



Statement of Environmental Effects

CO-LIVING DEVELOPMENT

19-21 BANKS STREET,
PADSTOW

28 APRIL 2025



QUALITY ASSURANCE

Project:	Co-living Housing Development
Lot/DP:	Lot F & G in DP21715
Address:	19-21 Banks Street, Padstow
Council:	Canterbury – Bankstown Council
Author:	Think Planners Pty Ltd

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EXECUTIVE SUMMARY

This Statement of Environmental Effects has been prepared in support of a Development Application for the amalgamation of two separate land parcels, removal of two (2) trees and the demolition of all existing structures in-order to construct a 4 storey co-living development at 19-21 Banks Street, Padstow.

The aspects of this proposal are as follows:

- Construction of a co-living housing development and a new double width vehicular crossover and driveway from Nigel Place.
- Construction of a four storey building with 52 rooms including a manager residence designed to appear as a contemporary 4 storey residential flat building.
- The 52 rooms can accommodate a maximum of 93 lodgers and a managers residence and will contain:
 - 42 x double rooms (84 persons)
 - 9 x single rooms (9 persons)
 - 1 x manager room
- 12 car parking spaces including an accessible car parking space within a basement level. The Housing SEPP 2021 requires 0.2 parking spaces for each private room in an accessible location, which equates to 10.4 (11) parking spaces – and hence the proposed parking spaces satisfied the required minimum.

The development also provides 11 bicycle parking spaces and 2 motorcycle parking spaces within the basement level.

- Provision of a communal area on the ground floor connecting to an outdoor communal open space area.

Residing near Padstow Park and within walking distance to Padstow Train Station and Town Centre, the development site is located on the intersection of Banks Street and Nigel Place, Padstow. The development site is also within close proximity to child care facilities, Padstow Park Public School, Padstow Library, C & M Aquatic Centre, places of public worship and services within the town centre itself. The locality is also well serviced by public transport with Padstow Train Station and local bus services to Sutherland and Hurstville within a 400m walking radius from the development site.

Once consolidated, the subject site can be best described as a large rectangular shaped corner land parcel with a frontage of 30.48m to Banks Street and a frontage of 45.72m to Nigel Place, resulting in a total site area of 1,393.546m².

The development site is zoned R4 – High Density Residential under Canterbury-Bankstown Local Environmental Plan 2023. ‘Co-Living Housing’ is not expressly permitted within the R4 Zone; however the development is pursuant to Clause 67 under Chapter 3 Part 3 of the State Environmental Planning Policy (Housing) 2021 which permits development for the purpose of co-living housing with consent on land in a zone in which development for the purpose of residential flat buildings or shop top housing is permitted. Both ‘Residential Flat Buildings’ and ‘Shop Top Housing’ are permissible with consent within the development site. As such the current development is pursuant to Clause 67 under Chapter 3 Part 3 of the State Environmental Planning Policy (Housing) 2021.

The development is located within a small pocket of land parcels north of the railway lines zoned R4 – High Density Residential that is bounded by Arab Road to the north-west, B2 zoned land parcels to the west, R2 zoned land parcels and Padstow Park to the east and train lines to the south. The built form character within the subject R4 zoned residential block currently comprises of low density housing interspersed by multi-dwelling housing of mixed ages and architectural styles. Given that the R4 Zoning permits higher forms of residential development including residential flat buildings whilst also considering the localities R4 zoning and proximity to a commercial centre, community facilities, education establishments and public transportation combined with the high demand for housing within established suburbs, it is anticipated that the built form within the subject residential block will transition towards higher residential densities including residential flat buildings and shop top housing. As such, the development proposes a contemporary 4 storey built form that aims to set the tone and scale for future higher density development within the subject residential block whilst increasing valuable short-term affordable housing within Padstow.

The proposed 4 storey building has been designed to comply with key planning requirements including FSR (noting FSR bonus afforded under Chapter 3 Part 3 of the State Environmental Planning Policy [Housing] 2021), provision of communal living area and communal open space, parking and minimum standards for Co-Living housing development including minimum lot size, minimum room size, and maximum occupation per room. The proposal incorporates a minor variation to the maximum building height providing under the LEP. However as discussed further in this statement, the non-compliance is limited to a small portion of the roof structure (a maximum encroachment of 475mm), noting that all habitable floor spaces are contained below the prescribed maximum building height which indicated that the encroachment is not simply a means of achieving additional development yield on the site.

