-standing and continually growing demand for social housing in the Fairfield City local government and surrounding area,
- assist the Minister 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 tradespeople and other construction-related professionals, where possible;
- on-going consumption from new/ additional households;
- the reduced maintenance costs of the newer housing; and
- savings associated with improved energy and water efficiency.

Mitigation Measures

No mitigation measures are required.

8.20 Cumulative Impact Assessment

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

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

Mitigation Measures

No mitigation measures are required.

9 Conclusion

9.1 Summary of Key Issues Raised in Assessment

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

The proposed activity has been considered in terms of the provisions of Section 5.5 of the EP&A Act and Section 171 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 the Minister 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 the Minister proceed with the proposed activity subject to the implementation of the Identified Requirements listed in **Activity Determination** of this REF.

10 Appendices

10.1.1 APPENDIX A – ARCHITECTURAL PLANS

10.1.2 APPENDIX B – LANDSCAPE PLANS

10.1.3 APPENDIX C – STORMWATER PLANS

10.1.4 APPENDIX D – PUBLIC DOMAIN WORKS PLAN

10.1.5 APPENDIX E – SURVEY PLAN

10.1.6 APPENDIX F – LOGITUDINAL SURVEY TO BUS STOP

10.1.7 APPENDIX G – NOTIFICATION PLAN

10.1.8 APPENDIX H – STATUTORY NOTIFICATION AND COUNCIL RESPONSE

10.1.9 APPENDIX I – SECTION 10.7 PLANNING CERTIFICATES

10.1.10 APPENDIX J – TITLE AND DEPOSITED PLANS

10.1.11 APPENDIX K – ARBORICULTURAL IMPACT ASSESMENT

10.1.12 APPENDIX L – AHIMS SEARCH

10.1.13 APPENDIX M – BASIX CERTIFICATE

10.1.14 APPENDIX N – NatHERS CERTIFICATE

10.1.15 APPENDIX O – SPECIFICATION AND NatHERS CERTIFICATE

10.1.16 APPENDIX P – BCA COMPLIANCE ASSESSMENT

10.1.17 APPENDIX Q – GEOTECHNICAL INVESTIGATION

10.1.18 APPENDIX R – BUILDING DESIGN COMPLIANCE CERTIFICATES

10.1.19 APPENDIX S – DESIGN QUALITY PRINCIPLES STATEMENT

- 10.1.20 APPENDIX T – HOUSING FOR SENIORS CHECKLIST
- 10.1.21 APPENDIX U – ACCESS REPORT
- 10.1.22 APPENDIX W – TRAFFIC IMPACT ASSESSMENT
- 10.1.23 APPENDIX X – WASTE MANAGEMENT PLAN
- 10.1.24 APPENDIX Y – ACOUSTIC ASSESMENT