

# REVIEW OF ENIRONMENTAL FACTORS

Proposed Seniors Housing Development

at

37-39 Munro Road, Crestwood

May 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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Published by Homes NSW

REVIEW OF ENVIRONMENTAL FACTORS

First published: May 2025

Department reference number: AF23/33875

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

No	Date	Version	Change since last version	Pages
1	24.04.2025	v1	Not applicable – initial version	-
2	06.05.2025	v2	Minor edits	Various
3	14.05.2025	V3	Minor edits	Various
4	15.05.2025	V4	Minor edits	Various
5	26.05.2025	V5	Final edits	Various

## DOCUMENT SIGN-OFF

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- I do not consider I have any personal interests that would affect my professional judgement.
- I will inform the Executive Director of Portfolio Development, Housing Portfolio, Homes NSW as soon as I become aware of a possible conflict of interest.

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# 1 Executive Summary

The subject site is located at 37-39 Munro Road, Crestwood, and is legally described as Lots 1 & 2 in Deposited Plan 35938. The proposed seniors housing development is described as follows:

*Demolition of existing structures, removal of 2 trees, construction of a 2 storey seniors housing development containing 10 units comprising 4 x 1 bedroom and 6 x 2 bedroom dwellings, surface parking for 5 vehicles (including 2 accessible spaces), landscaping, fencing, 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 Queanbeyan-Palerang Regional Local Environmental Plan (QPRLEP) 2022 and therefore can be carried out by the NSW Land and Housing Corporation (LAHC) without consent under the provisions of Chapter 3, Part 5, Division 8 of the *State Environmental Planning Policy (Housing) 2021* (Housing SEPP) 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 Queanbeyan-Palerang Regional Council;
- a BASIX certificate and NatHERS certificate and stamped plans have been submitted for the proposed activity demonstrating compliance with the State Government's environmental sustainability targets;
- there are no separate approvals, authorisations or notifications required in relation to the proposed activity prior to determination under Part 5 of the EP&A Act or under any other Acts; and
- Queanbeyan-Palerang Regional Council and occupiers of adjoining land were notified of the proposed activity under the provisions of the Housing SEPP. A response was received from Council dated 4 April 2025. Comments on the response are provided in Section 7.1 of this REF. One submission was received from occupiers of adjoining land. Comments on the submissions are provided in Section 7.2 of this REF.

The proposed activity, when carried out in accordance with the environmental mitigation measures outlined in this 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 under Part 5 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) is for an activity involving demolition of existing structures, removal of 2 trees, construction of an independent living seniors housing development containing 10 units (4 x 1 bedroom and 6 x 2 bedroom) with associated landscaping and fencing, surface parking for 5 vehicles (including 2 accessible space) and consolidation of 2 lots into a single lot at 37-39 Munro Road, Crestwood.

The activity<sup>1</sup> will be carried out by, or on behalf of, NSW Land and Housing Corporation (LAHC) 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 Crestwood.

This REF has been prepared by LAHC in satisfaction of the provisions of Part 5 of the *Environmental Planning & Assessment Act 1979* (EP&A Act) and Part 8 of the *Environmental Planning & Assessment Regulation 2021* (EP&A Regulations).

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

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

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

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

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### 2.2 Assessment Methodology

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

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

- 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 *Queanbeyan-Palerang Regional Local Environmental Plan 2022* (QPRLEP 2022).
- It was determined that seniors housing is 'permitted with consent' in the R2 zone pursuant to the QPRLEP 2022 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 Land and Housing Corporation to determine the suitability of the site for the proposed development activity, particularly taking into account the existing site conditions, constraints and local context.
- A site inspection was undertaken.
- Relevant local planning controls and State and Commonwealth Government legislation were considered in the environmental assessment of the proposed development activity.
- An environmental impact analysis was undertaken to determine if an Environmental Impact Statement was required.
- Potential environmental impacts identified in the analysis and measures to mitigate these impacts were subsequently discussed in the 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 located in the Queanbeyan-Palerang local government area (LGA) and comprises 2 residential allotments legally described as Lots 1 & 2 in Deposited Plan 35938. A location plan is provided at **Figure 1** and **Figure 2**.

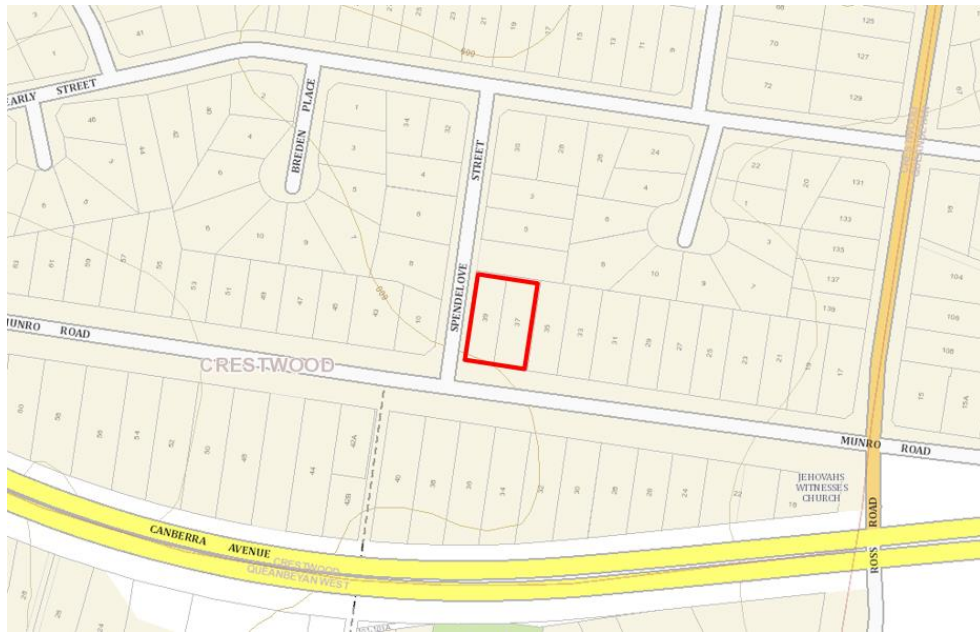


Figure 1 Location Plan (Source: SIX Maps accessed March 2025)



Figure 2 - Location Plan (Source: Nearmap accessed 1 May 2025)



Existing development at 37 and 39 Munro Road each comprise single storey fibro dwellings with pitched metal roofs (refer to photographs at **Figure 3** and **Figure 4**).



Figure 3 Development site as viewed from Munro Road. (source: Google Maps dated May 2023)



Figure 4 Development site as viewed from Spendelove Street. (Source – Google Maps, May 2023)

## 3.2 Site Description

Copies of the Section 10.7(2) & (5) Planning Certificates dated 17 March 2025 are provided in **Appendix F**.

The site is generally rectangular in shape and is located on the corner of Munro Road and Spendelove Street. The site has a total surveyed area of 1,567m<sup>2</sup> and has frontages of 34.44m to Munro Road and 45.72m to Spendelove Street. The site has a northern rear boundary of 34.1m and an eastern side boundary 45.72m. Refer to the Detail Survey Plan in **Appendix D**.

The site has a crossfall of approximately 3.04m from the front southwest corner to the rear northeast corner of the site. Stormwater is proposed to drain to Council's infrastructure in Spendelove Street. An easement for stormwater drainage is not required.

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

The site is not identified as being heritage listed nor affected by bushfire.

The Arboricultural Impact Assessment and Tree Management Plan observed 5 trees located within the site and surrounds, being 2 trees within the site boundary, 2 trees located within the road reserve on Munro Road, and 1 tree located on the adjoining property to the east.

Water, sewer, electricity, gas and telephone facilities are available to the site. Water, electricity and telephone services are located along the road alignment of Munro Road and Spendelove Street. A sewer pipe runs along the rear (northern) property boundary which is proposed to be retained in its current location and is not required to be encased. Refer to the Survey Plan in **Appendix D**.

There are no encumbrances on title, section 10.7 certificates or indicated on the survey plan that would affect the proposed development as evidenced in **Appendix D and Appendix F**.

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### 3.3 Neighbouring Development and Locality

The site is surrounded by established residential development characterised by predominantly older style brick, fibro or weatherboard, single and two storey dwellings with a mix of pitched tiled and metal roofing. The general character of the area is also influenced by the wide road reserve of Munro Road and consistent street tree planting on both sides of the road.

The property immediately to the north of the subject site at 7 Spendelove Street contains a single storey rendered dwelling with a tiled roof and an attached garage to the north of the dwelling (refer to **Figure 5**).

The property immediately to the east of the subject site at 35 Munro Road contains a single storey fibro dwelling with pitched metal roofing and an attached carport on the eastern side of the dwelling. The structures to the rear include a detached garages along the eastern boundary and several sheds. The property is located on a slightly lower level than the subject site (refer to **Figure 6**).

Further east at 21 Munro Road is a medium density, 2 storey social housing development (refer to **Figure 7**).

The character of Spendelove Street comprises predominantly two storey brick dwellings, including properties directly opposite the subject site at 8 and 10 Spendelove Street. This is also characteristic of dwellings further north on Glenn Place and Early Street (refer to **Figure 8** and **Figure 9**).

Properties opposite the site on southern side of Munro Road including 34 and 38 Munro Road include fibro and weatherboard houses, single storey in nature with pitched metal and tiled roofs (refer to **Figure 10**).





Figure 5 Adjoining dwelling to the north at 7 Spindelove Street, Crestwood (Source – Google Maps, May 2023)

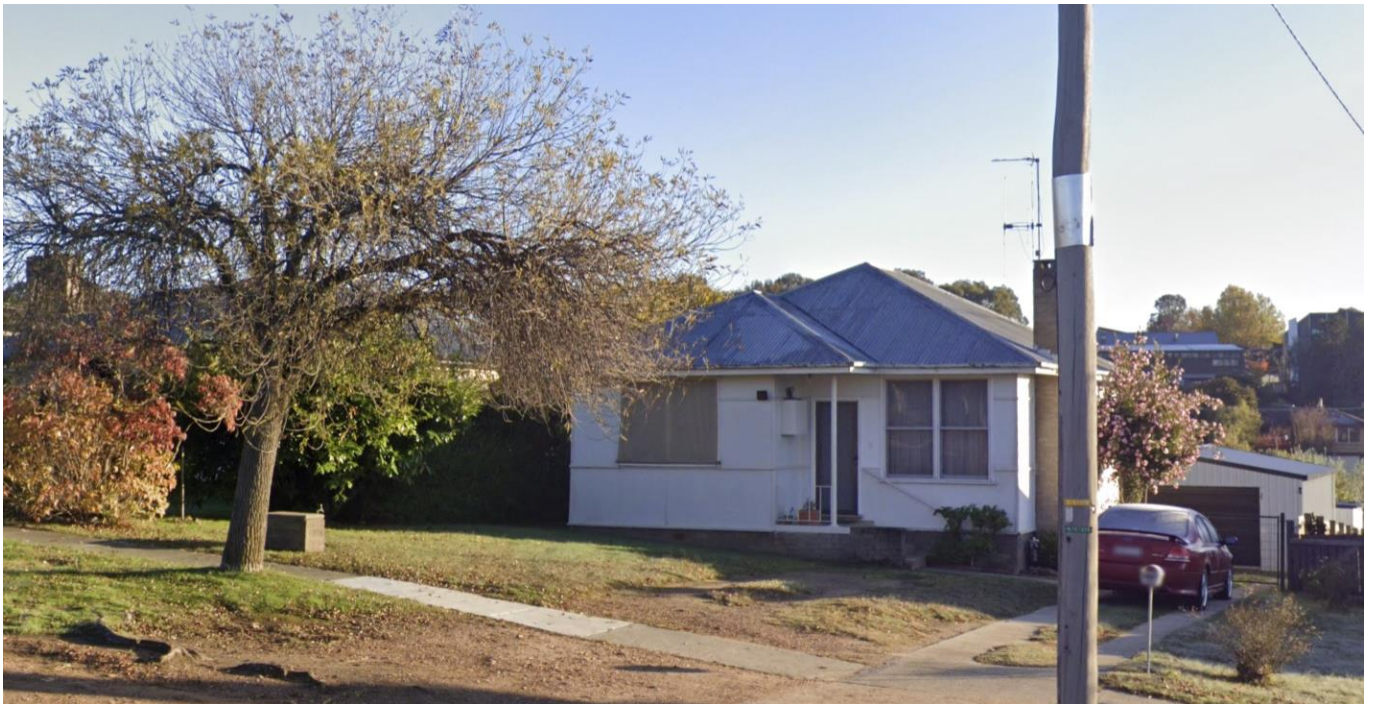


Figure 6 Adjoining dwelling to the east at 35 Munro Road, Crestwood (Source – Google Maps, May 2023)





Figure 7 Multi Storey Development at 21 Munro Road (Source – Google Maps, May 2023)



Figure 8 View north along Spendelove Street, Crestwood. (Source - Google Maps, May 2023)



Figure 9 Two storey dwellings to the west at 8 and 10 Spendelove Street, Crestwood (Source - Google Maps, May 2023)



Figure 10 Dwellings to the south at 34, 36 and 38 Munro Road, Crestwood (Source - Google Maps, May 2023)

### Public Transport and Facilities

Queanbeyan suburb is served by buses and trains as public transport. Train services operate from Queanbeyan Railway Station which is approximately 2km from the subject site. Bus services are available within approximately 500m walking distance from the site, on Canberra Avenue. The site relies upon a community transport bus service run by 'Valma's', which provides community transport to and from the site as an on-demand service, for seniors and people with disability. This service operates during daylight hours, and is available to collect the building's occupants, and transport them to and from nearby facilities and services. Suitable pedestrian links from the building entry to collection areas on the kerb will be provided.