Furthermore, considering the minor nature of the encroachment, it will be negligible when viewed from the public domain and as such will not result in any negative impact on the anticipated future higher density residential built form character along both Banks Street and Nigle Place.

As such, the development will continue to present as a 4 storey form, reinforcing that the breach to the height standard does not result in the development representing an overdevelopment of the site but rather a suitable contextual response to the anticipated future higher density built form character of the subject R4 zoned residential block. Refer to Clause 4.6 Height Departure Report which accompanies this application for more detail.

The Co-Living development has been built to provide low cost flexible rental accommodation to a wide range of tenants including single retirees, working singles and students in an accessible location. As detailed further in this statement the development concept is consistent with the planning principles applied to the site and represents an efficient use of well-located land. Following a review of the relevant planning controls, it is concluded that the proposed development is consistent with the objectives, planning strategies and detailed controls of these planning documents.

Consideration has been given to the potential environmental and amenity impacts that are relevant to the proposed development and this report addresses these impacts.

Having regard to the benefits of the proposal and considering the absence of adverse environmental, social or economic impacts, the application is submitted to Council for assessment and granting of development consent. Think Planners Pty Ltd recommends the approval of the application, subject to necessary, relevant and appropriate conditions of consent.

SITE AND LOCALITY DESCRIPTION

Legal Description

The subject site is legally known as Lot F & G in DP21715, though more commonly known as 19-21 Banks Street, Padstow.

Subject Site

Residing near Padstow Park and within walking distance to Padstow Train Station and Town Centre, the development site is located on the intersection of Banks Street and Nigel Place, Padstow.

Once consolidated, the subject site can be best described as a large rectangular shaped corner land parcel with a frontage of 30.48m to Banks Street and a frontage of 45.72m to Nigel Place, resulting in a total site area of 1,393.546m².

The subject site currently accommodates 2 older single storey residential dwellings with associated structures including fencing and vegetation including trees as illustrated by Photograph 1 below.

Photograph 1: Shows the development site as viewed from the intersection of Banks St and Nigel Pl, Padstow

