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Statement of Environmental Effects

Proposed Change of Use to Mixed Use Development Seniors Housing (Hostel), Community Facility and Ancillary Offices for Administrative Purposes and Associated Works required for Compliance with BCA.

253 Cooper Road, Yagoona

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Contents

1	Introduction	1
1.1	Commission	1
1.2	Purpose of this Statement	1
1.3	Material Relied Upon	1
2	Background	2
2.1	Previous Development Consents	2
2.2	Pre-DA Meeting and Appeal	2
3	Site Context	3
3.1	Location	3
3.2	Site Description	3
3.3	Surrounding Development	4
4	Proposed Development	5
4.1	Summary of Proposed Development	5
4.2	Hostel Rooms	5
4.3	Community Facility	6
4.4	Ancillary Administration Offices	8
4.5	Landscaping	9
4.6	Vehicular Access and Car Parking	12
4.7	Waste Management	12
4.8	Non-Usable Areas	12
5	Environmental Planning Assessment	13
5.1	Planning Controls	13
5.1.1	Environmental Planning and Assessment Regulation 2021	13
5.1.2	State Environmental Planning Policy (Resilience and Hazards) 2021	13
5.1.3	State Environmental Planning Policy (Housing) 2021	13
5.1.4	Canterbury-Bankstown Local Environmental Plan 2023	19
5.1.5	Canterbury-Bankstown Development Control Plan 2023	21
5.2	Likely Impacts of the Development	23
5.2.1	Visual and Acoustic Privacy	23
5.2.2	Solar Access	24
5.2.3	Traffic and Parking	24
5.2.4	Social and Economic Impacts	25
5.2.5	BCA Requirements	25
5.3	Suitability of the Site for Development	25
5.4	Public Interest	26
6	Conclusion	27

Contents

Figures

Figure 1	Site Location	3
Figure 2	Site Context	4
Figure 3	Surrounding Development	4
Figure 4	Area of Hostel	6
Figure 5	Community Facility	7
Figure 6	Ground Floor Office	8
Figure 7	Offices Level 1	9
Figure 8	Landscaped gardens	10
Figure 9	Landscaped gardens	11
Figure 10	Parking Layout	12
Figure 11	Zoning Map	21

Tables

Table 1	Key Development Statistics	5
Table 2	Assessment against Relevant Development Standards and Provisions of Schedule 4 of SEPP Housing 13	
Table 3	Assessment against Relevant Provisions of the LEP	20
Table 4	Assessment against Relevant Provisions of the DCP	21
Table 5	Traffic movement along Cooper Street during AM and PM peak periods	25

Contents

Abbreviations

AS	Australian Standard
BCA	Building Code of Australia
Council	Canterbury-Bankstown Council
DA	development application
DCP	development control plan
DFP	DFP Planning Pty Limited
DPE	NSW Department of Planning and Environment
DVT	daily vehicle trip
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2021</i>
EPI	environmental planning instrument
ESCP	erosion and sedimentation control plan
ESD	ecologically sustainable development
FSR	floor space ratio
GFA	gross floor area
LEP	local environmental plan
LGA	local government area
LPP	Local Planning Panel
PVT	peak hour vehicle trip
RL	reduced level
SEE	Statement of Environmental Effects
SEPP	state environmental planning policy
TfNSW	Transport for NSW
vtph	vehicle trips per hour

1 Introduction

1.1 Commission

DFP has been commissioned by Chinese Australian Services Society (CASS) to prepare a Statement of Environmental Effects (SEE) for the proposed change of use from a residential care facility to seniors housing (hostel), community facility, ancillary offices for administrative purposes and associated works required for compliance with BCA at 253 Cooper Road, Yagoona (the site).

This report is to accompany a development application (DA) to Canterbury Bankstown Council (Council).

The proposed Seniors Housing (Hostel) is listed as prohibited in the R4 High Density Residential Zone (the R4 Zone) pursuant to *Canterbury-Bankstown Local Environmental Plan 2023* (the LEP). However, the site is listed as being in “Area 1” on the “Clause Application Map”. Section 25 of the LEP provides that R4 zoned land identified as “Area 1” on the Clause Application Map and developed for the purposes of seniors housing is permitted with development consent. Senior Housing is permissible with development consent pursuant to *the State Environmental Planning Policy (Housing) 2021* (SEPP Housing).

A community facility and ancillary offices are also permissible with consent in the R4 High Density Residential zone pursuant to *Canterbury-Bankstown Local Environmental Plan 2023* (the LEP).

Office premises are prohibited in the R4 High Density Residential zone under the LEP however are subservient / ancillary to the permitted uses.

The proposed development complies with the relevant development standards within SEPP Housing and the LEP.

1.2 Purpose of this Statement

The purpose of this report is to provide Council and relevant NSW State Government Agencies with all relevant information necessary to assess the proposed development and to determine the DA in accordance with section 4.16 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and the *Environmental Planning and Assessment Regulation 2021* (the Regulation).

1.3 Material Relied Upon

This SEE has been prepared by DFP based on the information listed below and a site inspection undertaken on 21 February 2025.

- Survey (*prepared by Project Surveys*);
- Architectural Plans (*prepared by CalderFlower Architecture*);
- Acoustic Report (*prepared by VMS*);
- BCA/Accessibility Report (*prepared by BMG*);
- Traffic Impact Assessment (*prepared by ttpa*);
- Accessibility Assessment (*prepared by absacess*);
- Plan of Management (*prepared by CASS*);
- Waste Management Plan (*prepared by CASS*);
- Evacuation Plans (*prepared by CASS*);
- Estimated Development Cost (*prepared by CASS Care*).

2 Background

2.1 Previous Development Consents

A search of Council's Online DA Tracker determined the following previous development consents on the site:

DA-923/1994 – Additions and alterations to existing nursing home

BA-558/1995 – New lift and additions

DA-1475/2000 – Alterations and additions to existing nursing home

DA1475/2000/2 – Alteration and additions to Existing Nursing Home S96(1A)

DA-1524/2002 - Alteration and additions to Yagoona Nursing Home

CD-51/2003 - Alteration and additions to Yagoona Nursing Home

2.2 Pre-DA Meeting and Appeal

No Pre-DA Meeting was held with Council.