### Surrounding Land Use

Approximately 1.1km to the east is the Crestwood local centre, which provides goods and services to meet most day-to-day needs of residents including Queanbeyan District Hospital and Health Service, medical centres, supermarkets, and a post office.



## 4 Project Description

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### 4.1 Demolition

The proposed activity includes demolition of 2 single storey detached dwelling houses and associated structures, as identified in the Demolition Plan (refer to **Appendix A**).

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### 4.2 Removal of Trees

The Arboricultural Impact Assessment and Tree Management Plan undertaken for the site (refer to **Appendix I**) considers 5 trees in relation to the proposed development. Of these trees, 2 are located within the site (T3 & T4), 2 trees are located in the road reserve of Munro Road (T1 & T2), and 1 tree is located within the adjoining property at 35 Munro Road (T5).

The proposed development requires 2 trees located on the site to be removed, with reasons detailed below:

- Tree 3 is a *Ficus sp.* – Fig which is a self-grown specimen located within the front setback adjacent to the boundary fence. It is recommended for removal as the species, if allowed to grow to maturity, will damage existing and proposed buildings and infrastructure.
- Tree 4 is a *Paulownia tomentosa* – Empress Tree which is located to the rear of the existing residence and positioned within the proposed bin store building envelope. Its removal is required to facilitate the development.

All trees external to the site (T1, T2 & T5) are to be retained and protected.

Appropriate replacement planting, including trees capable of reaching mature heights of 4-8m, will be provided as part of the proposed landscaping plan to compensate for the loss of these trees as demonstrated in the Landscape Plan in **Appendix B**.

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### 4.3 Proposed Dwellings

The proposed seniors housing development contains a total of 10 independent living units consisting of 4 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 sheet metal roofing is compatible with the locality. Passive surveillance is maximised through orienting living spaces, balconies and window openings to both street frontages.

A balance of cut and fill is proposed to provide a level building platform including a carpark area located in the north-eastern portion of the site, which will be no more than 200mm above existing ground levels.

A total of 5 car parking spaces will be provided on site, including 2 accessible spaces to service the development.

A variety of new landscape plantings, including trees capable of reaching a mature height of 4-8m are proposed to offset the proposed removal of 2 trees on site (T3 and T4) and enhance the appearance of the site. New plantings will consist of a mixture of new trees, shrubs and groundcovers, which will enhance landscaped setbacks and contribute to the streetscape.

Each unit will be provided with its own enclosed private open space area, either in the form of a ground level patio or balcony facing the street, 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 a 15m<sup>3</sup> below ground on-site detention tank (OSD) located below the carpark, which drains via gravity to the kerb inlet pit on Spendelove Street. The development also incorporates a 10kL above ground rainwater tank for water recycling to allow for irrigation of common landscaped areas, with overflows connected to the OSD.

New metal dark grey fencing is proposed along the side and rear boundaries (northern and eastern boundaries) to a maximum height of 1.8m, tapering down to 1.2m forward of the front building lines. A combination of low level brick retaining walls and metal palisade fencing will enclose the front ground level courtyards and balconies. Landscaping is proposed within the front setback to soften the appearance of the fencing with the streetscape.

**Figure 11 to Figure 16** include extracts from the architectural plans illustrating the proposed development.

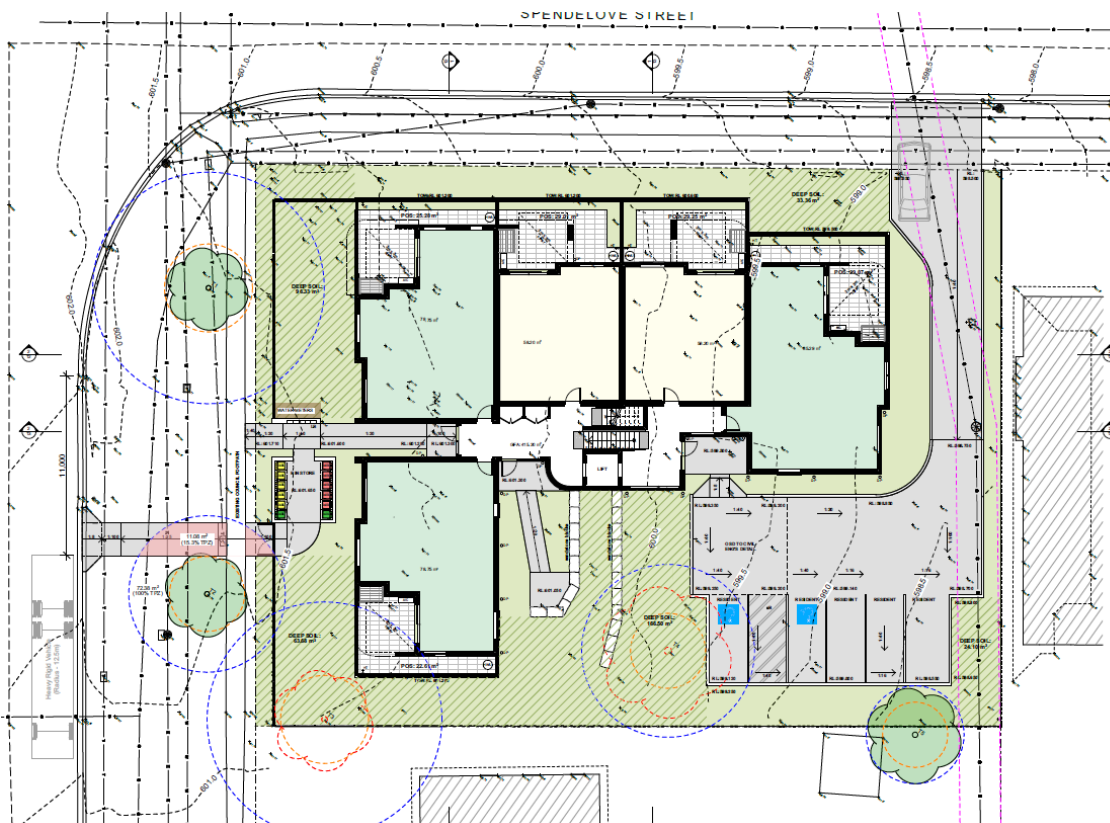


Figure 11 Extract from Architectural Plans – Site Plan (Source: DTA, dated 13/01/2025)





Figure 14 Extract from Architectural Plans – Munro Road Streetscape Perspective (Source: DTA, dated 13/01/2025)



Figure 15 Extract from Architectural Plans – Corner of Munro Road and Spendlove Street Streetscape Perspective (Source: DTA, dated 13/01/2025)



Figure 16 Extract from Architectural Plans – Spendlove Street Streetscape Perspective (Source: DTA, dated 13/01/2025)

## 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:
<b>Architectural Plans</b>				
Coversheet	BH2NN		04.03.2025	DTA
Block Analysis Plan	2024038, 2 of 17	A	04.03.2025	DTA
Site Plan Analysis Plan	2024038, 3 of 17	A	04.03.2025	DTA
Demolition Plan	2024038, 4 of 17	A	04.03.2025	DTA
Development Data	2024038, 5 of 17	A	04.03.2025	DTA
Site Plan	2024038, 6 of 17	A	04.03.2025	DTA
Ground Floor Plan	2024038, 7 of 17	A	04.03.2025	DTA
First Floor Plan	2024038, 8 of 17	A	04.03.2025	DTA
Roof Plans	2024038, 9 of 17	A	04.03.2025	DTA
Elevations – (Southern & Western)	2024038, 10 of 17	A	04.03.2025	DTA
Elevations – (Northern & Eastern)	2024038, 11 of 17	A	04.03.2025	DTA
Sections (A & B)	2024038, 12 of 17	A	04.03.2025	DTA
Sections (C & D)	2024038, 13 of 17	A	04.03.2025	DTA
Shadow Diagrams (21 June)	2024038, 14 of 17	A	04.03.2025	DTA
Shadow Diagrams – View from Sun	2024038, 15 of 17	A	04.03.2025	DTA
Shadow Diagrams – View from Sun	2024038, 16 of 17	A	04.03.2025	DTA
Perspectives Images	2024038, 17 of 17	A	04.03.2025	DTA
Landscape Plan	4925	A	5.03.2025	DTA
<b>Civil Plans</b>				
Notes & Legends	240373, CO1	4	27.02.2025	Greenview Consulting Pty Ltd
Ground Floor Drainage Plan	240373, CO2	4	27.02.2025	Greenview Consulting Pty Ltd
Site Stormwater Details Sheet 1	240373, CO3	4	27.02.2025	Greenview Consulting Pty Ltd
Site Stormwater Details Sheet 1	240373, CO4	3	27.02.2025	Greenview Consulting Pty Ltd
Environmental Site Management Plan – ESM1	240373	1	28.02.2025	Greenview Consulting Pty Ltd
Environmental Site Management Plan – ESM2	240373	1	28.02.2025	Greenview Consulting Pty Ltd
<b>Contour and Detail Survey – Appendix D</b>				
Contour and Feature Survey Sheet 1	P001420.01	A	03.06.2024	Premise
Contour and Feature Survey Sheet 2	P001420.01	A	03.06.2024	Premise
Contour and Feature Survey Sheet 3	P001420.01	A	03.06.2024	Premise
Contour and Feature Survey Sheet 4	P001420.01	A	03.06.2024	Premise
Contour and Feature Survey Sheet 5	P001420.01	A	03.06.2024	Premise



Title / Name:	Drawing No. / Document Ref	Revision / Issue:	Date [dd.mm.yyyy]:	Prepared by:
<b>Notification Plans</b>				
Cover Page	Sheet 1 of 6	A	20.02.2025	DTA
Site & Landscape Plan	Sheet 2 of 6	A	20.02.2025	DTA
Development Data	Sheet 3 of 6	A	20.02.2025	DTA
Elevations	Sheet 4 of 6	A	20.02.2025	DTA
Schedule of Finishes	Sheet 5 of 6	A	20.02.2025	DTA
Shadow Diagrams	Sheet 6 of 6	A	20.02.2025	DTA
<b>Specialist Reports</b>				
Access Report	24144-DA	R1.1	25.02.2025	Ai Consultancy
Arboricultural Impact Assessment and Tree Management Plan	9753.1	-	27.02.2025	Redgum Horticultural
BASIX Certificate	1785976M	-	04.03.2025	Greenview Consulting Pty Ltd
BCA Compliance Assessment	P2500003	3	04.03.2025	BCA Vision
Nationwide house energy rating scheme – class 2 summary	0011761780	-	04.03.2025	Greenview Consulting Pty Ltd
Geotechnical Investigation Assessment	32670/8654D-G	-	05.2024	STS Geotechnics Pty Ltd
Waste Management Plan	-	-	07.04.2025	DTA
Traffic and Parking Impact Assessment	-	2	05.03.2025	Park Transit Australia Pty Ltd

### Section 10.7 Planning Certificates

Lot 1 DP 35938, Cert no. PL.2025.0601, dated 17.03.2025 – Queanbeyan-Palerang Regional Council

Lot 1 DP 35938, Cert no. PL.2025.0600, dated 17.03.2025 – Queanbeyan-Palerang Regional Council

### Aboriginal Heritage Information Management System

AHIMS search – 6.03.2025

### Design compliance and checklists

Architect's Certificate of Building Design Compliance – 28.02.2025

Certificate of Landscape Documentation Compliance – 28.02.2025

Certificate of Stormwater Documentation Compliance – 28.02.2025

### Housing for seniors checklist

Seniors Housing Design Guideline, LAHC Design Requirements and Good Design for Social Housing, undated.

### Titles and Deposited Plans

Title Search, Folio: 1/35938, Search date 13.10.2023, Second Schedule: New South Wales Land and Housing Corporation

Title Search, Folio: 2/35938, Search date 13.10.2023, Second Schedule: New South Wales Land and Housing Corporation

Deposited Plan 3598, Search Date 13.10.2023



## 5 Zoning and Permissibility

The site is zoned R2 Low Density Residential under *Queanbeyan-Palerang Regional Local Environmental Plan 2022* (QPRLEP 2022) (**Figure 17**). The proposed development is defined as ‘seniors housing’ under the provisions of QPRLEP 2022 and is permissible with consent in the R2 zone.