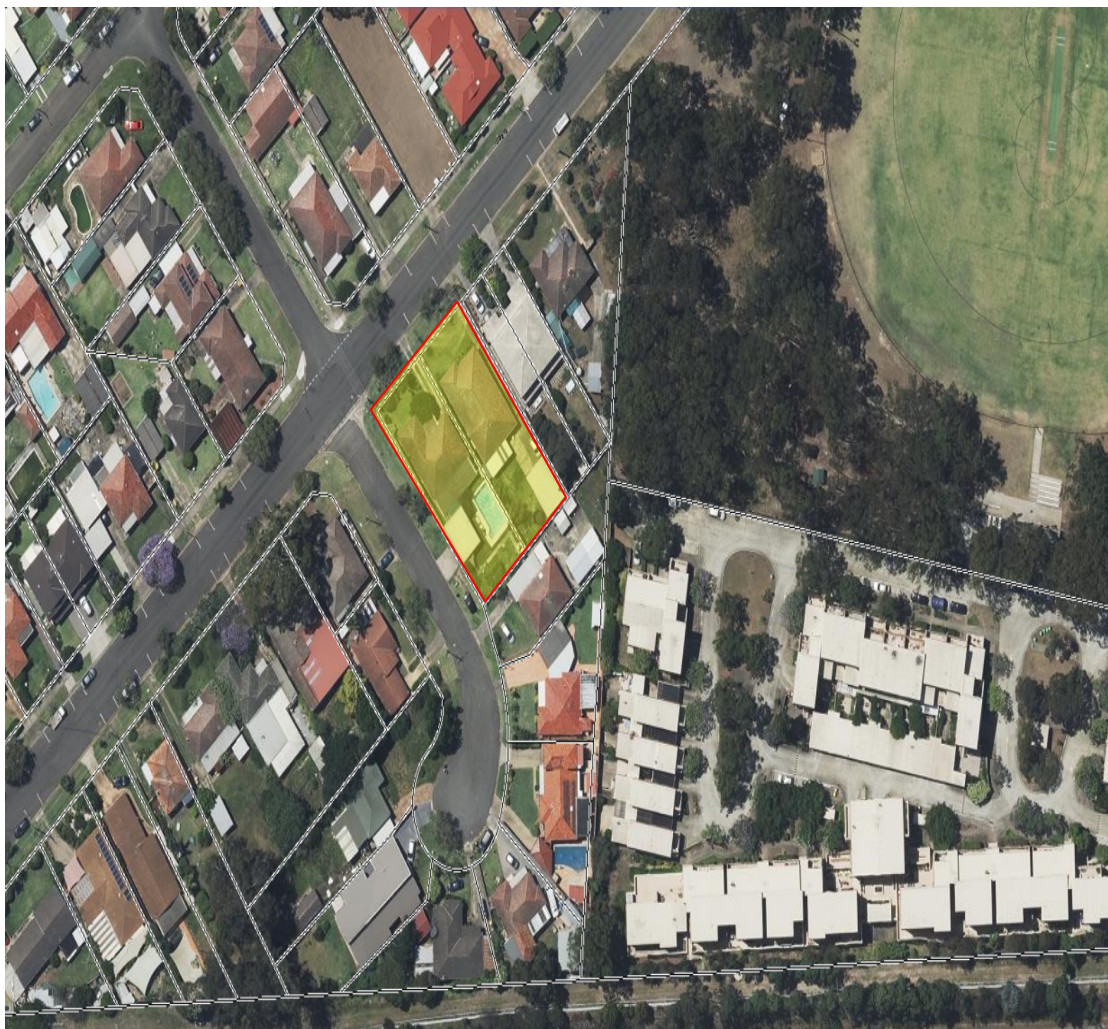


The site bounds a dual occupancy (attached) development to its eastern boundary and a dwelling house to its southern boundary, with Banks Street separates the site from low density housing to the north and Nigel Place separating the site also from low density housing.

However, it is noted that all neighbouring properties are zoned R4 – High Density Residential and anticipated to undertake redevelopment for higher residential densities including residential flat building and shop top housing by virtue of its zoning, proximity to established commercial centres and public transportation.

The site and its relationship to adjoining properties is illustrated by an aerial map extract below.

Figure 1: Aerial Map Extract of Subject Site (Nearmap)