DFP has had several telephone conversations with Senior Officers regarding the proposed development following the Order under Section 9.34 of the EP&A Act dated 12 February 2025 requiring the owner to cease using the site for the purposes of a boarding house by 5pm, 9 April 2025.

A Class 1 Appeal has been filed in the Land and Environment Court regarding the Order. Further discussions have been held between the applicants Solicitor and Council Solicitor in this regard.

3 Site Context

3.1 Location

The site is located approximately 1.1km from Yagoona CBD on the eastern side of Cooper Road, Yagoona. The site is approximately 110m from Gazzard Park, 350m from the Yagoona community centre and 550m from Yagoona train station. (see **Figure 1**).



Figure 1 Site Location

3.2 Site Description

The site is legally described as Lot 6 in Deposited Plan (DP) 227677. The site has an area of 6,594m². **Figure 2** provides an aerial photograph of the site.

The site is irregular in shape and is bounded by a mix of single and double storey residential development on its northern, eastern, and western boundaries. To the south of the site is medium density dwellings.

The topography of the site is relatively flat with RL levels between 41.0 to 43.85 around the building.

The site is developed with a two-storey building approved as a nursing home (residential care facility) comprising 150 beds, a maximum of 30 staff members and 28 at-grade parking spaces with vehicular access on Cooper Street and Venture Crescent. The Venture Crescent access is not in use at present and has a locked gate on the boundary.

3 Site Context



Figure 2 Site Context

3.3 Surrounding Development

The surrounding development is characterised by a mix of single and double storey dwelling houses along Cooper Road to the west and south, Caldwell Parade to the east and Venture Crescent to the north.



Figure 3 Surrounding Development

4 Proposed Development

4.1 Summary of Proposed Development

The proposed development comprises a change of use from Residential Care Facility to a Mixed-use development comprising seniors housing (hostel), community facility and ancillary administrative offices.

The key development statistics are provided in **Table 1**.

Use	Location	Area
Site Area	-	6,594m ²
Seniors Hostel – 18 single beds	Ground Floor	966m ²
Community Facility	Ground floor	385m ²
Ancillary Administrative Offices	Ground Floor Level 1	99m ² <u>790m²</u> 889
Areas not in use	Ground Floor Level 1	359m ² 906m ²
Total GFA not in use	Ground Floor and Level 1	1,265m ²
Total GFA in use	Ground Floor and Level 1	2,240m ²
Total GFA	Ground Floor and Level 1	3,505m ²
Car Parking	-	27 car spaces (including two (2) accessible car parking space) and 1 parking space for an ambulance.

The following subsections provide a more detailed description of the proposed development.

4.2 Hostel Rooms

The area proposed to be used for the purposes of a seniors housing (hostel) is located on the ground floor with a total floor area of 954m².

The area proposed to be used for seniors housing (hostel) comprises:

- 18 single occupancy units (SOUs), including two (2) accessible SOUs,
- a laundry, a cold room, a kitchen (non-commercial),
- services,
- 6 x storerooms,
- 3 x lounges,
- a common room,
- a dining room,
- 6 x shared bathrooms,
- 1 x accessible bathroom,
- 2 x ambulant toilets,
- a utility room and

4 Proposed Development

- a cleaners room.

No building works are proposed with the exception of the installation of self-closing doors to 10 rooms for fire compartmentation purposes and works required for BCA compliance.

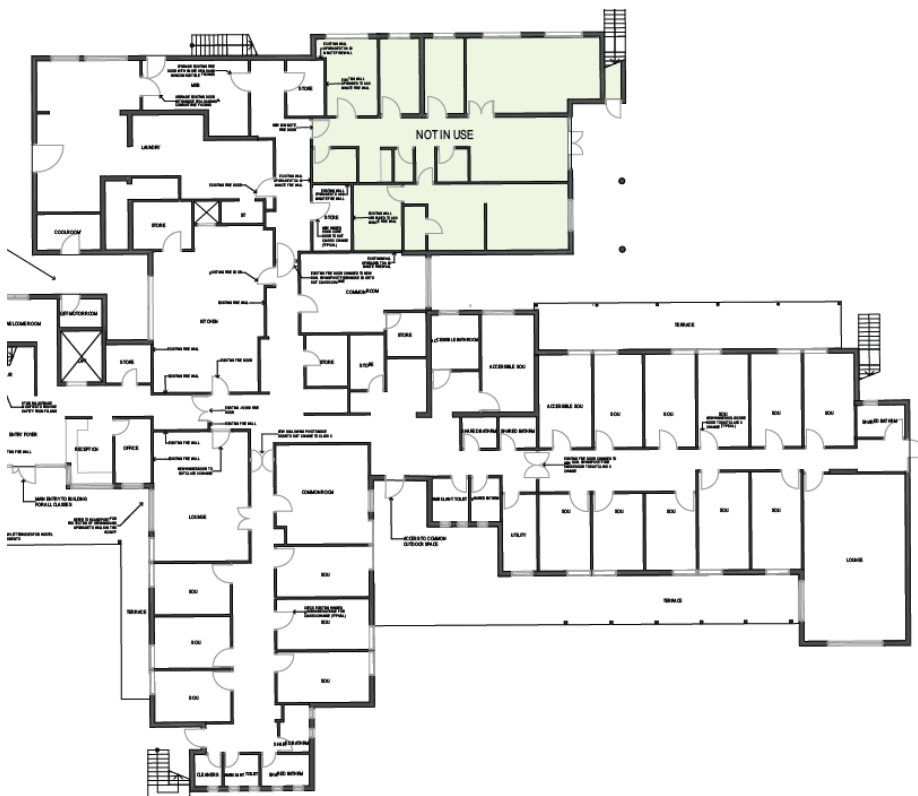


Figure 4 Area of Hostel

4.3 Community Facility

The area proposed to be used for the purposes of a community facility is located on the ground floor, with a total floor area of 385m² and a maximum capacity of 30 persons at any one time.

The area proposed to be used for a community facility comprises:

- 2 x library rooms,
- 2 x Interview rooms,
- 2 x games rooms,
- 4 x storerooms,
- 5 x utility rooms,
- an advice desk,
- a counselling room,
- a community room,
- a laundry,
- a community meeting room,
- 1 x male WC,
- 1 x female WC,

4 Proposed Development

4.4 Ancillary Administration Offices

The area proposed to be used for ancillary administration offices is located across both levels with a total area of 889m² and a maximum capacity of 15 staff.