Figure 17 Land zoning map (Source: NSW Planning Portal Spatial View, accessed March 2025)

The relevant objectives of the R2 zone, as set out in QPRLEP 2022 are:

- To provide for the housing needs of the community within a low density residential environment.
- To ensure new development complements the scale, density and form of existing development.
- To encourage development that is consistent with the low density amenity of existing and future 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,
- will provide a density and type of housing that is compatible with the scale of the existing surrounding development and will add to the variety of housing the locality, 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 LAHC as 'development without consent' subject to the provisions set out under that clause. **Table 6** in subsection 6.5.1 of this REF demonstrates compliance with the relevant provisions of section 108B of the SEPP.

## 6 Planning and Design Framework

### 6.1 Environmental Planning and Assessment Act 1979

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

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

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

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

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

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

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

Based on the criteria set out in Section 7.3 of the BC Act, the proposed activity is unlikely to affect threatened species, ecological communities or their habitats and therefore no further assessment is necessary. This is because the land does not contain threatened species, endangered ecological communities or constitute habitat of threatened species or ecological communities. The proposed activity will not affect threatened species, ecological communities or their habitats 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 EP&A Regulation 2021.

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

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

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

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

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

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

## 6.4.2 Strategic Planning Framework

### Towards 2040 - Local Strategic Planning Statement (LSPS)

The Towards 2040 - LSPS was endorsed by Queanbeyan-Palerang Regional Council in July 2020. It is a 20-year plan that identifies 14 Planning Priorities for the LGA, focused around 5 strategic pillars: community, choice, character, connection and capability.

Notably, Priority 4 seeks to provide a range of housing choices at different costs to meet the changing needs of the community and consider the options for community housing provider partnerships to provide affordable housing. The proposed development provides 10 carefully considered, high quality and affordable seniors units to accommodate the ageing population in the locality. It offers choice of 1 and 2 bedroom units with on demand transport service to access essential services and facilities to meet the day-to-days needs of the residents.

The proposed development contributes to the aim of the Queanbeyan-Palerang Regional Council's LSPS in that it will increase the provision and choice of affordable and independent seniors housing units.

### Queanbeyan-Palerang Community Strategic Plan (CSP) 2018-2028

The Queanbeyan-Palerang Community Strategic Plan identifies main future priorities and aspirations and strategies, setting community's 10-year vision. Queanbeyan-Palerang's CSP seeks to preserve, enhance, and protect the community's, natural landscapes and river corridors, welcoming community, and balanced, affordable rural lifestyle whilst addressing key challenges including housing availability and affordability,

road safety and maintenance, adapting to climate change, promoting environmental sustainability, pedestrian friendliness and support for vulnerable groups through aged and disability services.

The proposed development with provision for 10 affordable housing is not in conflict with the Queanbeyan-Palerang's CSP and will contribute to community's housing needs for seniors and people with disability.

The proposed development is well considered to ensure likely impacts on the natural environment is minimised. The proposal incorporates sustainable approaches to reduce energy and water consumptions through inclusion of sustainable features such as insulation, clothes lines, native plantings, good solar access and natural cross ventilation. Photovoltaic panels and rainwater re-use will assist in minimising the use and cost of access to natural resources.

### **Draft Queanbeyan-Palerang Affordable Housing Strategy**

The Queanbeyan-Palerang Draft Affordable Housing Strategy prepared in April 2023 identifies that based on data available in 2016 around 2,200 very low, low and moderate income households were in housing stress in Queanbeyan-Palerang Regional Council area. By 2041, this is projected to grow by 1,576 households to a total of 3,776 households in housing stress. This includes 478 additional social housing dwellings needed to maintain the existing average rate proportion of social housing in NSW (4%).

This Draft Strategy suggests there is limited opportunity for the private market to provide housing that is affordable to meet most current and projected affordable housing needs.

The proposed development aligns with the objective of Strategy 5 of the Draft Strategy in that it proposes redevelopment of existing housing stock to better meet current and projected needs.

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

The site is not located within a regulated 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.

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

Provision	Compliance
<b>Division 1 – Land to which Part applies</b>	
<b>79 Land to which Part applies</b>	
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,	Complies – the site is zoned R2 Low Density Residential.

Provision	Compliance
(e1) Zone E1 Local Centre, (e2) Zone E2 Commercial Centre, (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.	
<b>80 Land to which Part does not apply – general</b>	
(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. N/A – the site is not located within the coastal zone. N/A – the land is not used for the purposes of a registered club.
<b>Schedule 3 Environmentally sensitive land</b>	
Land shown cross-hatched on the Bush Fire Evacuation Risk Map.	The site is not identified on bush fire evacuation risk map. The land is not identified as coastal wetlands or littoral rainforest.



Provision	Compliance
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.	
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 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 LAHC to undertake demolition as “*development without consent*” provided demolition is permissible and the land the structures are located on is “*non-heritage land*” and is not “*identified in an environmental planning instrument as being within a heritage conservation area*”. Demolition is permissible with consent under clause 2.7 of the QPRLEP 2023 and the subject site contains neither of these heritage notations and therefore demolition can be undertaken by LAHC as “*development without consent*”.

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

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

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



Table 6 Compliance with relevant provisions under Chapter 3, Part 5, Division 8 of the Housing SEPP for seniors housing 'development without consent' carried out by LAHC

Provision	Compliance
<p>108A – Development to which Division applies:</p> <p>This Division applies to development for purposes of senior housing involving the erection of a building on land -</p>	
(a) on which development for purposes of seniors housing is permitted with consent under another environmental planning instrument, or	The development is permissible with consent in the R2 Low Density Residential zone under the QPRLEP 2022.
(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
<p>108B – Seniors housing permitted without development consent</p> <p>(1) Development to which this Division applies may be carried out by or on behalf of a relevant authority without development consent if -</p>	
(a) the relevant authority has considered the applicable development standards specified in sections 84(2)(c)(iii), 85, 88, 89 and 108, and	Consideration of the development standards are provided in <b>Table 8</b> and <b>Table 9</b> below.
(b) the development will not result in a building with a height of more than- (i) 9.5m, or (ii) if the roof of the building contains servicing equipment resulting in the building having a height of more than 9.5m and the servicing equipment complies with section 84(3) – 11.5m, and	Complies - The maximum building height is 8m.
(c) the seniors housing will not contain more than 40 dwellings on the site.	Complies - The development is for 10 dwellings on the site.
(2) <i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i> , sections 2.15 and 2.17 apply to the development and, in the application of the clauses –	Sections 2.15 and 2.17 of <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.
<p>108C – Requirements for carrying out seniors housing</p> <p>(1) Before carrying out development to which this Division applies, a relevant authority must –</p>	
(a) request the council to nominate a person or persons who must, in the council’s opinion, be notified of the development, and	Advice was sought from Queanbeyan-Palerang Regional Council regarding additional persons or properties that should be notified of the development via an email sent to Council on 5 February 2025. Council provided a response on 6 February 2025 advising that the extent of notification is considered satisfactory.

Provision	Compliance
(b) give written notice of the intention to carry out the development to – (i) the council, and (ii) the person or persons nominated by the council, and (iii) the occupiers of adjoining land, and	On 10 March 2025, LAHC notified Queanbeyan-Palerang Regional Council of the proposed development activity via the notification function in the NSW Planning Portal.  Letters notifying owners and occupiers of adjoining land of the proposed development activity were sent by LAHC on 12 March 2025.
(c) take into account the responses to the notice that are received within 21 days after the notice is given, and	Council responded to LAHC's notification by letter dated 4 April 2025. A response to the matters raised are provided in Section 7.1 of this REF. One submission was received. Responses are 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	
Before carrying out development to which this division applies, the relevant authority must consider –	
(a) The Seniors Housing Design Guide, published by the Department in December 2023, and	Consideration of the Guide is outlined in <b>Appendix N</b> and Section 6.5.4 of this REF. These indicate the guidelines have been considered.
(b) The design principles for seniors housing set out in Schedule 8	Consideration of these principles is outlined in <b>Appendix N</b> 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 AHO Design Guidelines NSW, published by the Aboriginal Housing Office in January 2020.	Not applicable.
(3) Before carrying out development to which this division applies, the Land and Housing Corporation must consider –	
(a) Good Design for Social Housing, published by the Land and Housing Corporation, in partnership with the Government Architect NSW, in September 2020, and	Refer to checklist in <b>Appendix N</b> and subsection 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 NSW Land and Housing Corporation Design Requirements, published by the Land and Housing Corporation in February 2023.	Refer to checklist in <b>Appendix N</b> 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.

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

The Housing SEPP requires LAHC to consider the applicable development standards specified in clause 84(2) (c) (iii), 85, 88, 89 and 108. Consideration of these sections of the SEPP is demonstrated in the **Table 7** and **Table 8** below.

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

Provision	Compliance
84 Development standards — general (1) Development consent must not be granted for development to which this section applies unless — (c) for development on land in a residential zone where residential flat buildings are not permitted — (iii) if the development results in a building with more than 2 storeys — the additional storeys are set back within planes that project at an angle of 45 degrees inwards from all side and rear boundaries of the site.	The proposed development is in the R2 low density where residential flat buildings are not permitted.  Not applicable as the proposed development is 2 storeys.
85 Development standards for hostels and independent living units (1) Development consent must not be granted for development for the purposes of a hostel or an independent living unit unless the hostel or independent living unit complies with the relevant standards specified in Schedule 4. (2) An independent living unit, or part of an independent living unit, located above the ground floor in a multi-storey building need not comply with the requirements in Schedule 4, sections 2, 5–13 and 15–21 if the development application is made by, or by a person jointly with, a social housing provider or Landcom.  Note — Development standards concerning accessibility and usability for residential care facilities are not specified in this Policy. For relevant standards, see the <i>Building Code of Australia</i> .	The proposed development complies with relevant standards specified in Schedule 4 as demonstrated in <b>Table 9</b> below.  Noted.

Provision	Compliance
<p>88 Restrictions on occupation of seniors housing</p> <p>(1) Development permitted under this Part may be carried out for the accommodation of only the following —</p> <p>(a) seniors or people who have a disability,</p> <p>(b) people who live in the same household with seniors or people who have a disability,</p> <p>(c) staff employed to assist in the administration and provision of services to housing provided under this Part.</p> <p>(2) Development consent must not be granted under this Part unless the consent authority is satisfied that only the kinds of people referred to in subsection (1) will occupy accommodation to which the development relates.</p>	<p><i>Identified Requirement Nos. 73 &amp; 74</i> is recommended to achieve compliance.</p> <p><i>Identified Requirement Nos. 73 &amp; 74</i> is recommended to achieve compliance.</p>
89 Use of ground floor of seniors housing in business zones	Not applicable as the site is located in a residential zone.

Table 8 Non-Discretionary standards for Independent Living units (Section 108)

Development Standard	Required	Proposed	Complies
2(a) Building Height:	9.5m or less	8m	Yes
2(b) Height of Servicing Equipment	11.5m or less If greater than 9.5m, not more than 20% of roof area	8m	Yes
2(c) Density and Scale:	Floor Space Ratio 0.5:1 or less	0.53:1	Does not comply  Notwithstanding, QPRLEP 2022 does not specify a maximum FSR requirement, and the non-compliance does not result in any adverse impacts on adjoining properties or the streetscape (refer to variation discussion below).
2(d) Landscaped Area:	Minimum landscaped area that is the lesser of: (i) Minimum 35m <sup>2</sup> per dwelling (10 x 35m <sup>2</sup> = 350m <sup>2</sup> ) (ii) 30% of the site area (30% x 1,567m <sup>2</sup> = 470.10m <sup>2</sup> ) Landscaped area to comply with minimum 350m <sup>2</sup>	620m <sup>2</sup>	Yes
2(f) Deep Soil Zone:	Minimum 15% of area of site (15% x 1,567m <sup>2</sup> = 235.05m <sup>2</sup> )	357.15m <sup>2</sup> or 22%	Yes
	Minimum 65% to be preferably located at rear of site (235.05m <sup>2</sup> x 65% = 152.78m <sup>2</sup> )	197.45m <sup>2</sup> or 83% provided at rear of site	Yes

Development Standard	Required	Proposed	Complies
	Minimum dimension 3m	Minimum dimension 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	80% (8/10) of dwellings achieve 2 hours of direct solar access to private open space and living areas between 9am and 3pm mid-winter.	Yes
2(h) Private Open Space:	Ground level:		
	Minimum 15m <sup>2</sup> per dwelling	Minimum 23.25m <sup>2</sup> - 29.25m <sup>2</sup>	Yes
	One area minimum 3m x 3m, accessible from living area	Minimum 3m x 3m	Yes
	Upper level/s:  1 bedroom: Minimum 6m <sup>2</sup> Minimum dimensions 2m  2 or more bedrooms: Minimum 10m <sup>2</sup> Minimum dimensions 2m	Minimum 11.70m <sup>2</sup> Minimum 2m  Minimum 12.53m <sup>2</sup> Minimum 2m	Yes
2(j) Car parking:	Minimum 1 car parking space for each 5 dwellings (LAHC concession) – 2 car parking spaces required	5 on-grade car parking spaces for 10 dwellings including 2 accessible parking spaces.	Yes

### Non-Compliance with FSR Standard

The development proposes a total gross floor area (GFA) of 830.5m<sup>2</sup> calculated in accordance with the Housing SEPP definition. This translates to an FSR of 0.53:1 and represents an exceedance of 47m<sup>2</sup> to the 0.5:1 FSR development standard provided in clause 108(2)(c) which LAHC is required to consider.