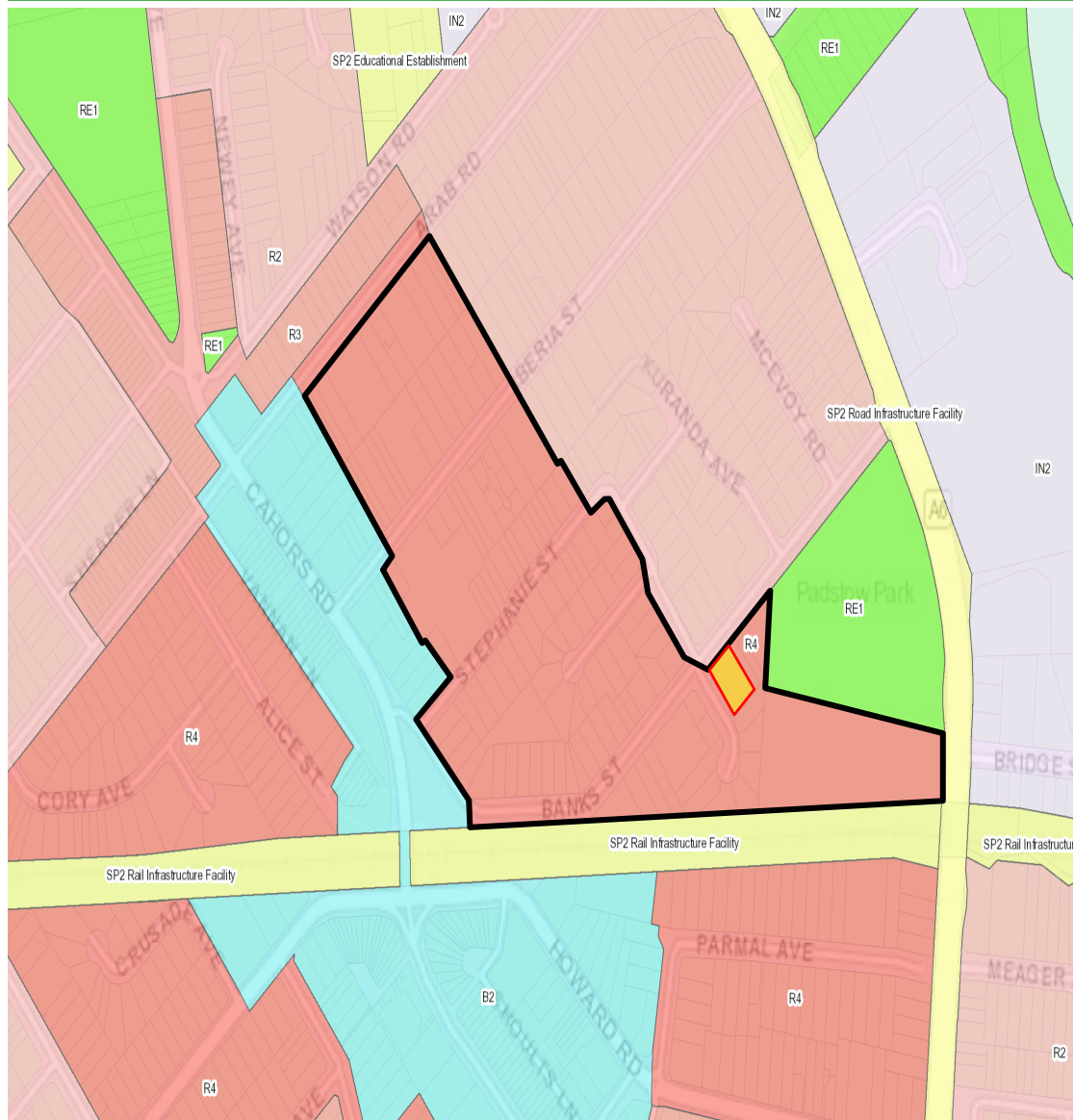
 Subject Site




Zoning & Subject R4 Zoned Residential Block

The development site is zoned R4 – High Density Residential under Canterbury - Bankstown Local Environmental Plan 2023. Furthermore, the development is located within a small pocket of land parcels north of the railway lines zoned R4 – High Density Residential that is bounded by Arab Road to the north-west, B2 zoned land parcels to the west, R2 zoned land parcels and Padstow Park to the east and train lines to the south. This is illustrated by Council's zoning map extract below.

Figure 2: Zoning Map Extract (Source: NSW Planning Portal Spatial Viewer)



 Subject R4 Zoned Residential Block

 Subject Site

The development site is zoned R4 – High Density Residential under Canterbury-Bankstown Local Environmental Plan 2021. ‘Co-Living Housing’ is not permitted within the R4 Zone; however the development is pursuant to Clause 67 under Chapter 3 Part 3 of the State Environmental Planning Policy (Housing) 2021 which permits development for the purpose of co-living housing with consent on land in a zone in which development for the purpose of residential flat buildings or shop top housing is permitted.

Both ‘Residential Flat Buildings’ and ‘Shop Top Housing’ are permissible with consent within the development site. As such the current development is pursuant to Clause 67 under Chapter 3 Part 3 of the State Environmental Planning Policy (Housing) 2021.

Built Form Analysis

The built form character within the subject R4 zoned residential block currently comprises of low density housing interspersed by multi-dwelling housing of mixed ages and architectural styles.

Given that the R4 Zoning permits higher forms of residential development including residential flat buildings whilst also considering the localities R4 zoning and proximity to a commercial centre, community facilities, education establishments and public transportation combined with the high demand for housing within established suburbs, it is anticipated that the built form within the subject residential block will transition towards higher residential densities including residential flat buildings and shop top housing.