The ancillary office premises on ground floor comprises:

- an entry foyer,
- a welcome room and reception area.

The ancillary office premises on Level 1 comprises:

- 5 x offices,
- a library,
- a lunchroom,
- a brainstorming room,
- a recreation room,
- a sitting room,
- 2 x meeting rooms,
- 3 x storerooms,
- an archive room,
- 6 x utility rooms,
- a kitchenette,
- 2 x ambulant toilets,
- 1 x accessible toilet,
- a shared bathroom,
- a terrace, and
- 2 x cleaners rooms.

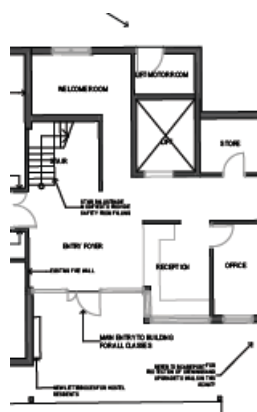


Figure 6 Ground Floor Office

4 Proposed Development



Figure 7 Offices Level 1

4.5 Landscaping

The site is landscaped with mature established trees, shrubs and lawn as shown on the Site Plan and in **Figure 4** and **Figure 5** below. No change is proposed to the existing landscaping.

4 Proposed Development



Figure 8 Landscaped gardens

4 Proposed Development



Figure 9 Landscaped gardens

4 Proposed Development

4.6 Vehicular Access and Car Parking

Access to the site is obtained via Cooper Road. There is a total of 27 line marked car parking spaces available on site including two accessible car parking spaces and one ambulance bay.

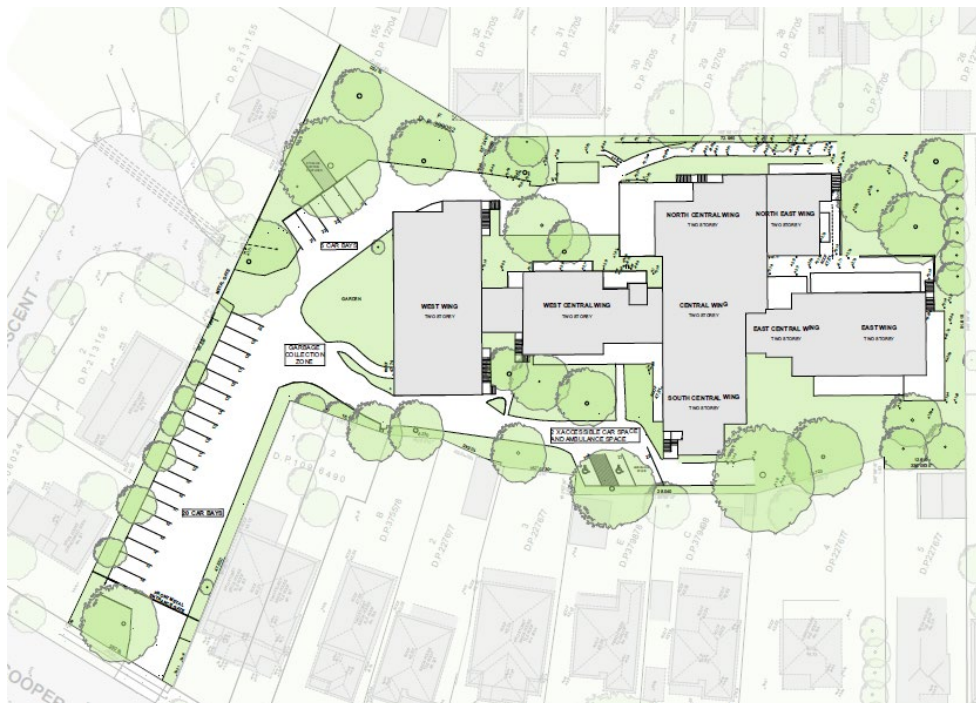


Figure 10 Parking Layout

4.7 Waste Management

A bin storage area is located on site near the rear boundary and within the building envelope with separating facilities and will be screened from view and the public domain. Appropriate signage will be erected in a prominent place to assist proprietors and residents to ensure that all waste and recyclable material is placed into appropriate bins.

Small bins are provided throughout the building for use by residents, visitors and staff. A contract cleaner will be responsible to collect all internal waste on a regular basis and dispose of it into the bins provided in the bin storage area. The on-site manager will be responsible for wheeling the bins to the collection point for collection.

An Operational WMP has been prepared for the site by CASS. A total of three (3) bins will be provided on site, comprising a 600L general waste bin, a 240L recycle bin and two (2) x 600L green waste bins. The bins will be wheeled to the designated collection point which has been located to ensure that the collection vehicles can enter and leave the site in a forward direction.

The location of the collection point will not impact on any access points, internal roads or car parking areas. The general waste bins will be collected twice a week whilst the recycling and green waste will be collected once per fortnight by the licenced private waste and recycling contractor service which is currently servicing the site.

4.8 Non-Usable Areas

The areas that are not in use will be kept locked at all times and only authorised staff will be permitted to enter the areas for regular cleaning and maintenance purposes.

5 Environmental Planning Assessment

This section provides an environmental assessment of the proposed development in respect of the relevant matters for consideration under section 4.15(1) of the *Environmental Planning and Assessment Act, 1979* (EP&A Act).

5.1 Planning Controls

The following subsections assess the proposal against the relevant provisions of applicable Environmental Planning Instruments (EPIs), Draft EPIs, Development Control Plans (DCPs), Planning Agreements and matters prescribed by the Regulation in accordance with section 4.15(1)(a) of the EP&A Act.

5.1.1 Environmental Planning and Assessment Regulation 2021

Section 25 - Concurrences and/or Approvals

In accordance with Section 25 of the Regulation the proposed development does not require any concurrences and does not require any approvals under s4.46(1) of the EP&A Act.

Section 26 - Information about affordable housing development

In accordance with Section 26 of the Regulation the registered community housing provider is the Chinese Australian Services Society (CASS) Registration number R1030120822. The registration is valid indefinitely.