Importantly, the site is not mapped as containing a maximum floor space ratio control under the QPRLEP 2022 and as such, the proposal does not result in a breach of the local floor space ratio control. The numerical non-compliance in part is due to the wide common corridors proposed to facilitate the building's split level design. The split level design has been implemented in order to address the site's topography and step the building, so as to assist with minimising impacts on adjoining properties and the streetscape.

In this instance, it is considered that the density of the development is acceptable and compatible with the development site and locality. That is, despite this exceedance, it is considered the bulk and scale of the proposed development is:

- compatible with the character of the locality,
- maintains appropriate visual relationships with the existing area,

- will not adversely affect the streetscape, skyline or landscape, and
- does not result in adverse environmental effects on adjoining lands.

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

- designed to meet the height requirements in accordance with the HSEPP and Council's setback requirements,
- ensuring dwellings are provided with a high level of amenity demonstrated through compliance with the seniors housing design standards prescribed by the HSEPP, e.g. high levels of solar access, natural ventilation, and accessibility,
- significant landscaping within the site including along perimeters with adjoining to break up hard surfaces and building bulk,
- existing vegetation along the edges of the site including within adjoining properties and the road reserve are to be retained,
- provision of considered dwelling layouts, including the careful placement and sizes of window/door openings, the treatment of windows and balconies with privacy screens and substantial buffer landscaping along boundaries to minimise overlooking of adjoining properties,
- materials and finishes including brick walls and sheet metal roofing are compatible with existing development in the locality, with a variety of materials used for wall sheeting, balcony balustrades and external privacy screens to add visual interest to the development; and
- the development has been articulated along both frontages to minimise the bulk and scale of the development.

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

Further, the proposed development will not generate any significant adverse amenity impacts on surrounding properties in terms of overlooking or overshadowing. The neighbouring property to the north (7 Spendelove Street) will not be affected by any additional shadows resulting from the proposed development. Minor shadows will be cast to the front southwest corner of the eastern adjoining property (35 Munro Road) at 3pm, however, the POS to the rear will remain unaffected by the proposed development. The morning and afternoon shadows generated to the west and south respectively will be confined to the road and road reserve. The proposal therefore generates no unacceptable solar impacts to surrounding development despite the numerical non-compliance in relation to FSR.

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

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

- contributes to the increase in supply of suitable accommodation for seniors;
- meets the current and future accommodation needs of Queanbeyan Palarang's ageing population;
- delivers a well-designed development which reflects and enhances the locality while providing a reasonable level of amenity for residents;

- provides seniors accommodation close to existing infrastructure; and
- is well located to public transport connections by way of a community transport bus.

Despite the exceedance of the floor space ratio control, the activity results in significant environmental benefits as the development increases the supply of seniors housing while positively contributing to the streetscape and surrounding area. There is no applicable FSR control under QPRLEP 2022 and therefore the activity does not breach any local controls in this regard. The development meets the height and setback requirements, and as such, the resultant density is considered to be consistent with the desired and future density and character of the locality.

### 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), LAHC is exempt from the siting standards for wheelchair access and access to common area/facilities set out below in relation to a unit or part of a unit that is located above the ground floor in a multi-storey building. Notwithstanding, all dwellings achieve wheelchair access as the development incorporates a lift.

Table 9 Accessibility and useability standards [Schedule 4]

Development Standard (Sch 4)	Required	Comment
2.Siting Standards:		
Wheelchair access 'Non-sloping' sites i.e. with gradients entirely <1:10	100% of ground floor dwellings to have wheelchair access by a continuous accessible path of travel to an adjoining public road	100% of the ground floor units have accessible paths of travel in accordance with AS1428.1 to the front boundaries as confirmed by the submitted Access Report ( <b>Appendix G</b> ).
'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	Compliance readily achievable. All common areas have accessible paths of travel in accordance with AS1428.1. Compliance indicated as per the submitted Access Report ( <b>Appendix G</b> ).  Further detailed information will be provided at construction documentation stage (refer to <b>Identified Requirement 73</b> ).
3. Letterboxes:		
	To be located on a hard standing area, have wheelchair access by a	Letterboxes have been provided adjacent to Munro Road pedestrian

	continuous accessible path of travel from the letterbox to the relevant dwelling and lockable.	entrance and can be accessed by a continuous accessible path of travel as per AS 1428.1. Compliance indicated as per the submitted Access Assessment Report ( <b>Appendix G</b> ).  Further specification to be provided at detailed construction documentation stage (refer to <b>Identified Requirement 73</b> ).
Multiple letterboxes	The structure must be in a prominent location.	Letterboxes have been provided adjacent to the Munro 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 <b>Identified Requirement 73</b> ).
<b>4. Car parking:</b>		
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 – (a) for a parking space not in a group – the parking space must comply with AS/NZS 2890.6, (b) for a group of 2–7 parking spaces – (i) at least 1 of the parking spaces must comply with AS/NZS 2890.6, and (ii) 50% of the parking spaces must – (A) comply with AS/NZS 2890.6, or (B) be at least 3.2m wide and have a level surface with a maximum gradient of 1:40 in any direction, (c) for a group of 8 or more parking spaces – (i) at least 15% of the parking spaces must comply with AS/NZS 2890.6, and (ii) at least 50% of the parking spaces must – (A) comply with AS/NZS 2890.6, or (B) be at least 3.2m wide and have a level surface with a maximum gradient of 1:40 in any direction.	Complies.  As a social housing provider LAHC is required to provide 2 car parking spaces in accordance with 108(2) of the Housing SEPP. Both of the required car spaces meet the requirements of AS2890.6. Compliance indicated as per the submitted Access Assessment Report ( <b>Appendix G</b> ).  An additional 3 car parking spaces are provided in addition to the minimum requirements specified in the Housing SEPP. These spaces comply with the requirements of AS2890.2 for standard car parking spaces.
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	The proposal does not incorporate power-operated doors, gates,



	garage door, vehicle gate, vehicle barrier or similar device.	barriers and the like as they pose a maintenance issue for LAHC.
	(7) A parking space, other than a parking space under subsection (6), must be — (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.	Not applicable.  The proposal does not incorporate power-operated doors, gates, barriers and the like as they pose a maintenance issue for LAHC.
	(8) A requirement in this section for a parking space to comply with AS/NZS 2890.6 extends to the associated shared area within the meaning of AS/NZS 2890.6.	Noted.
	(9) In this section, a parking space is in a <b>common area</b> if it is not attached to or integrated with a hostel or independent living unit.	Noted.

#### 5. Accessible entry

Main entrance to a dwelling	Must have — (a) a clear opening that complies with AS 1428.1, and (b) a circulation space in front of the door and behind the door that complies with AS 1428.1.	Compliance readily achievable.  Main entries for each dwelling are detailed with circulation space and clear door opening as per AS 1428.1 as per the submitted Access Report ( <b>Appendix G</b> ).
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#### 6. Interiors

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

Internal doorway	(1) Must have an unobstructed opening that complies with AS1428.1	Compliance readily achievable.  The unobstructed doorway opening of all internal doors is readily capable of compliance with AS1428.1 as per the submitted Access Report ( <b>Appendix G</b> ).  Further specification to be provided at detailed construction documentation stage (refer to <b>Identified Requirement 73</b> ).
Internal corridor	(2) Must have a minimum unobstructed width of 1,000mm	Compliance readily achievable.  The unobstructed internal corridor width in every ground floor dwelling is readily capable of compliance with AS 1428.1 as per the submitted Access Report ( <b>Appendix G</b> ).
Circulation spaces	(3) in front of and behind an internal doorway in the following areas must comply with AS 1428.1 — (a) a kitchen, (b) a laundry,	Compliance readily achievable.  Further specification to be provided at detailed construction documentation stage (refer to <b>Identified Requirement 73</b> ).

- (c) a bathroom
- (d) a toilet,
- (e) a bedroom,
- (f) a living area,
- (g) the main area of private open space.

## 7. Bedroom

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

- At least one bedroom in a dwelling must have:
- (a) a clear area, not including a circulation space, sufficient to accommodate
    - (i) for a hostel- a wardrobe and a single size bed, or
    - (ii) for an independent living unit - a queen size bed, and
  - (b) a clear area for the bed of at least:
    - (i) 1,200mm wide at the foot of the bed, and
    - (ii) 1,000mm wide beside the bed between it and the wall, wardrobe or any otl obstruction, and
  - (c) at least 2 double general power outlets on the wall where the head of the bed is likely to be
  - (d) at least 1 general power outlet on the wall opposite the wall where the head of the bed is likely to be

The accessible bedroom layout in each dwelling is suitably sized and configured to comply. Further specification to be provided at detailed construction documentation stage (refer to **Identified Requirement 73**).

## 8. Bathroom

Note: consideration only required for ground floor units in accordance with section 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 complies with the requirements of this clause as confirmed by the submitted Access Report (**Appendix G**).

- (2) The bathroom must have the following —

Compliance readily achievable.

Further specification to be provided at detailed construction

	<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 exiting 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>	documentation stage (refer to <b>Identified Requirement 73</b> ).
	(3) Subsection (2)(c) does not prevent the installation of a shower screen that can easily be removed to enable compliance with that paragraph.	Noted.

## 9. Toilet

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

	<p>(1) At least one toilet in a dwelling must be located on –</p> <p>(a) the same floor as the entry to the dwelling, or</p> <p>(b) a floor serviced by a private passenger lift accessible only from inside the dwelling.</p>	<p>Complies.</p> <p>The toilets in each dwelling comply with the requirements of this clause indicated in the submitted Access Report.</p>
	<p>(2) The toilet must have the following –</p> <p>(a) a water closet pan –</p>	<p>Compliance readily achievable.</p> <p>The toilet in each dwelling is suitably detailed to comply with the</p>

	<p>(i) in the corner of the room, and</p> <p>(ii) with a centreline set out in accordance with AS 1428.1,</p> <p>(b) a circulation space in front of the water closet pan that is —</p> <p>(i) at least 1,200mm long and at least 900mm wide, and</p> <p>(ii) clear of door swings and fixtures, other than a toilet paper dispenser or grab rails,</p> <p>(c) a circulation space around the water closet pan that complies with AS 1428.1,</p> <p>(d) a slip resistant floor surface that achieves a minimum rating of P3 accordance with AS 4586 — 2013,</p> <p>(e) a wall capable of accommodating the installation of a back rest and grab rail that will comply with AS 1428.1.</p>	<p>requirements as per the submitted Access Report.</p> <p>Further specification to be provided at detailed construction documentation stage (refer to <b>Identified Requirement 73</b>).</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 section 85(2)

	<p>Balconies and external paved areas must have surfaces that are slip resistant and comply with —</p> <p>(a) the <i>Building Code of Australia</i>, or</p> <p>(b) the Standards Australia Handbook SA HB 198:2014, <i>Guide to the specification and testing of slip resistance of pedestrian surfaces</i>, published on 16 June 2014.</p>	<p>Compliance readily achievable.</p> <p>Further specification to be provided at detailed construction documentation stage (refer to <b>Identified Requirement 73</b>).</p>
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#### 11. Door Hardware

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

	<p>(1) Door handles and hardware for all doors, including entry doors and external doors, must comply with AS 1428.1.</p> <p>(2) To avoid doubt, subsection (1) does not apply to cabinetry.</p>	<p>Compliance readily achievable.</p> <p>Further specification to be provided at detailed construction documentation stage (refer to <b>Identified Requirement 73</b>).</p>
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#### 12. Switches and power points

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

- (1) Switches and power points must —
- (a) comply with AS 1428.1, or
  - (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.

Compliance readily achievable.

Further specification to be provided at detailed construction documentation stage (refer to **Identified Requirement 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 per the submitted Access Report (**Appendix G**).

### 16. Living room

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

- (1) A living room in an independent living unit must be located on —
- (a) the same floor as the entry to the dwelling, or
  - (b) a floor serviced by a private passenger lift accessible only from inside the dwelling.
- (2) The living room must have —
- (a) a circulation space that —
    - (i) is clear of all fixtures, and
    - (ii) has a diameter of at least 2,250mm, and
  - (b) a telecommunications or data outlet adjacent to a general power outlet.

Complies.

The living room in each dwelling complies with the requirements as per the submitted Access Report (**Appendix G**).

Compliance is readily achievable.

Further specification to be provided at detailed construction documentation stage (refer to **Identified Requirement 73**).