As such, the development proposes a contemporary 4 storey built form that aims to set the tone and scale for future higher density development within the subject residential block whilst increasing valuable short-term affordable housing within Padstow.

Broader Locality Analysis

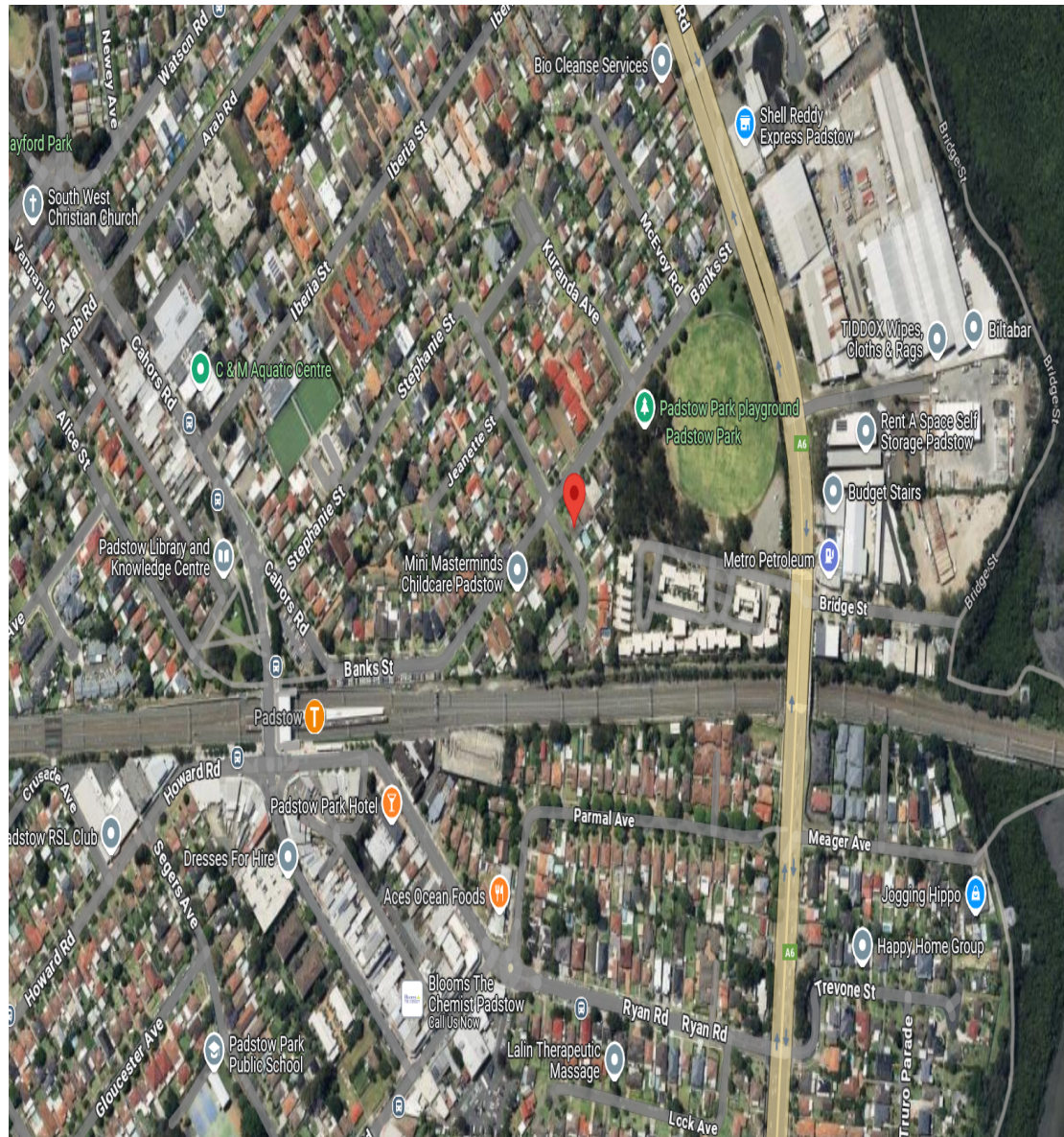
The subject area is ideal to accommodate the proposed 4 storey co-living housing development due to its proximity / walking distance to child care facilities, Padstow Park Public School, Padstow Library, C & M Aquatic Centre, places of public worship, local parks including Padstow Park and services within the town centre itself.