Section 32 - Extract of development application for erection of building

The DA is accompanied by notification plans which identify the applicant and the land to which the application relates and contain a plan of the building that indicates the existing height and external configuration of the site.

5.1.2 State Environmental Planning Policy (Resilience and Hazards) 2021

State Environmental Planning policy (Resilience and Hazards) 2021 (SEPP RH) relates to remediation of contaminated land and requires, amongst other things, investigations to be undertaken as part of the development assessment process, to determine whether the subject land is likely to be contaminated and if so, what remediation work is required.

The site has been used for the purposes of a residential care facility for more than 30 years. It is considered highly unlikely that the site will be contaminated. The consent authority can therefore be satisfied that the land is not contaminated and is suitable for the proposed development.

5.1.3 State Environmental Planning Policy (Housing) 2021

The site is located in the R4 - High Density Residential zone. Seniors Housing is permitted under SEPP Housing in the R4 Zone.

Table 2 provides a summary assessment of the proposed development against the relevant development standards and Schedule 4 of the provisions of SEPP Housing.

Table 2 Assessment against Relevant Development Standards and Provisions of Schedule 4 of SEPP Housing		
Provision	Assessment	Consistent
Part 5 Division 3 – Development Standards		
85. development standards for hostels and independent living units	See below.	Yes
(1) Development consent must not be granted for development for the purpose of a hostel or an independent living unit unless the hostel or independent living unit complies with the relevant		

5 Environmental Planning Assessment

Table 2 Assessment against Relevant Development Standards and Provisions of Schedule 4 of SEPP Housing

development standards specified in Schedule 4.		
95 Water and Sewer	The site is connected to a reticulated water system and has adequate facilities for the disposal of sewage.	Yes
<p>Division 7 Non-discretionary development standards</p> <p>107 Non-discretionary development standards for hostels and residential care facilities.</p> <p>(1) The object of this section is to identify development standards for particular matters relating to development for the purposes of hostels and residential care facilities that, if complied with, prevent the consent authority from requiring more onerous standards for the matters.</p> <p>(2) The following are non-discretionary development standards in relation to development for the purposes of hostels or residential care facilities—</p> <p>(a) no building has a height of more than 9.5m, excluding servicing equipment on the roof of a building,</p> <p>(b) servicing equipment on the roof of a building, which results in the building having a height of more than 9.5m—</p> <p>(i) is fully integrated into the design of the roof or contained and suitably screened from view from public places, and</p> <p>(ii) is limited to an area of no more than 20% of the surface area of the roof, and</p> <p>(iii) does not result in the building having a height of more than 11.5m,</p> <p>(c) the density and scale of the buildings when expressed as a floor space ratio is 1:1 or less,</p> <p>(d) internal and external communal open spaces with a total area of at least—</p> <p>(i) for a hostel—8m² for every bed, or</p> <p>(ii) for a residential care facility—10m² for every bed,</p> <p>(e) at least 15m² of landscaped area for every bed,</p> <p>(f) a deep soil zone on at least 15% of the site area, where each deep soil zone has minimum dimensions of 6m and, if practicable, at least</p>	<p>The building height does not exceed 9.5m including servicing equipment.</p> <p>The overall building has a FSR of less than 1:1.</p> <p>The internal and external communal open space exceeds 144m² i.e. 8m² x 18 beds</p> <p>The landscaped area exceeds 270m² i.e. 18 x 15m².</p> <p>The deep soil zones exceed 15% of the site area.</p> <p>There is a total of 28 carparking spaces provided for the proposed development including two accessible parking spaces and an ambulance bay.</p>	Yes

5 Environmental Planning Assessment

Table 2 Assessment against Relevant Development Standards and Provisions of Schedule 4 of SEPP Housing

<p>65% of the deep soil zone is located at the rear of the site, for a hostel—at least 1 parking space for every 10 beds in the hostel,</p> <p>(g) for a residential care facility—at least 1 parking space for every 15 beds in the facility,</p> <p>(h) at least 1 parking space for every 2 employees who are on duty at the same time,</p> <p>(i) at least 1 parking space for the purpose of ambulance parking.)</p>		
Schedule 4 Standards applying to hostels and independent living units		
<p>2. Siting standards</p> <p>(1) Wheelchair access If the whole of the site has a gradient of less than 1:10, 100% of the dwellings must have wheelchair access by a continuous accessible path of travel to an adjoining public road.</p>	<p>The gradient of the site is less than 1:10. All of the dwellings have a continuous accessible travel path to the driveway and adjoining public road.</p>	<p>Yes</p>
<p>3. Letterboxes</p> <p>(1) Letterboxes—</p> <p>(a) must be located on a hard standing area, and</p> <p>(b) must have wheelchair access by a continuous accessible path of travel from the letterbox to the relevant dwelling, and</p> <p>(c) must be lockable by a lock that faces a wheelchair accessible path.</p> <p>(2) If a structure contains multiple letterboxes, the structure must be in a prominent location.</p> <p>(3) At least 20% of the letterboxes on the site must be more than 600mm and less than 1,200mm above ground level (finished).</p>	<p>Lockable letterboxes will be provided for the hostel residents accessible by wheelchair and will be more than 600mm from the ground and less than 1,200mm from the ground.</p>	<p>Yes</p>
<p>4. Car parking</p> <p>(2) If parking spaces associated with a class 1, 2 or 3 building under the <i>Building Code of Australia</i> are provided in a common area for use by occupants who are seniors or people with a disability, the following applies—</p> <p>(a) for a parking space not in a group—the parking space must comply with AS/NZS 2890.6,</p> <p>(b) for a group of 2–7 parking spaces—</p> <p>(i) at least 1 of the parking spaces must comply with AS/NZS 2890.6, and</p> <p>(ii) 50% of the parking spaces must—</p>	<p>27 parking spaces have been provided in total with 20 car parking spaces located in the driveway off Cooper Road and five (5) spaces have been provided in the northern part of the site.</p> <p>The two (2) accessible parking spaces have been provided in compliance with AS/NZS 2890.6 and an ambulance bay has been provided on the southwestern side of the site close to the entrance of the building.</p>	<p>Yes</p>

5 Environmental Planning Assessment

Table 2 Assessment against Relevant Development Standards and Provisions of Schedule 4 of SEPP Housing