### 17. Main area of private open space

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

	<p>The main area of private open space for an independent living unit must be located on —</p> <ul style="list-style-type: none"> <li>(a) the same floor as the entry to the dwelling, or</li> <li>(b) a floor serviced by a private passenger lift accessible only from inside the dwelling.</li> </ul>	<p>Complies.</p> <p>The private open space area for each dwelling complies with the requirements of this clause as per the submitted Access Report (<b>Appendix G</b>).</p>
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#### 18. Kitchen

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

	<p>(1) A kitchen in an independent living unit must be located on —</p> <ul style="list-style-type: none"> <li>(a) the same floor as the entry to the dwelling, or</li> <li>(b) a floor serviced by a private passenger lift accessible only from inside the dwelling.</li> </ul>	<p>Complies.</p> <p>The kitchen area for each dwelling complies with the requirements of this clause as per the submitted Access Report (<b>Appendix G</b>).</p>
	<p>(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.</p>	<p>Complies.</p> <p>The kitchen area for each dwelling complies with the requirements of this clause as per the submitted Access Report (<b>Appendix G</b>).</p>
	<p>(3) Each circulation space specified in subsection (2) must be capable of being increased to a diameter of 1,550mm without —</p> <ul style="list-style-type: none"> <li>(a) relocating the sink, or</li> <li>(b) moving a load-bearing wall, or</li> <li>(c) breaching another circulation requirement.</li> </ul>	<p>Complies.</p> <p>The kitchen area for each dwelling complies with the requirements of this clause as per the submitted Access Report (<b>Appendix G</b>).</p>
	<p>(4) The kitchen must have the following fittings —</p> <ul style="list-style-type: none"> <li>(a) a bench that includes at least one work surface that is — <ul style="list-style-type: none"> <li>(i) at least 800mm long, and</li> <li>(ii) clear of obstructions, and</li> <li>(iii) not in the corner of the room,</li> </ul> </li> <li>(b) a lever tap set with the lever and water source that is within 300mm of the front of the bench,</li> <li>(c) a cooktop next to the work surface,</li> <li>(d) an isolating switch for the cooktop,</li> <li>(e) an oven that — <ul style="list-style-type: none"> <li>(i) has operative elements between 450mm and 1,250mm</li> </ul> </li> </ul>	<p>Compliance readily achievable.</p> <p>Further detailed information will be provided at construction documentation stage (refer to <b>Identified Requirement 73</b>).</p>

	<p>above the finished floor level, and</p> <p>(ii) is next to the work surface,</p> <p>(f) at least one double general power outlet located within 300mm of the front of a work surface.</p>	
	<p>(5) The cupboards must –</p> <p>(a) not be entirely located in the corner of the bench or the corner of the room, and</p> <p>(b) face where the user of the fixture is likely to be.</p>	<p>Compliance readily achievable.</p> <p>Further detailed information will be provided at construction documentation stage (refer to <b>Identified Requirement 73</b>).</p>
	<p>(6) An overhead cupboard in the kitchen must be capable of being fitted with “D” pull cupboard handles towards the bottom of the cupboard.</p>	<p>Compliance readily achievable.</p> <p>Further detailed information will be provided at construction documentation stage (refer to <b>Identified Requirement 73</b>).</p>
	<p>(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.</p>	<p>Compliance readily achievable.</p> <p>Further detailed information will be provided at construction documentation stage (refer to <b>Identified Requirement 73</b>).</p>
	<p>(8) The lever tap set, cooktop, isolating switch, oven and double general power outlet must –</p> <p>(a) not be in the corner of the bench or the corner of the room, and</p> <p>(b) face where the user of the fixture is likely to be.</p>	<p>Compliance readily achievable.</p> <p>Further detailed information will be provided at construction documentation stage (refer to <b>Identified Requirement 73</b>).</p>
	<p>(9) Cabinetry below a work surface must be able to be easily removed to allow wheelchair access to the work surface.</p>	<p>Compliance readily achievable.</p> <p>Further detailed information will be provided at construction documentation stage (refer to <b>Identified Requirement 73</b>).</p>

#### 19. Laundry

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

	<p>(1) A laundry in an independent living unit 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 laundry in each dwelling complies with the requirements of this clause as per the submitted Access Report (<b>Appendix G</b>).</p>
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	<p>(2) The laundry must have the following –</p> <ul style="list-style-type: none"> <li>(a) a circulation space that complies with AS 1428.1 at the approach to any external doors,</li> <li>(b) an appropriate space for an automatic washing machine and a clothes dryer,</li> <li>(c) a clear space in front of each appliance of at least 1,550mm,</li> <li>(d) a slip resistant floor surface that achieves a minimum rating of P3 in accordance with AS 4586 – 2013,</li> <li>(e) a continuous accessible path of travel to the main area of private open space or any clothesline provided for the dwelling.</li> </ul>	<p>Compliance readily achievable.</p> <p>Further detailed information will be provided at construction documentation stage (refer to <b>Identified Requirement 73</b>).</p>
	<p>(3) The space specified in subsection (2)(c) may overlap with a door swing or the circulation space for a door.</p>	<p>Noted.</p>
	<p>(4) For laundry facilities in a cupboard, the cupboard must be capable of being fitted with “D” pull cupboard handles in the following locations –</p> <ul style="list-style-type: none"> <li>(a) for below-bench cupboards – towards the top,</li> <li>(b) for overhead cupboards – towards the bottom,</li> <li>(c) for floor-to-ceiling doors – between 900mm and 1,100mm above the finished floor level.</li> </ul>	<p>N/A</p> <p>The proposed laundries are not shown to be located inside cupboards.</p>
	<p>(5) In this section – <b>laundry</b> includes laundry facilities in a cupboard.</p>	<p>Noted.</p>
<p><b>20. Linen Storage</b> Note: consideration only required for ground floor units in accordance with section 85(2)</p>		
	<p>An independent living unit must have a floor-to-ceiling linen storage cupboard that –</p> <ul style="list-style-type: none"> <li>(a) is at least 600mm wide, and</li> <li>(b) has adjustable shelving.</li> </ul>	<p>Compliance is readily achievable.</p> <p>A linen cupboard of 600mm minimum width has been detailed in every dwelling.</p> <p>Further detailed board and shelving information will be provided at construction documentation stage (refer to <b>Identified Requirement 73</b>).</p>
<p><b>21. Lift access in multi-storey buildings</b> Note: consideration only required for ground floor units in accordance with section 85(2)</p>		
	<p>An independent living unit on a storey above the ground storey must</p>	<p>Although a concession for this clause is provided to LAHC</p>



	be accessible by a lift that complies with the <i>Building Code of Australia</i> , Volume 1, Part E3.	developments under Section 85(2) of the HSEPP, the proposed development provides a passenger lift and is readily capable of compliance with this requirement.  A design certificate to be provided at the next design stage to confirm compliance with BCA Part E3 as per the submitted Access Report ( <b>Appendix G</b> ).
22. Garbage		
	A garbage storage area and a recycling storage area provided for an independent living unit must be accessible by a continuous accessible path of travel from the dwelling entrance.	Complies The bin storage area is provided adjacent to the Munro Road entry which is considered convenient for all users. Accessible travel paths have been provided from the bin storage area to each dwelling, as per the submitted Access Report ( <b>Appendix G</b> ).

## 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 N**. The proposed design is consistent with the Guide.

## 6.5.5 Good Design for Social Housing

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

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

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

### 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, and 2 accessible car parking spaces are provided. 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 80% of units. Durable, low maintenance materials are proposed, and units are proposed to be appropriately sized to reduce running costs. The proposal achieves a NatHERS rating with an average of 7.2 stars which exceeds the minimum targets set by LAHC. A 10kW photovoltaic system has been incorporated to offset energy use in the development. PV solar panels are positioned on the north facing roof elevations to maximise solar gains.

Each 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.

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 character of the local area and will make a high-quality contribution to the streetscape. The prominent use of brickwork and cladding with an earth-toned palette will ensure the visual appeal of the development is maintained over time and also make the development indistinguishable from private housing.

The pedestrian entry, central foyer 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. To further enhance the useability of the communal open space, **Identified Requirement 80** has been applied to require a seat to be placed within the central communal courtyard via an accessible path of travel.

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

## Value

The development exceeds sustainability targets, with an average NatHERS star rating of 7.2. The scheme incorporates sustainable features including insulation, clothes lines, native plantings, ceiling fans, and good solar access and cross ventilation. Photovoltaic panels and rainwater re-use will assist in minimising the use and cost of access to natural resources.

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

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

## Collaboration

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

The design and assessment process involved close collaboration with a number of stakeholders, including input from adjoining landowners and Queanbeyan-Palerang Regional 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 LAHC social housing portfolio. These requirements apply to all new LAHC developments and are driven by tenant wellbeing, design quality, environmental performance and operational effectiveness within cost parameters.

Clause 108CB(3)(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 L**. 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 LAHC 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, Division 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. Fibro cement and face brick with pitched roofs is a prominent feature of housing in the immediate area, particularly dwellings constructed during the mid to late twentieth century.</p> <p>The proposed development will be two storeys in height, consistent with the character of the locality. The design compliments the existing character of the local area through its simple yet elegant design. The use of earthy greys and brick finishes is reflective of materials and finishes evidenced in surrounding buildings. The proposed diverse landscape scheme is in keeping with the local streetscape character described as having tree lined streets and well-maintained front gardens.</p> <p>The building has been designed as an articulated built form, stepped to conform to the site's topography, displaying a distinct roof form and will respond to the character and scale of development in the 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 is it in proximity to any heritage listed items in the area.</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 landform, 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 proposed building setbacks are compatible with the streetscape character of the locality and are consistent with Council's DCP requirements. The building complies with the allowable height limit under the Housing SEPP and QPRLEP 2022 and provides generous side and rear setbacks, to minimise building bulk, overlooking and overshadowing. Notwithstanding, the building has also been stepped relative to the site's topography to reduce the perceived bulk as viewed from the street and adjoining properties.</p> <p>Given the orientation of the site and proposed building setbacks, minimal overshadowing is cast upon adjoining properties. Between 9am and 12-midday, shadows cast by the proposed development generally fall within the road reserve adjoining the site. By 3pm, some minor overshadowing falls upon the south-west front corner of 35 Munro Road, however the existing dwelling and it's rear north-facing garden private open space remain unaffected by the proposed development.</p> <p>A suitable balance of cut and fill is proposed to address access requirements for seniors housing under the Housing SEPP.</p>
<p>(e) set back the front building on the site generally in line with the existing building line, and</p>
<p>The building line is consistent with the setbacks of dwelling houses in the locality with Munro Road considered to the primary frontage, and Spendelove Street to be a secondary frontage, consistent with the existing development on the site.</p>
<p>(f) include plants reasonably similar to other plants in the street, and</p>
<p>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.</p>

The scheme incorporates a mix of ground covers and native shrubs. Larger shade trees are proposed at the front and rear of the site and will grow to a mature height of 4-8m. Low maintenance planting in the common landscaped area will create a pleasant environment for residents and attract animal and birdlife.

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

The Arboricultural Impact Assessment and Tree Management Plan (**Appendix I**) recommends the removal of 2 trees on the site 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 17 new trees on the site capable of achieving a mature height of 4-8m, as well as over 400 shrubs and groundcover. Over time, this replacement vegetation will provide additional habitat for fauna in the long-term.

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

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

## 2. Visual and acoustic privacy

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

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

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

The building has generally been designed so that high use areas such as living rooms and private open space areas are oriented toward the street frontages to minimise privacy impacts. Where windows and balconies face side or rear boundaries, adequate setbacks have been maintained and privacy screening provided to minimise direct overlooking. Windows from first floor living rooms on the side, eastern boundary are provided with minimum 1.5m sill heights to restrict direct line of sight into the neighbouring property.

Boundary fencing to a height of 1800mm will assist with mitigation of visual and acoustic impacts associated with the internal hard stand car parking and private open space areas oriented to the north and east. Perimeter landscaping will also act as a visual and acoustic buffer between the car park and adjacent development. The generous setbacks to the north and east of the site provides adequate deep soil areas which will accommodate shade trees and dense landscape plantings which will create a pleasant outlook when viewed from neighbouring properties.

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

## 3. Solar access and design for climate

The design of seniors housing should –

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

80% of units achieve at least 2 hours of direct solar access to living areas in mid-winter, which exceeds the 70% targets set under the Housing SEPP. Overall, the development exceeds the sustainability targets and achieves an average NatHERS rating of 7.2, with the lowest overall rating of 6.1 being achieved.

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



#### 4. Stormwater

The design of seniors housing should aim to —

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

Stormwater will be collected via an underground OSD tank located immediately beneath the carpark area. Roof water from the proposed development will be collected from downpipes and connected to an above-ground 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 tank and OSD. Excess water is discharged to the kerb inlet pit on Spendelove Street.

Hard surfaces have been minimised where possible both in private garden areas and communal areas to improve groundwater percolation.

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

#### 5. Crime prevention

Seniors housing should —

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

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

Site planning enforces territorial reinforcement by establishing clear entry points and boundaries through fencing and landscaping. All 10 units address Munro Road or Spendelove Street, together with providing passive surveillance of communal areas as well as the pedestrian and vehicle entry points.

Fencing will be constructed along the side and rear boundaries, and all areas of private open space are fenced to create security and delineate between public and private spaces. The design of the proposed development will allow for general surveillance to both the street frontage as well as to the communal carpark and driveway.

Peepholes will also be provided on the front doors of each dwelling to enable residents to view approaches to their dwelling without having to open the door (**Identified Requirement No. 77**).