The development site is also within proximity to large industrial precinct east of Davies Road.

The locality is also well serviced by public transport with Padstow Train Station and local bus services to Sutherland and Hurstville within a 400m walking radius from the development site.

Aerial map below illustrates the development site within its broader locality.

Figure 3: Locality Aerial Map Extract of Subject Site (Source: Google Maps)



📍 - Subject Site
 🚉 - Train Station
 🎓 - Educational Facilities
 🚏 - Bus Stops
 🏪 - Commercial

The proposed development will play a positive role in increasing affordable short-term rental housing stock within the locality.

Photographs are provided below and overleaf to give context to the development site and its surrounding area.



Photograph 2: Shows the subject site – as viewed from Banks St looking southwards



Photograph 3: Shows the subject site as viewed from Nigel Pl, looking north-eastwards



Photograph 4: Shows the existing streetscape along Nigel PI looking north-westwards



Photograph 5: Shows the existing streetscape along Nigel PI looking south-eastwards



Photograph 6: Shows the existing streetscape along Banks St looking southwards



Photograph 7: Shows the existing streetscape along Banks St looking northwards





HERITAGE

The subject site is not identified as a heritage item, is not located within a heritage conservation area nor are there any heritage items within proximity to the development site, as illustrated by the heritage extract map below.

As a result, the subject site will not have any associated heritage restrictions and any further heritage investigation is not required.

Figure 4: Heritage Map Extract ((Source: NSW Planning Portal Spatial Viewer)



 Subject Site

DESCRIPTION OF PROPOSAL

This development application seeks consent for the amalgamation of separate land parcels, removal of two (2) trees and the demolition of all existing structures in-order to construct a 4 storey co-living development at 19-21 Banks Street, Padstow.

The aspects of this proposal are as follows:

- Construction of a co-living housing development and a new double width vehicular crossover and driveway from Nigel Place.
- Construction of a four storey building with 52 rooms including a manager residence designed to appear as a contemporary 4 storey residential flat building.
- The 52 rooms can accommodate 93 lodgers and a managers residence and will contain:
 - 42 x double rooms (84 persons)
 - 9 x single rooms (9 persons)
 - 1 x manager room
- 12 car parking spaces including an accessible car parking space within a basement level. The Housing SEPP 2021 requires 0.2 parking spaces for each private room in an accessible location, which equates to 10.4 (11) parking spaces – and hence the proposed parking spaces satisfied the required minimum. The development also provides 11 bicycle parking spaces and 2 motorcycle parking spaces within the basement level.
- Provision of a communal area on the ground floor connecting to an outdoor communal open space area.

As detailed further in this statement the development concept is consistent with the planning principles applied to the site and represents an efficient use of well-located land. Following a review of the relevant planning controls, it is concluded that the proposed development is consistent with the objectives, planning strategies and detailed controls of these planning documents.

A brief description of the various aspects of the development is provided within a table below.

Level	Inclusion
Basement Level	<p>Access:</p> <p><u>Vehicular Access:</u> Direct access to the basement level is via an graded ramp from the ground floor.</p> <p>The basement level includes internal circulation areas with turning areas to allow vehicles to enter and exit the basement in a forward direction.</p> <p>Parking</p> <p>A total of 12 car parking spaces within the basement level including an accessible car parking space.</p> <p>The development also provides a dedicated SRV parking space adjacent to the bulky waste/bin room, 10 bicycle parking spaces and 2 motorcycle parking space.</p> <p>Co-Living Housing</p> <p>Storage cages.</p> <p>Service</p> <ul style="list-style-type: none"> - Bin room - Bulky waste room - 2 x Plant room - Pump room - Store room - Service cupboard <p>Lift core and 2 x stairwells.</p>
Ground Floor	<p>Access:</p> <p><u>Pedestrian Access:</u> Direct access to the main foyer/internal walkway to the development is via stairwell and also accessible circulation area from Nigel Place.</p> <p><u>Vehicular Access:</u> The vehicular access is located off the new vehicular crossover, driveway and graded ramp towards the south-eastern portion of the site via Nigel Place.</p> <p>Co-Living Housing</p> <ul style="list-style-type: none"> - A total of 12 rooms comprising of 3 x single lodger rooms, 8 x double lodger rooms and a manager residence (Room 03).