<p>(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,</p> <p>(c) for a group of 8 or more parking spaces—</p> <p>(i) at least 15% of the parking spaces must comply with AS/NZS 2890.6, and</p> <p>(ii) at least 50% of the parking spaces must—</p> <p>(A) comply with AS/NZS 2890.6, or (B) be at least 3.2m wide and have a level surface with a maximum gradient of 1:40 in any direction.</p> <p>(3) To avoid doubt, a parking space that complies with AS/NZS 2890.6 is only counted toward 1 of the requirements in subsection (2)(b)(i) or (ii) or (c)(i) or (ii).</p> <p>(4) At least 5% of any visitor parking spaces must comply with AS/NZS 2890.6.</p> <p>(5) A parking space required by this section to comply with AS/NZS 2890.6, other than a visitor parking space, is not required to include the international symbol of access.</p> <p>(6) If multiple parking spaces are accessible by a common access point, the access point must be secured by a power-operated garage door, vehicle gate, vehicle barrier or similar device.</p> <p>(7) A parking space, other than a parking space under subsection (6), must be—</p> <p>(a) secured by a power-operated door, or</p> <p>(b) capable of accommodating the installation of a power-operated door, including by having—</p> <p>(i) access to a power point, and</p> <p>(ii) an area for motor or control rods for a power-operated door.</p> <p>(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.</p> <p>(9) In this section, a parking space is in a <i>common area</i> if it is not attached to or integrated with a hostel or independent living unit.</p>		
<p>5 Accessible Entry</p> <p>(1) The main entrance to a dwelling must have—</p> <p>(a) a clear opening that complies with AS 1428.1, and</p>	<p>The main entrance to the building and to each hostel room has a clear opening that complies with AS 1428.1, and a circulation space in front of the door and behind the door that complies with AS 1428.1.</p>	<p>Yes</p>

5 Environmental Planning Assessment

Table 2 Assessment against Relevant Development Standards and Provisions of Schedule 4 of SEPP Housing

<p>(b) a circulation space in front of the door and behind the door that complies with AS 1428.1.</p> <p>(2) This section does not apply to an entry for employees.</p>		
<p>6. Interiors</p> <p>(1) An internal doorway must have an unobstructed opening that complies with AS 1428.1.</p> <p>(2) An internal corridor must have an unobstructed width of at least 1,000mm.</p> <p>(3) The circulation spaces in front of and behind an internal doorway in the following areas must comply with AS 1428.1—</p> <p>(a) a kitchen,</p> <p>(b) a laundry,</p> <p>(c) a bathroom,</p> <p>(d) a toilet,</p> <p>(e) a bedroom,</p> <p>(f) a living area,</p> <p>(g) the main area of private open space.</p> <p>(4) To avoid doubt, subsection (3)(b) does not apply to laundry facilities in a cupboard.</p>	<p>An Access Report has been prepared by Accessible Building Solutions which confirms that circulation spaces in the interiors, including the bedrooms, bathrooms, and toilets either comply or are capable of complying.</p> <p>Compliance will be confirmed during the Construction Certificate phase for the items that do not currently comply either by way of undertaking work to ensure compliance or by way of a performance solution.</p>	<p>Yes</p>
<p>7 Bedroom</p> <p>At least one bedroom in a dwelling must have the following—</p> <p>(a) a clear area, not including a circulation space, sufficient to accommodate—</p> <p>(i) for a hostel—a wardrobe and a single-size bed, or</p> <p>(ii) for an independent living unit—a wardrobe and a queen-size bed,</p> <p>(b) a clear area around the area for the bed of at least—</p> <p>(i) 1,200mm at the foot of the bed, and</p> <p>(ii) 1,000mm on each side of the bed,</p> <p>(c) at least 2 double general power outlets on the wall where the head of the bed is likely to be,</p> <p>(d) at least one general power outlet on the wall opposite the wall where the head of the bed is likely to be.</p>	<p>The Access report prepared by Accessible Building Solutions confirms that the SOU bedrooms are capable of accommodating a wardrobe and a single bed with a compliant clear area around the bed.</p> <p>The door hardware, switches and power points are either compliant or are capable of complying.</p>	<p>Yes</p>
<p>8. Bathroom</p> <p>(1) At least one bathroom 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>(2) The bathroom must have the following—</p>	<p>The accessible bathrooms provided for the hostel are on the same floor as the SOUs and has slip resistant floor surfaces, a washbasin with tap ware capable of complying with AS 1428.1 and a shower that is accessible without a shower hob or step.</p>	<p>Yes</p>

5 Environmental Planning Assessment

Table 2 Assessment against Relevant Development Standards and Provisions of Schedule 4 of SEPP Housing

<ul style="list-style-type: none"> (a) a slip resistant floor surface that achieves a minimum rating of P3 in accordance with AS 4586—2013, (b) a washbasin with tap ware capable of complying with AS 1428.1, including by future adaptation if the washbasin and tap ware continue to use existing hydraulic lines, (c) a shower that— <ul style="list-style-type: none"> (i) is accessible without a shower-hob or step, and (ii) complies with the requirements of AS 1428.1 for the entry, circulation space, floor gradient to the wastewater outlet and location of the mixer tap, and (iii) is in the corner of a room, and (iv) has a wall capable of accommodating the installation of a grab rail, portable shower head with supporting grab rail and shower seat, in accordance with AS 1428.1, (d) a wall cabinet with shelving illuminated by an illumination level of at least 300 lux, (e) a double general power outlet in an accessible location, in accordance with AS 1428.1. (3) Subsection (2)(c) does not prevent the installation of a shower screen that can easily be removed to enable compliance with that paragraph. 		
<p>9 Toilet</p> <ul style="list-style-type: none"> (1) At least one toilet in a dwelling must be located on— <ul style="list-style-type: none"> (a) the same floor as the entry to the dwelling, or (b) a floor serviced by a private passenger lift accessible only from inside the dwelling. (2) The toilet must have the following— <ul style="list-style-type: none"> (a) a water closet pan— <ul style="list-style-type: none"> (i) in the corner of the room, and (ii) with a centreline set-out in accordance with AS 1428.1, (b) a circulation space in front of the water closet pan that is— <ul style="list-style-type: none"> (i) at least 1,200mm long and at least 900mm wide, and (ii) clear of door swings and fixtures, other than a toilet paper dispenser or grab rails, 	<p>The accessible toilets that have been provided for the SOUs are located on the same floor as the SOUs and complies with AS1428.1.</p> <p>The floor surfaces of the toilets are slip resistance and in accordance with AS 4586-2013.</p>	<p>Yes</p>