#### 6. Accessibility

Seniors housing should —

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

The site is not accessible within 400m of a bus or train service, however, will rely upon an on-demand community transport service run by Valma. Valma provides community transport to and from the site as an on-demand service, for seniors and people with disability. This service operates during daylight hours, and is available to collect the building's occupants, and transport them to and from nearby facilities and services. Suitable pedestrian links from the building entry to collection areas on the kerb will be provided. This service will meet the requirements for accessibility in accordance with section 93 of the HSEPP. The Access Report (refer to **Appendix G**) confirms that obvious and safe pedestrian links are available from the site, and the site will comply with the HSEPP in this regard.

Car parking is provided for residents on site, including 2 accessible parking spaces. Accessible pathways are provided between the car parking area and the internal lobby. There is ample unrestricted on street parking available on Munro Road and Spendelove Street for visitors, if needed.

## 7. Waste management

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

A waste storage area is provided adjacent to the main entry on Munro Road and will accommodate general waste, recycling and green waste. The storage area has been appropriately screened to minimise visual impact but still retain good visibility. The storage area has 2 entries which ensure entrapment spaces are not created. The site will be serviced by council's standard kerb-side pickup service, with bins taken to the kerb by a LAHC contractor.

## 6.6 Other State Environmental Planning Policies

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

Table 11 Compliance with other applicable State and Environmental Planning Policies

### SEPP (Sustainable Buildings) 2022

A BASIX Certificate and associated NatHERS Certificates have been obtained for the development proposal (refer to **Appendix J** and **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.

#### Tree Removal:

The development proposes tree removal thus the provisions of the SEPP related to vegetation clearing apply. Clause 2.6(1) of this SEPP requires a permit from Council for clearing of vegetation required under the policy. The proposed development seeks the removal of 2 trees (refer to the Arboricultural Impact Assessment and Tree Management Plan at **Appendix I**). Tree removal is recommended primarily to accommodate the proposed development.

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

An assessment of the proposed tree removal has been undertaken within Section 8.10 of this REF.

### 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 Crestwood. The Section 10.7(2) & (5) Planning Certificates do not identify the site as potentially contaminated (refer to **Appendix F**). Notwithstanding, the draft *Contaminated Land Planning Guidelines* (draft Guidelines) prepared by the former Department of Planning and the Environment Protection Authority provides a checklist of matters to be considered in an initial evaluation of land in relation to potential for contamination. These matters are considered in **Table 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	LAHC records indicate that the land has been used for residential purposes since the early 1950's.
(b) Do existing records held by the planning authority show that a potentially contaminating activity listed in Table 1 in Appendix 1 has previously been approved or carried out on the subject land? (The use of records held by other authorities or libraries is not required for an initial evaluation.)	No	LAHC records indicate that the land has not been used for a potentially contaminating activity listed in Table 1, Appendix 1 of the draft Guidelines.
(c) Is the subject land currently used for a potentially contaminating activity listed in Table 1 in Appendix 1?	No	Each lot currently contains a single storey detached dwelling and associated structures.
(d) Has the subject land ever been regulated through licensing or other mechanisms in relation to any potentially contaminating activity listed in Table 1 in Appendix 1?	No	LAHC records indicate that the land has not been regulated through licensing or other mechanisms.
(e) Are there any land use restrictions on the subject land relating to possible contamination, such as orders or notices issued under the CLM Act?	No	As noted in the section 10.7 certificates, there are no land use restrictions relating to contamination under the CLM Act.
(f) Has a site inspection indicated that the site may have been associated with any potentially contaminating activities listed in Table 1?	No	A site inspection has been undertaken which indicated that the site is unlikely to have been associated with potentially contaminating activities.
g) Are there any contamination impacts on immediately adjacent land which could affect the subject land?	No	Adjoining development is residential, forming part of a larger residential subdivision carried out in the early 1950's.
(h) Are there any human or environmental receptors that could be affected by contamination?	No	A standard identified requirement ( <b>Identified Requirement No. 17</b> ) 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.
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## 6.7 Queanbeyan-Palerang Regional Local Environmental Plan 2022 (QPRLEP 2022)

Compliance with the relevant provisions / development standards set out in the QPRLEP 2022 is demonstrated in **Table 13** below.

Table 13 Queanbeyan-Palerang Regional Local Environmental Plan 2022

Relevant Provisions / Development Standards for Seniors Housing			
Clause	Provision / Development Standard	Required	Provided
4.3	Height of Buildings	8.5 metres	Maximum building height (measured in accordance with the LEP definition) is 8m.
4.4	Floor Space Ratio	N/A	Proposed FSR is 0.53:1
5.10	Heritage	To conserve the environmental heritage of Queanbeyan-Palerang Regional LGA.	The site does not contain any heritage items, is not within a heritage conservation area nor in close proximity to a heritage item. As such, this provision is not applicable.
5.21	Flood Planning	Development consent must not be granted to development on land the consent authority considers to be within the flood planning area unless the consent authority is satisfied that the development:	The Section 10.7 certificate does not identify the site as being flood affected. As such, this clause does not apply.
		(a) is compatible with the flood function and behaviour, and	
		(b) will not adversely affect flood behaviour in a way that results in detrimental increases in the potential flood affectation of other development or properties, and	
		(c) will not adversely affect the safe occupation and efficient evacuation of people or exceed the capacity of existing evacuation routes of the surrounding area in the event of a flood, and	

### Relevant Provisions / Development Standards for Seniors Housing

		(d) incorporates appropriate measures to manage risk to life in the event of a flood, and	
		(e) will not adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of riverbanks or watercourses.	

## 6.8 Queanbeyan Development Control Plan 2012

*Queanbeyan Development Control Plan 2012* (QDCP 2012) contains development controls for residential development, however, does not contain specific development controls for seniors housing. As such, the relevant controls for multi-dwelling housing have been used for comparative purposes to demonstrate the suitability of the site for the proposed scale of the development as shown in **Table 14** below.

The general controls for all development set out in QDCP 2012 have generally been addressed in the various sections of this REF that address compliance with the provisions of the Housing SEPP. The following controls are only those which are not already covered by the requirements under the Housing SEPP.

Table 14 Queanbeyan Development Control Plan 2012

Provisions/development standards for multi-unit housing		
Clause	Requirement	Proposed
<b>3C.5.3 Setbacks</b>	<u>Front Road Setbacks</u> Front Setback for first 2 storeys (building height up to 8.5m) should be minimum of 6m.	Complies. Front Setback on Munro Road is 6m (excluding projections into the setback area)
	Corner sites - Minimum setback to the side street (2 storey development) shall be 3.5m	Complies. Front setback on Spendelove Street is 3.5m.
	<u>Side and Rear Setbacks</u> The minimum setback to the side and rear boundaries (2 storey development) shall be 3.5m.	Complies. Rear northern boundary setback is 6.8m. Side eastern boundary setback is 4.3m.
	<u>Setback Encroachments</u> The only projections which will be permitted in the setback areas are roof eaves and sunhoods. Roof eaves and sunhoods may project into the setback by a maximum of 600mm.	Does not comply. Minor POS/fence projects 0.55m and 1.6m into the eastern and western setback respectively.  Negligible first floor balcony projects 0.3m into the eastern setback.



## Provisions/development standards for multi-unit housing

**3C.5.6 Fencing**Fences behind the building line of the primary road frontage

Side and rear boundary fences must be no higher than 2.1m above ground level (existing).

Complies. New side and rear boundary fences to be 1.8m.

Corner blocks (Secondary Street frontage):

- Be not higher than 2.1m above ground level (existing) for 50% of the secondary street frontage. Open elements are required for the portion of fencing that is above 1.8m.

Complies. No fencing is proposed along the Spendelove Street front boundary.

Fences forward of the building line for the primary road frontage

- Any fence located along the boundary of, or within the setback area to, a primary or secondary road must:
  - i) not be more than 1.2m above ground level (existing), and
  - ii) contain open elements for at least 20% of the area of the fence that is more than 400mm above ground level (existing), with any individual solid element of the fence above this height being no more than 350mm in width with a minimum aperture of 25mm.

Complies on Munro Road - 1.2m high, open form fence is proposed along the front boundary.

Fencing/Walls For Primary Private Open Space (POS) In Front of Multi-Unit Development:

- Fencing or walls up to 1.8m may be erected to enclose the POS provided that:
  - i) the fence or wall is designed to reflect the design character of the development and is not incompatible with other fences and walls within the streetscape,
  - ii) the top 0.3m (minimum) of the fence is predominantly constructed of semi-open materials to provide for some surveillance,

Does not comply on Spendelove Street. 1.5m metal slatted fencing is proposed which in parts is provided above a 1.1m retaining wall, exceeding the 1.8m maximum as viewed from the street. Notwithstanding, this is located along the secondary frontage and has been designed to ensure it will not dominate the street frontage. Significant landscaping is proposed in front of the fencing ensuring compatibility with the existing streetscape.

## Provisions/development standards for multi-unit housing

	<p>iii) landscaping is incorporated into the fence or wall design to provide vegetation screening for a minimum of 50% of its length, and</p> <p>iv) the fencing for the remaining aspects of the dwelling, including the entry to the dwelling, is designed consistent with the requirements set out in respect of dwellings fronting public areas including roads.</p> <p><u>Fencing/Walls For Primary Private Open Space (POS) Facing Communal Areas</u></p> <ul style="list-style-type: none"> <li>- Where private open space fronts any communal areas of a development, fencing/walls up to 1.8m may be erected provided that the top 0.3m (minimum) of the fence is predominantly constructed of semi-open materials to provide for some surveillance.</li> </ul>	<p>Does not comply. A minor portion of courtyard fencing (1.2m in length) with a height of 2m faces the communal area. The minor variation is due to the sloping nature of the site and does not materially impact upon the communal open space area.</p>
<b>3C.5.12 Stormwater Management</b>	<p>Where any development will result in an increase in stormwater runoff, Council may require the developer to make satisfactory arrangements for the efficient disposal of stormwater from the site. These arrangements may include (but not be limited to) onsite detention of stormwater and/or appropriate augmentation of Council's stormwater disposal system.</p> <p>The stormwater discharge for development sites shall not exceed the 5 year ARI storm event. Typically, an on-site stormwater detention system will be required to reduce the velocity of stormwater discharge.</p> <p>On-site stormwater and drainage control should be designed to the requirements specified in Council's Engineering Specifications for Subdivisions.</p> <p>Stormwater should be gravity drained to Council's inter-allotment drainage system, which may require drainage.</p>	<p>Complies. The stormwater design will reduce the post development flow rates back to pre-development flow rates. Stormwater will be collected and connected to a 15m<sup>3</sup> underground stormwater detention tank that will drain to existing public stormwater infrastructure in Spendelove Street. Roof water will be collected from downpipes and connect to a 10kL rainwater tank for recycling with overflow connected to the underground detention tank.</p> <p>Council was consulted throughout the design phase to ensure stormwater discharge from the site was adequately addressed and to Council's satisfaction.</p> <p>A stormwater easement was not required and mechanical pumping is not proposed.</p> <p><b>Identified Requirements 6-9 (inclusive), 42 &amp; 72</b> are proposed to ensure the detailed design of the stormwater</p>

## Provisions/development standards for multi-unit housing

	The collection and mechanical pumping of stormwater upslope will not be considered by Council.	arrangement will meet Council's requirements.
<b>3.5.13.2 Waste Storage</b>	<p>For 7 or more units a communal waste enclosure will be required to be located immediately adjacent to the front boundary and no further than 6.0m from the front boundary. Where bins are stored in a common area, bins will generally be collected by the waste contractor from the storage area, emptied and returned to the storage area.</p> <p>For 6-12 units either of the above collection methods may be practical and selection of the best method should be done in conjunction with Council staff.</p> <p>If bins are to be placed at kerbside, consideration needs to be given as to whether there is sufficient space for collection and whether the location will pose a traffic hazard. Wheeled bins should not be placed near intersections, roundabouts, slow points or along busy arterial roads. In these circumstances applicants should investigate whether collection is available from side or rear streets, and whether sufficient frontage is available to service the number of bins/units.</p>	<p><u>Complies</u></p> <p>For the proposed 10 dwellings, a communal waste enclosure has been incorporated into the design and is located 1m from the front boundary on Munro Road.</p> <p>The site will be serviced by Council's standard kerb-side pickup service, with bins taken to the kerb and returned by a LAHC contractor.</p> <p>An accessible pathway has been provided from the building entry to the bin enclosure and the kerbside collection area. The location of kerbside collection area has been selected in consultation with Council, to ensure that waste collection truck maintains an 11m distance from the tangent point of the intersection at Munro Road and Spendelove Street to the rear of the truck, while it is stationary. This is to ensure safety and efficiency of the local road network is maintained.</p>

## 7 Notification, Consultation and Consideration of Responses

### 7.1 Council Notification

In accordance with section 43A and 108C of the Housing SEPP, on 10 March 2025 Queanbeyan-Palerang Regional Council was notified of the development via the notification function in the NSW Planning Portal. The notification response period formally closed on 31 March 2025. Council requested an extension of time to respond to the notification, which was granted by LAHC, and the response timeframe was extended until the 4 April 2025. Council responded by letter dated 4 April 2025.