5 Environmental Planning Assessment

Table 2 Assessment against Relevant Development Standards and Provisions of Schedule 4 of SEPP Housing

<ul style="list-style-type: none"> (c) a circulation space around the water closet pan that complies with AS 1428.1, (d) a slip resistant floor surface that achieves a minimum rating of P3 in accordance with AS 4586—2013, (e) a wall capable of accommodating the installation of a back rest and grab rail that will comply with AS 1428.1. <p>(3) A removable shower screen may be located in the circulation space specified in subsection (2)(c).</p>		
<p>10 Surfaces of balconies and external paved areas</p> <p>Balconies and external paved areas must have surfaces that are slip resistant and comply with—</p> <ul style="list-style-type: none"> (a) the <i>Building Code of Australia</i>, or (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>The SOUs do not have balconies. All external paved areas have surfaces that are slip resistant and is capable of complying with the BCA.</p>	<p>Yes</p>
<p>11. Door hardware</p> <ul style="list-style-type: none"> (1) Door handles and hardware for all doors, including entry doors and external doors, must comply with AS 1428.1. (2) To avoid doubt, subsection (1) does not apply to cabinetry. 	<p>The door handles and hardware of all doors that are non-compliant are proposed to be upgraded to comply with AS1428.1</p>	<p>Yes</p>
<p>12 Switches and power points</p> <ul style="list-style-type: none"> (1) Switches and power points must— <ul style="list-style-type: none"> (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— <ul style="list-style-type: none"> (a) remote controls, or (b) power points likely to serve appliances that are not regularly moved or turned off. 	<p>All switches and power points are either compliant or capable of complying with AS1428.1</p>	<p>Yes</p>

5.1.4 Canterbury-Bankstown Local Environmental Plan 2023

The site is located in the R4 High Density Residential Zone (R4 Zone). Senior Housing is permissible with development consent in the R4 Zone pursuant to Section 25 of the LEP.

Section 25 provides as follows:

25 Use of certain land for purposes of seniors housing in Area 1

(1) This clause applies to land identified as “Area 1” on the [Clause Application Map](#) that is in the following zones—

- (a) Zone R2,
- (b) Zone R4,

5 Environmental Planning Assessment

(c) Zone B1,

(d) Zone B2.

(2) Development for the purposes of seniors housing is permitted with development consent.

253 Cooper Street, Yagoona is located in Area 1 of the *Clause Application Map*.

Senior's housing is defined as follows:

seniors housing means a building or place that is—

(a) a residential care facility, or

(b) a hostel within the meaning of [State Environmental Planning Policy \(Housing\) 2021, Chapter 3, Part 5](#), or

(c) a group of independent living units, or

(d) a combination of any of the buildings or places referred to in paragraphs (a)–(c),

and that is, or is intended to be, used permanently for—

(e) seniors or people who have a disability, or

(f) people who live in the same household with seniors or people who have a disability, or

(g) staff employed to assist in the administration of the building or place or in the provision of services to persons living in the building or place,

but does not include a hospital.

Community facility is permissible with development consent in the R4 Zone. Community facility is defined as:

community facility means a building or place—

(a) owned or controlled by a public authority or non-profit community organisation, and

(b) used for the physical, social, cultural or intellectual development or welfare of the community,

but does not include an educational establishment, hospital, retail premises, place of public worship or residential accommodation.

The proposed administrative offices are subordinate and subservient to the dominant uses of seniors housing and community facility and is therefore permissible with development consent.

Table 3 provides a summary assessment of the proposed development against the relevant provisions of the LEP.

Table 3 Assessment against Relevant Provisions of the LEP		
Provision	Assessment	Consistent
2.2 – Zoning - R4 High Density Residential	<p>Pursuant to Section 25 of the LEP Seniors Housing is permissible with development consent in the R4 Zone. Therefore, a Seniors Hostel which is a form of Seniors Housing is permissible with consent.</p> <p>Seniors housing (hostel) is permissible by way of SEPP Housing</p> <p>Community Facilities are permissible with development consent in the R4 Zone.</p> <p>Offices premises are permitted as an ancillary use.</p>	Yes
4.3 – Height of Buildings – 9m	The proposed use will be carried out in an existing approved two (2) storey building.	Yes

5 Environmental Planning Assessment

Table 3 Assessment against Relevant Provisions of the LEP

Provision	Assessment	Consistent
4.4 – Floor Space Ratio – 0.5:1	The existing building has a total FSR of 0.5:1. The total FSR of the proposed uses is 0.3:1	Yes
5.21 – Flood planning	The site has not been identified as being located on flood prone land.	Yes
6.9 Essential services	The site has access to all essential services	Yes

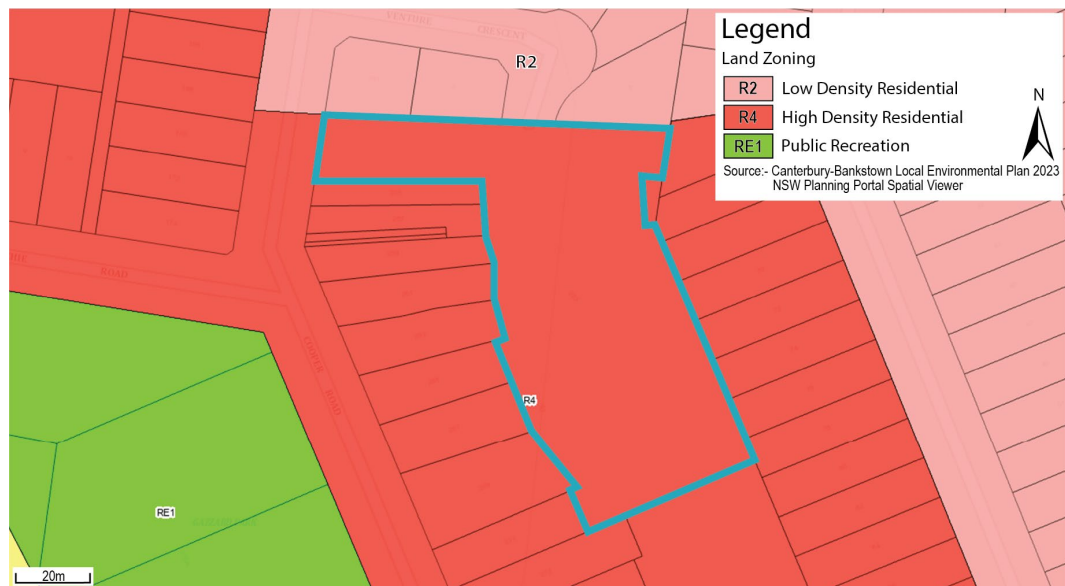


Figure 11 Zoning Map

5.1.5 Canterbury-Bankstown Development Control Plan 2023

Table 4 provides a summary assessment of the proposed development against the relevant provisions of the Canterbury-Bankstown Development Control Plan 2023 (the DCP).

Table 4 Assessment against Relevant Provisions of the DCP

Provision	Assessment	Consistent
Chapter 3 – General Requirements		
Chapter 3.1 Civil Engineering Requirements	The proposed development will utilise the existing approved driveway for access. No new works are proposed to be undertaken to the access.	Yes
Section 2.1 Vehicular footway crossing design and construction		
Section 2.3 Internal Driveway requirements	The on-site driveway layout permits cars to access and exit car spaces in one (1) motion.	Yes
Section 2.4 Sight distance requirements	Adequate sight distances are provided for vehicles exiting the driveway.	Yes
Section 3 Stormwater Drainage Systems	The proposed development will utilise the existing approved stormwater drainage infrastructure within the site and will discharge to an existing lawful legal point of discharge. No new works are required or proposed.	Yes
Section 4 On-site Detention Systems	No new construction is proposed. Therefore, the proposed change of use will not result in an	Yes

5 Environmental Planning Assessment

Table 4 Assessment against Relevant Provisions of the DCP

Provision	Assessment	Consistent
	increase to the post development stormwater runoff from the site.	
Section 3.2 Parking and Access driveways	<p>The proposed development will provide parking in accordance with the following parking rates:</p> <p>Parking rates:</p> <p><u>Hostels</u></p> <p>The non-discretionary development standards in the SEPP Housing overrules the DCP and provides:</p> <p>(g) for a hostel—at least 1 parking space for every 10 beds in the hostel, (i) at least 1 parking space for every 2 employees who are on duty at the same time, (j) at least 1 parking space for the purpose of ambulance parking.</p> <p><u>Community Facilities</u></p> <p>No parking requirements listed for Community Facilities</p> <p><u>Offices</u></p> <p>1 car space per 40m² GFA.</p> <p>A total of 27 car parking spaces have been provided including two (2) accessible car parking spaces.</p> <p>An ambulance bay has been provided.</p> <p>Bicycle spaces</p> <p><u>Hostels</u></p> <p>Staff – 1 space per 15 beds. Visitors – 1 space per 30 beds.</p> <p>No bicycle spaces have been provided as the users of the site are seniors with the exceptions of staff. Bicycle parking will be able to be provided should it be required.</p> <p><u>Community Facilities</u></p> <p>No required bicycle parking facilities are listed for Community Facilities. None have been provided.</p> <p><u>Offices</u></p> <p>Staff – 1 space per 300m² GFA Visitors – 1 space per 500m² GFA over 1,000m².</p> <p>No bicycle parking has been provided for the ancillary office component; however, bicycle parking can be provided if required.</p> <p>Accessible Parking</p> <p>Two (2) accessible parking spaces have been provided close to the main entrance of the building.</p> <p>Access Driveways</p>	Yes

5 Environmental Planning Assessment

Table 4 Assessment against Relevant Provisions of the DCP

Provision	Assessment	Consistent
	The proposed development will utilise the existing approved access driveways.	
Section 3.3 Waste Management	<p>An operational Waste Management Plan has been prepared by CASS.</p> <p>A bin storage area has been provided on site within the building envelope with separating facilities and will be screened from view and the public domain. The on-site manager will be responsible for wheeling the bins to the collection point for collection.</p> <p>A total of four (4) bins will be provided on site, comprising one (1) x 600L general waste bin, one (1) x 240L recycling bins and two (2) x 300L green waste bins. The bins will be wheeled to the designated collection point which has been located to ensure that the collection vehicles can enter and leave the site in a forward direction.</p> <p>The location of the collection point will not impact on any access points, internal roads or car parking areas. The general waste bins will be collected twice a week whilst the recycling and green waste will be collected once per fortnight by the licenced private waste and recycling contractor service which is currently servicing the site.</p>	Yes
Section 3.7 Landscape	The proposed development is located within an existing approved building which has well established and maintained landscaped gardens. No changes are proposed to the existing landscaping.	Yes

5.2 Likely Impacts of the Development

The following subsections assess the likely impacts of the development in accordance with section 4.15(1)(b) of the EP&A Act.

5.2.1 Visual and Acoustic Privacy

An Acoustic assessment was undertaken by VMS and confirms that there will be no adverse acoustic impacts from the proposed use.

The Acoustic report states that:

The reduced floor area, as proposed by the Change of Use, and the reduced number of people will also lead to both reduced vehicular movements in and out of the site as well as reduced use of mechanical plant. The Change of Use will not include the use of the existing commercial kitchen. Furthermore, no additional mechanical plant is proposed as part of the Change of Use.

The use of the Community Facility (located on the Ground Floor) will be coordinated by the Plan of Management (PoM), prepared 19 March 2025 and will operate on weekdays between 8.30 am and 5.30 pm.

The proposed uses will be located in an existing approved building which has generous setbacks to adjoining dwelling houses.

The proposed hostel rooms and community facility will be located on the ground level which will reduce any potential for overlooking into adjoining dwelling houses.

5 Environmental Planning Assessment

The office use will be located on Level 1 and given the setbacks from the northern, eastern and southern boundaries will not result in any adverse impacts on visual privacy. The western part of Level 1 will not be used.

The hostel will be occupied by elderly residents and the acoustic report confirms that given the proposed nature and limited scale of the proposed use it would not result in any adverse acoustic impacts on adjoining residents.