Key issues raised in Council's submission are summarised below in **Table 15** below and the submission in full is provided at **Appendix T**. A response to the key issues raised is in **Table 15** below and where appropriate, some matters have been addressed by way of identified requirements in the **Activity Determination**.

Table 15 Issues raised in Council submission

Issues raised	Response
<b>Waste</b> <ul style="list-style-type: none"> <li>The waste plan shows 2 x 240L FOGO bins (food and garden organics) but the waste management plan states 5 x 240L FOGO bins. If a gardener maintains the grounds, 2 bins should suffice for food waste only, but may not be enough if the residents have their own gardens.</li> <li>It does not look like the waste room has space to add more FOGO bins if needed; it may need to be made larger.</li> </ul>	<p>The Waste Management Plan has been amended to reflect the provision of 2 organic bins to be provided. The Plan confirms that a nominated LAHC contractor will manage and remove ongoing green waste from communal landscaped areas.</p> <p>Given that most of the garden area on the site will be part of communal gardens, the provision of 2 FOGO bins are anticipated to adequately cater for organic waste generated by the development.</p>
<b>Water</b> <ul style="list-style-type: none"> <li>An existing 100mmØ AC water main runs within the road reserve on Spendelove Street. While there is another 300mmØ DICL water main on Munro Road, the proposed development will need to connect to 100mmØ on Spendelove Street. The applicant is to consult with a hydraulic consultant for a suitable tie size to service the development.</li> </ul>	<p>As part of the detailed civil design, a Hydraulic Engineer will confirm a suitable tie size to service the development, to connect to the existing 100mmØ AC water main within the road reserve on Spendelove Street.</p> <p>An Identified Requirement (<b>Identified Requirement No. 81</b>) has been recommended to ensure the tie size is no less than 50mmØ, to ensure Council's requirements are adequately met.</p>

Issues raised	Response
<b>Sewer</b> <ul style="list-style-type: none"> <li>The lot is serviced with an existing 150mmØ AC sewer main that runs along the northern boundary of the lot. The new service tie may be required for the development, though a suitably qualified hydraulic consultant should confirm the location and suitability of the tie.</li> <li>The maintenance hole cover within the lot (proposed to be under the driveway) needs to be upgraded to a heavy-duty Class D Gattic lid.</li> </ul>	<p>As part of the detailed civil design, a Hydraulic Engineer will confirm the location and suitability of the new tie.</p> <p>An Identified Requirement (<b>Identified Requirement No. 82</b>) has been recommended to ensure the new tie is no less than 150mmØ, and to specify the requirements of the manhole cover, to ensure Council's requirements are adequately met.</p>
<b>Access</b> <ul style="list-style-type: none"> <li>Approximately 3.0m wide driveway provided with a short holding bay. The passing bay provided at the entrance should accommodate a car wholly inside the boundary.</li> </ul>	<p>The Traffic and Parking Impact Assessment Report has considered vehicular access including the passing bay and endorses that the design is compliant with relevant standards. When in use, a vehicle within the passing bay will not obstruct the pedestrian footpath, ensuring pedestrian safety.</p>
<b>Parking</b> <ul style="list-style-type: none"> <li>Parking assessment has not been considered in this assessment. It does not comply with QPRC Development Control Plan.</li> </ul>	<p>Car parking requirements for the proposed activity have been determined in accordance with Section 108(2)(j) of the HSEPP which prevails over QDCP 2012 requirements. The proposed development includes provision for 5 car parking spaces, 3 spaces in addition to the minimum HSEPP requirement and on this basis, is considered to adequately cater for the proposed development.</p>

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

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

On 5 February 2025, advice was sought from Council regarding additional persons or property that should be notified of the development. Council responded on 6 February 2025 advising that the notification map was consistent with Council's Community Participation Plan and therefore the scope of notification was acceptable to Council.

**Figure 18** illustrates the properties in which the owners and occupiers were notified of the development.





Figure 18 Map of Properties Notified of the Proposed Development (Source: LAHC)

Under section 43(1) (b) and 108C(1)(b) of Housing SEPP, occupiers of adjoining land, as identified in the above map, were notified of the proposed development activity by letter dated 12 March 2025. Copies of the notification letters are provided at **Appendix T**.

The notification response period formally closed on 31 March 2025 and a total 1 submission was received. The key issues raised are discussed in **Table 16**.

Table 16 Issues raised by adjoining owners / neighbours

Issues raised	LAHC Response
The proposed location is not suitable for seniors housing due to footpath gradients required in the R2 zone and given the nearest public bus stop is located more than 400m away (420m).	<p>Cl.93 of the HSEPP specifies location and accessibility requirements for services and facilities relevant to Seniors Housing developments. As the site is located within a regional area, to satisfy these requirements the proposed development can rely on an on-demand community transport service that will be available to and from the site during daylight hours once each weekday, allowing occupants to commute to nearby facilities and services.</p> <p>The locality is served by <i>Valma Community Transport</i>, which meets these requirements and will be able to collect residents from their home and provide access to nearby facilities and services that they may reasonably require.</p>

Issues raised	LAHC Response
	<p>As such, there is no requirement under the Housing SEPP for compliant footpath gradients or for a bus stop to be provided within 400m of the subject site.</p> <p>Further, section 93 is not a mandatory matter for LAHC to consider, as per section 108B(1)(a).</p>
<p>Loss of property value due to the medium density development being in proximity, overlooking, loss of outlook and adverse amenity impacts.</p> <p>Will be seeking legal advice with regards to compensation for the devaluation of my property.</p>	<p>The proposed development, with landscaped gardens and on-site car parking is designed to meet local demand and is expected to make a positive contribution to the character of the local area. See below for further discussion of issues raised.</p> <p>There is no evidence to suggest the proposed development would adversely affect property values.</p>
Loss of privacy	<p>The design of the building has been carefully considered to ensure adequate separation distance is provided to all surrounding properties.</p> <p>The careful placement of windows and balconies, together with adequate setbacks, is considered to reasonably mitigate and minimise privacy impacts to surrounding properties.</p>

Issues raised	LAHC Response
Loss of outlook due to height of building	<p>The building will result in the loss of outlook from some surrounding properties, given that new 2 storey development replaces existing single storey dwellings. The eastern outlook over this site from some properties in Spendelove Street and the southern side of Munro Street includes a district outlook including pleasant district views, including to distant hills and ridgeline.</p> <p>Notwithstanding the building meets the required height and setback controls. The building has been stepped to address the topography of the site. On this basis, any loss of outlook resulting from the proposed development is considered to be a reasonably anticipated development outcome, consistent with the applicable planning controls.</p>
Artists Impression of the impact and scale does not include existing powerlines and it is suspected the omission has been done deliberately to mask the impact of the height and length.	The artists impression drawings are intended to provide an indicative montage of the future development. Scaled drawings detailing have also been prepared and formed part of the notification package, to provide accurate details of height and depth.
Uncharacteristic building height and scale. There is only one other modern building in the locality.	The proposed development, whilst being a contemporary design, draws upon the characteristic building materials utilising face brick, and also incorporating a significant amount of landscaping to integrate the building into the streetscape. On balance, the new building will be complementary to the existing locality.
Existing ground levels should be retained along the western elevation. Plans indicate that the ground level will be significantly higher than existing, resulting in the building height being significantly higher than surrounding development.	The building has addressed the topographical constraints by stepping the building. This design measure ensures that the resultant building height is below the maximum building height control and considered to be a reasonable response to the site constraints.

Issues raised	LAHC Response
Extend brick nib walls on lower-level units on western side (Spendelove St) to hide/mask clothes lines from street view.	<b>Identified Requirement No. 84</b> is recommended to ensure privacy screening is provided at the northwestern corner of the balcony of unit 4 to obscure the view of the clothesline when view from Spendelove Street.
Planting to mature trees and shrubs particularly along street frontages to assist with masking/blending the size of the development into the streetscape as much as possible.	Trees will be provided at 45L at which is considered reasonable and extensive planting will ensure the development is appropriately integrated into the streetscape.

## 7.3 Notification of Specified Public Authorities

The development is “seniors housing” under section 108A of the Housing SEPP. As required by section 43(1) and 108B(2) of the Housing SEPP, consideration has been given to the need to notify other relevant authorities and 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.

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### 8.1 Neighbourhood Character

The site is located within an established residential area which is characterised by older style single and two storey detached dwelling houses. Munro Road comprising predominantly single storey dwellings of brick, fibro and weatherboard construction with tiled roofs with interspersed two storey dwellings. There is a recently constructed two storey medium density development on Munro Road. The character of Spendelove Street comprises of a mix of one and two storey dwelling mainly of brick and tile roof construction. Dispersed single storey weatherboard and rendered dwelling are also evident on Spendelove Street.

The proposed development will present as a 2-storey building to both Munro Road and Spendelove Street, noting 2 storey developments are not uncommon to the locality. The proposed development has been designed to ensure its compatibility to the sloping topography of the site and achieves a building envelope that is sited generally within the setback and building height requirements. The bulk and scale of the proposed development will be compatible with the existing character of the neighbourhood, as well as the desired future character, and will deliver a built form outcome consistent with the planning controls for the locality.

The proposed material selection comprises Colorbond metal cladding and two types of face brick with earthy tones which is in keeping with the existing materials and finishes of existing developments in the area. Whilst the architectural style is more contemporary than some of the older dwellings on Munro Road and Spendelove Street, the development has been designed with distinct architectural elements such as the flat roof line and curved features which brings visual contrast and interest to both the primary and secondary façades.

The building has been orientated towards the street frontages, with balconies overlooking the streets which provides each dwelling with a street presence and encourages passive observation of the public spaces.

The design also incorporates adequate articulation and fenestration to minimise the perceived bulk and scale of the 2-storey built form. The contemporary design will complement the existing properties in the area. Suitable design treatments, including fencing, landscaping and a considered planting mix ensures the proposal will generate benefits to the neighbourhood character.

#### Mitigation Measures

No mitigation measures are required.

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### 8.2 Bulk and Density

The proposed development is generally consistent with the bulk and scale envisaged on the site under the relevant local planning controls. The 2-storey development incorporates appropriate setbacks and separation from adjacent buildings, distinguished by a variety of articulation features, external finishes and materials to reduce the visual bulk of the development. The development is stepped down towards the north to conform to the slope of the site. The transition enhances the overall design quality, minimising the perceived bulk and scale of the development. All units will address the street with suitable façade articulation and fenestration that will enhance the streetscape.

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Whilst the proposal exceeds the floor space ratio control set out in Housing SEPP, the QPRLEP 2022 does not specify a maximum FSR control for the site. The development's compliance with the building height, setbacks, landscaped area and deep soil zones renders the bulk and scale of the development acceptable in its context.

Justification for the variation to the Housing SEPP floor space ratio control is provided in Section 6.5.1 of this REF, which found that despite the non-compliance, the development is considered consistent with the objectives of the Housing SEPP, in that it:

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

Despite the proposed exceedance of the floor space ratio, the proposed development results in significant environmental benefits as the development increases the supply of seniors housing while positively contributing to the streetscape and surrounding area and is not considered to result in any unacceptable overshadowing or privacy impacts to adjoining dwellings. The proposal will increase housing density and diversity, consistent with State and regional strategies.

#### **Mitigation Measures**

No mitigation measures are required.

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## **8.3 Streetscape**

The proposed development will make a positive contribution to the Munro Road and Spendelove Street 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.
- Living rooms and balconies address and provide an active frontage to both Munro Road and Spendelove Street.
- The longest building elevation, which faces Spendelove Street, has been stepped to conform to the slope of the site to reduce the overall visual bulk of the development when viewed from the street. Balconies make up more than 50% of the Spendelove Street façade, which will provide an active and engaging streetscape presence.
- Strong articulation and modulation along the front façades and quality landscaping proposed within the front setback areas, the proposed development will make a positive contribution to the streetscapes of Munro Road and Spendelove Street.
- The use of earthy-toned bricks, and vertical grey cladding to recessed elements create a classic architectural style that will complement the existing developments in the area.
- The street corner is well designed, featuring recessed, curved balconies that elevate the significance of the building corner.



- Significant landscaping has been incorporated into the front setback areas and includes feature canopy trees, as well as shrubs and ground cover which will help soften the development and make a positive contribution to the streetscape presence.
- The 2 trees located on the council verge on Munro Road will be retained which will help soften the development and make a positive contribution to the streetscape presence.
- The hard stand car parking area is located to the rear of the site and obscured from street view, contributing to the overall visual appeal.

**Mitigation Measures**

No mitigation measures required.

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## 8.4 Visual Impact

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

The proposed development will make a positive contribution to the residential streetscape through construction of contemporary dwellings that respond to the site context and neighbourhood character. Articulation, diverse mix of materials and earthy 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 mitigation measures required.

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## 8.5 View Impact

Many properties within the surrounding locality are afforded with a pleasant outlook towards the hills, ridgelines and Queanbeyan City. Given that the proposed 2 storey development will replace existing single storey dwellings, this outlook will be reduced or removed from some properties, particularly those with an eastern outlook across the subject site.

Notwithstanding, the development sits well below the permitted building height control and provides generous, compliant setbacks. As such, any loss of outlook is considered to be unavoidable, and in any case is considered to be an anticipated outcome of the development on the site given the development's general level of compliance with the relevant planning controls.