The community facility will be operated in accordance with the Plan of Management and will occur during daytime on weekdays between 8:30am and 5:30pm. The Acoustic report confirms that the activities associated with the community facility are expected to lead to negligible noise emissions as they are planned to occur during the day and are not out of character with the surrounding residential receivers. The office premises will operate during normal office hours during the day and will therefore not have any adverse acoustic impacts on adjoining residents.

The Acoustic report concludes that:

Following a qualitative desktop assessment of a comparison of the operational noise emissions associated with the Yagoona Nursing Home and with the proposed Change of Use, it can be confirmed that the operation of the proposed Change of Use is of a significantly less intensive nature than the Yagoona Nursing Home and likely to result in negligible noise emissions to the surrounding residences. This has been based on the following main findings considering the Change of Use:

- Only 62% of the existing total floor space will be used.
- Only 12 % of the YNH approved 150 beds.
- Reduced number of on-site vehicle movements.
- Reduced number of on-site mechanical plant.
- There are no changes proposed to the building footprint.
- There are no changes to the number or location of carpark spaces.
- Site access (in and out) will remain via Cooper Road and Venture Crescent (currently a locked gate).
- Garbage collection will be via Cooper Road and restricted to between 8:30 am and 5:30 pm as per the Waste Management Plan, prepared 19 March 2025.
- The use of the Community Facility (located on the Ground Floor) will be coordinated by the Plan of Management, prepared 19 March 2025 and will operate on weekdays between 8.30 am and 5.30 pm.

5.2.2 Solar Access

The majority of hostel rooms have a north/east aspect which will ensure that adequate solar access is provided to the rooms. Solar access would have been considered as part of the approved residential care facility. No external alterations or additions are proposed to the approved building.

5.2.3 Traffic and Parking

Access

Access to the site will be obtained via the existing crossover and driveway off Cooper Road. The access to Venture Crescent has a locked gate on the boundary and will therefore not be used.

Parking

A total of 27 parking spaces will be provided which includes 25 car parking space, two (2) accessible car parking spaces and one (1) ambulance bay.

5 Environmental Planning Assessment

Traffic

A traffic and parking assessment has been undertaken for the site by ttpa which undertook an assessment of the normal traffic movements during the AM and PM weekday peak period. The traffic report provides the following regarding the traffic movements along Cooper Street during the AM and PM peak period:

Table 5 Traffic movement along Cooper Street during AM and PM peak periods

Direction	AM	PM
Northbound	390	270
Southbound	280	380

The traffic report states that:

"It is apparent that the traffic generation will be substantially less than that of the former Nursing Home use on the site and accordingly there will be no adverse traffic implications."

The traffic and parking assessment report concludes that:

"The traffic and parking assessment for the proposed Change of Use scheme indicates that:

- there will not be any unsatisfactory traffic capacity, safety or environmental related implications*
- there will be suitable and appropriate parking provisions for the use elements*
- there will be suitable vehicle access internal circulation and servicing arrangements."*

5.2.4 Social and Economic Impacts

The proposed development will provide housing for senior persons in the low-income group and provide employment opportunities during the operational phase, and will therefore have positive economic and social impacts to the locality.

5.2.5 BCA Requirements

A BCA Assessment has been undertaken for the site by BM&G. The report concludes that:

"This report contains an assessment of the referenced architectural documentation for the proposed change of use and associated works against the deemed-to-satisfy provisions of the Building Code of Australia 2022.

Arising from the assessment, key compliance issues have been identified that require further resolution, either by way of fire engineered Performance Solutions or plan amendments prior to the BCA Certification stage.

Notwithstanding the above, it is considered that the proposed development can readily achieve compliance with the BCA subject to resolution of the matters identified in this report."

5.3 Suitability of the Site for Development

The following subsections assess the suitability of the site in accordance with section 4.15(1)(c) of the EP&A Act.

In accordance with section 4.15(1)(c) of the EP&A Act the site is considered suitable for the proposed development because:

- The proposal is permissible with development consent in the R4 Zone;
- The proposed development will be located in an existing approved building and complies with the height of buildings and FSR development standards under the LEP;

5 Environmental Planning Assessment

- The proposal is substantially consistent with the relevant provisions of SEPP Housing and the DCP;
- The potential for adverse environmental and amenity impacts has been minimised or can be reasonably mitigated; and
- There are no known contaminants or other environmental constraints that would inhibit the use of the site for seniors housing (hostel), community facilities or ancillary offices.

5.4 Public Interest

In accordance with section 4.15(1)(e) of the EP&A Act, the proposed development is considered to be in the public interest because:

- It is permissible with development consent and is consistent with the objectives of the R4 zone.
- It is substantially compliant with the relevant statutory and non-statutory planning controls;
- It will provide safe and affordable housing for low income seniors;
- Potential for adverse environmental impacts can be mitigated or minimised to an acceptable level.

6 Conclusion

The proposed development for senior housing (hostel), community facility and ancillary offices at 253 Cooper Street, Yagoona has been assessed in accordance with the requirements of the EP&A Act and other relevant legislation.

The proposed seniors housing (hostel) is permissible with consent in the R4 High Density Residential zone pursuant to Clause 25 of the LEP and the SEPP Housing.

The community facility is permissible with consent in the R4 High Density Residential zone pursuant to the LEP.

The ancillary offices satisfy the requirements of ancillary development in accordance with Planning Circular PS 21-008.

The proposal is consistent with the relevant objectives of the R4 Zone under the LEP and complies with or is consistent with the provisions of the LEP relating to the proposed development.

The proposal is substantially compliant with SEPP Housing, which prevails over the LEP in the event of inconsistency in relation to the seniors housing (hostel) component of the development.

The proposal will provide housing for senior persons in the low-income group and provide employment opportunities during the operational phase and will therefore have positive economic and social impacts to the locality.

The proposal does not result in significant adverse impacts on surrounding properties or the public domain in terms of views, solar access, visual or acoustic privacy and the minimal traffic generated by the development will not adversely affect the operation of the surrounding road network.

Accordingly, the proposal is considered to satisfactorily respond to the opportunities and constraints of the site and the relevant legislation, is unlikely to result in adverse impacts in the locality and is worthy of Council approval.