**Mitigation Measures**

No mitigation measures required.

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## 8.6 Privacy

A high level of internal and external privacy will be maintained by the proposed development activity through a range of measures including careful and considered placement of windows and screening, site landscaping, and setbacks so as to avoid direct overlooking of neighbouring properties. In particular:

- Living areas are orientated to face the street rather than towards side and rear boundaries. Where balconies wrap around the side elevation, adequate setbacks have been maintained and privacy screening provided to balconies to minimise opportunity for overlooking.
- Ground floor patios within the development have been appropriately separated by the location of fencing and/or landscape treatments.
- 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.
- First floor northern and eastern balconies exceed the minimum 3.5m setback requirement under Council's DCP, to ensure sufficient separation between the subject and neighbouring development. The building has been setback a minimum of 6.8m from the northern and 4.3m from the eastern boundaries.
- Windows on the northern and eastern elevations of units 10 and 6 respectively have been provided with raised sill heights of 1.5m above finished floor level to minimise potential overlooking.
- Solid balcony balustrades are proposed at first floor level which will assist in protecting the privacy of both residents and neighbours.
- Extensive landscaped areas are proposed within the front, side and rear setback areas which will create a visual buffer between the public domain and adjoining neighbours at ground floor level. As identified in the landscape plan (**Appendix B**), the planting schedule includes screening plants such as Photinia, and Blueberry Ash which will grow to heights from 2.5m to 8m and will create a dense hedge along the side and rear boundaries. New canopy tree planting will also provide a visual buffer from the development.
- Proposed 1.8m Colorbond boundary fencing will mitigate unacceptable overlooking from ground level units into properties to the north and east.

#### Mitigation Measures

No mitigation measures required.

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## 8.7 Solar Access

The design and siting of the proposed development will achieve adequate solar access to the proposed dwellings' living areas and private open spaces. The architectural plans (refer to **Appendix A**) demonstrate that 80% of dwellings receive at least 2 hours direct solar access to the living and POS areas on 21<sup>st</sup> June (mid-winter), which meets the requirements under the Housing SEPP.

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 required.

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## 8.8 Overshadowing

The shadow diagrams (refer to **Appendix A**) confirm the development has been designed to minimise overshadowing of surrounding development. The site benefits from a north-south orientation, which enables

high level of solar amenity to be achieved. Due to the orientation of the site, the majority of shadow cast by the development falls across the road reserve of Munro Road and Spendelove Street.

The shadow diagrams demonstrate that on 21<sup>st</sup> June (mid-winter) the development will:

- At 9am, shadows will be cast across the Munro Road reserve and Spendelove Street. No shadow will be cast upon any adjoining properties to the west at this time.
- At 12noon shadows will be cast across front setback of the subject site and extend onto the Munro Road reserve.
- At 3pm, shadows will be cast across the Munro Road reserve and a small section of the front setback area of 35 Munro Road. At this time, the shadow will not fall upon any windows within this dwelling, and the privacy open space of 35 Munro Road is not impacted from any overshadowing by the proposed development.

As such, the proposed development will result in no material overshadowing to any adjoining property between 9am and 3pm during the mid-winter solstice.

### Mitigation Measures

No mitigation measures are required.

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## 8.9 Traffic & Parking

The proposal incorporates 5 at grade car parking spaces, including 2 accessible spaces. The provision of on-site car parking exceeds the parking requirements set out in the Housing SEPP for seniors housing developments carried out by LAHC by 3 additional spaces. Unrestricted street parking is available on Munro Road and Spendelove Street to accommodate any potential overflow parking demand generated by the proposed development. The proposal also includes the removal of 2 redundant vehicle crossovers of Munro Road, which will assist with additional on-street parking.

The Traffic and Parking Impact Assessment Report (**Appendix R**) indicates that the trip generation rate from the existing dwellings results in 2 vehicle trips per hour during the peak period. The proposed development will result in approximately 4 vehicle trips, during both morning and evening peak hours. A comparison of the traffic activity with the projected traffic activity indicates that the proposed development will result in a negligible increase in traffic activity within the surrounding road network.

The proposed carpark entry and parking layout was assessed in the Traffic and Parking Impact Assessment Report and swept path testing was undertaken. The proposed parking layout, including the parking spaces and associated aisle width, was confirmed as compliant with AS2890.1:2004. The two accessible parking spaces have been designed to comply with the requirements of AS 2890.6-2009, as verified in the Access Report (**Appendix G**). **Identified Requirement No. 12** has been applied to avoid any confusion between the requirements of AS2890.1 and AS 2890.6 and ensure the two accessible parking spaces are designed in accordance AS 2890.6-2009. A passing bay is proposed to minimise disruption that may result from the proposed single lane driveway.

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

Council's kerbside waste collection will be undertaken on Munro Road frontage. NSW Parking Rules and the NSW Road Rules 2014 specifies vehicles cannot stop within 10m of the nearest point of an intersecting road at

an intersection without traffic lights. The waste collection point has been designed accordingly, ensuring the rear of the collection vehicles is at least 11m from the intersection of Munro Road and Spendelove Street.

### Mitigation Measures

No mitigation measures are required.

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## 8.10 Flora and Fauna

An Arboricultural Impact Assessment and Tree Management Plan undertaken for the site (refer to **Appendix I**) considers 5 trees, 2 of which are located within the subject site, 2 street trees in the Munro Road reserve and the 1 tree are at the rear of the eastern adjoining property within 35 Munro Road.

The following 3 trees are proposed to be retained and protected:

- T1 (no impact) – *Fraxinus exocarp var. raywoodii* ‘Clarey Ash’ located on Munro Road reserve.
- T2 (no impact) – *Fraxinus oxycarpa var. raywoodii* ‘Clarey Ash’ located on Munro Road reserve.
- T5 (no impact) – *Prunus sp* ‘Flowering Cherry’ located within 35 Munro Road.

The report recommends the removal of 2 existing trees, being Trees T3 and T4 within the site. Trees T3 and T4 are recommended for removal as they are not worthy of retention or located within the site in a position where they cannot be retained due to the proposed building footprint and associated infrastructure where encroachment will have an adverse impact on its roots and crown for viability and stability.

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

### Mitigation Measures

**Identified Requirements No. 1, 18 – 20 and 36** are included in the Activity Determination and require the implementation of the Landscape Plan; and the tree protection measures as recommended in the Arboricultural Impact Assessment and Tree Management Plan.

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## 8.11 Heritage (European / Indigenous)

Queanbeyan-Palerang Regional 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 F**).

### Aboriginal Heritage

An Aboriginal Heritage Information Management System (AHIMS) search dated 6 March 2025 (**Appendix H**) did not find any record of Aboriginal Sites or Places on the site or in the surrounding locality and the site is considered to be disturbed land. Consideration of the *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales*, determined that no additional investigation was warranted. Discovery of cultural material during development activities cannot be ruled out, however, an Identified Requirement has been applied should any Aboriginal relics be discovered on the site during excavation/construction.

### Other Cultural Heritage

No cultural heritage items have been identified in Queanbeyan-Palerang Regional Council's Section 10.7(2) & (5) Planning Certificates and the likelihood of any heritage relics being discovered during excavation / construction is considered to be minimal.

### Mitigation Measures

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

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## 8.12 Soils / Contamination / Acid Sulfate Soils / Salinity

### Geotechnical

A Geotechnical Investigation Report, prepared by STS Geotechnics Pty Ltd (refer to **Appendix O**) indicates the following:

- The subsurface conditions consist of fill, natural sandy clay and gravelly sandy clays, and weathered siltstone/sandstone. Fill is present from the surface to a depth of 0.2m. Very stiff natural sandy clay and gravelly sandy clays underlie the fill to depths of 0.4m to 1.3m and could not be penetrated by hand auger below 0.8m in BH2. In the remaining boreholes, weathered siltstone/sandstone underlies the soils to the depths of auger refusal, 0.5m to 1.5m.
- Groundwater was observed during the fieldwork.
- Results of soil testing indicated the presence of non-saline soils.

### Contamination

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

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

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

### Acid Sulfate Soils

According to Queanbeyan-Palerang Regional 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 do not identify that site as being affected by salinity.

### Mitigation Measures

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

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

Stormwater will be collected via a series of stormwater pits and gutters on site, connecting to a 15m<sup>3</sup> underground stormwater detention tank below the proposed carpark that will drain to existing public

stormwater infrastructure in Spendelove Street. Roof water will be collected from downpipes and connect to a 10kL above ground rainwater tank for recycling with overflow connected to the underground detention tank.

Council was consulted throughout the design phase to ensure stormwater discharge from the site was adequately addressed and to Council's satisfaction. Council did not raise any concerns regarding stormwater management on site. Stormwater drainage for the proposed development has been designed in accordance with Council's requirements, as certified by the stormwater engineer in **Appendix L**.

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, 28, 42 & 72)** have been recommended to ensure that stormwater drainage is managed in accordance with legislative requirements.

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## 8.14 Bushfire Prone Land

The Section 10.7(2) & (5) Planning Certificates issued by Queanbeyan-Palerang Regional Council's for the subject site advise that the land is not bushfire prone.

#### **Mitigation Measures**

No mitigation measures are required.

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## 8.15 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**) detail the provision of 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 by EPA Guidelines and the *Protection of the Environment Operations (Noise Control) Regulation 2017*. Acoustic certification is required at construction documentation stage and prior to occupation to ensure that the air conditioning units are appropriately designed and installed. Their operation is also subject to an ongoing use Identified Requirement.

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

#### **Mitigation Measures**



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

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

Appropriate **Identified Requirements (Nos. 2, 58, 60 & 78)** have been applied to ensure compliance with the above mitigation measures.

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## 8.16 Air Quality

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

### Mitigation Measures

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

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## 8.17 Waste Minimisation

A Waste Management Plan (**Appendix Q**) 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:

- Green waste to be chipped and used as mulch for landscaping.
- Surplus bricks will be returned to supplier or transported to an approved building waste collection facility.
- Concrete will be transported to an approved building waste collection facility.
- Any asbestos sheeting and fibrous insulation will be handled according to SafeWork NSW requirements and disposed to an approved building waste collection facility.
- Mixed demolition materials will be transported to an approved building waste collection facility.
- Timber, metal, wall and roof cladding and other salvageable materials will be resold to various salvage yards where appropriate or disposed of at an approved building waste collection facility.

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

### During Construction

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

- Excavation Material – All excavation material is intended for reuse as fill on site. Any excavation material deemed not acceptable will be disposed.

- Green waste – Mulched, composted in landscape.
- Concrete - Excess material removed by contractor to nominated waste transfer/recycle centre.
- Timber - Reuse for formwork, remainder removed from site and recycled off site at nominated waste transfer/recycle centre.
- Plasterboard (offcuts) - Removal for recycling or return to supplier.
- Metal (roof sheet) - Recycled by appropriate sub-contractor.
- Floor covering - Any leftovers to be disposed of or recycled at nominated waste transfer/recycle centre.
- Other Waste - Recycled by appropriate sub-contractor.

#### During Occupation

General non-recyclable and recyclable waste will be disposed of in Council's standard waste storage and recycling bins located in the garbage storage enclosure located within the Munro Road frontage. A pathway is proposed between the storage enclosure and street verge to allow for transportation to the kerb and collection by Council's waste contractor. Separate pedestrian access is provided to the waste storage area.

Paper / metal / glass will be disposed of in Council's standard waste recycling bins in the communal garbage storage enclosure for fortnightly collection by Council's waste services.

Green waste will be disposed of in Council's standard waste storage bins in the communal garbage storage enclosure for fortnightly collection by Council's waste services.

#### **Mitigation Measures**

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

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

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## 8.18 Resource Use & Availability

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

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## 8.19 Community / Social Effects

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

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

### Mitigation Measures

No mitigation measures are required.

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## 8.20 Economic Impact

The proposed development is likely to contribute to a range of economic benefits in the Queanbeyan-Palerang 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.

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## 8.21 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.

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## 9 Conclusion

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### 9.1 Summary of Key Issues Raised in Assessment

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

The proposed activity has been considered in terms of the provisions of Section 5.5 of the EP&A Act and 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, QPRLEP 2022, and the design principles and better practices set out in the relevant guidelines.

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

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

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### 9.2 Recommendation

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

## 10 Appendices

- 10.1.1 APPENDIX A – ARCHITECTURAL PLANS
- 10.1.2 APPENDIX B – LANDSCAPE PLAN
- 10.1.3 APPENDIX C – CIVIL & STRUCTURAL PLANS
- 10.1.4 APPENDIX D – SURVEY PLAN
- 10.1.5 APPENDIX E – NOTIFICATION PLANS
- 10.1.6 APPENDIX F – SECTION 10.7 CERTIFICATES
- 10.1.7 APPENDIX G – ACCESS REPORT
- 10.1.8 APPENDIX H – AHIMS SEARCH
- 10.1.9 APPENDIX I – ARBORICULTURAL IMPACT ASSESSMENT & TREE  
MANAGEMENT PLAN
- 10.1.10 APPENDIX J – BASIX CERTIFICATE
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