	<ul style="list-style-type: none"> - Each room is provided with a full bathroom, kitchenette, laundry, storage and living area. Furthermore, all 12 rooms are provided with private open space with direct access from the living area. - Common room with a total GFA of 77m² and includes a manager's workstation, sitting areas, dining area and kitchenette and direct access to toilet facility and common open area. - Communal open space with a total area of 276.45m². <p>Landscaping including along the site's frontage and to the site's eastern side boundary.</p> <p>Service</p> <ul style="list-style-type: none"> - FH boost - Bin room - Service cupboard <p>Lift core and 2 x stairwells.</p>
First Floor	<p>Co-Living Development</p> <ul style="list-style-type: none"> - A total of 15 rooms comprising of 2 x single lodger rooms and 13 x double lodger rooms including an adaptable room (Room 102) - Each room is provided with a full bathroom, kitchenette, laundry, storage and living area. Furthermore, all 15 rooms (with the exception of Room U102) are provided with private open space with direct access from the living area. <p>Service</p> <ul style="list-style-type: none"> - Bin room - Service cupboard <p>Lift core and 2 x stairwells.</p>
Second Floor	<p>Co-Living Development</p> <ul style="list-style-type: none"> - A total of 15 rooms comprising of 2 x single lodger rooms and 13 x double lodger rooms including an adaptable room (Room 202) - Each room is provided with a full bathroom, kitchenette, laundry, storage and living area. Furthermore, all 15 rooms (with the exception of Room U202) are provided with private open space with direct access from the living area. <p>Service</p> <ul style="list-style-type: none"> - Bin room

	<ul style="list-style-type: none"> - Service cupboard
	Lift core and 2 x stairwells.
Third Floor	Co-Living Development <ul style="list-style-type: none"> - A total of 11 rooms comprising of 2 x single lodger rooms and 9 x double lodger rooms including an adaptable room (Room 302) - Each room is provided with a full bathroom, kitchenette, laundry, storage and living area. Furthermore, all 11 rooms (with the exception of Room U302) are provided with private open space with direct access from the living area. - Common room with a total GFA of 45m² with direct access to communal open area. - Communal open space with a total GFA of 120m². -
	Service <ul style="list-style-type: none"> - Bin room - Service cupboard
	Lift core and stairwells.

The relevant architectural plans have been prepared by CDA Architects, while supporting reports have been prepared by relevant sub consultants.

The built form character within the subject R4 zoned residential block currently comprises of low density housing interspersed by multi-dwelling housing of mixed ages and architectural styles.

Given that the R4 Zoning permits higher forms of residential development including residential flat buildings whilst also considering the localities R4 zoning and proximity to a commercial centre, community facilities, education establishments and public transportation combined with the high demand for housing within established suburbs, it is anticipated that the built form within the subject residential block will transition towards higher residential densities including residential flat buildings and shop top housing.

As such, the development proposes a contemporary 4 storey built form that aims to set the tone and scale for future higher density development within the subject residential block whilst increasing valuable short-term affordable housing within Padstow.

Design consideration has been given to residential amenities including aspects such as privacy and solar access for both future lodgers and those of surrounding properties.

The proposal also incorporates several ancillary elements, including landscape embellishment works within residential context anticipated to accommodate future higher density residential built form and relevant drainage elements as shown on the submitted plans.

PLANNING CONTROLS

STATUTORY CONTROLS

The relevant Statutory Planning Controls include:

- State Environmental Planning Policy (Sustainable Buildings) 2022
- State Environmental Planning Policy (Resilience and Hazards) 2021
- State Environmental Planning Policy (Biodiversity and Conservation) 2021
- State Environmental Planning Policy (Transport and Infrastructure) 2021
- State Environmental Planning Policy (Housing) 2021
- Canterbury-Bankstown Local Environmental Plan 2023

POLICY CONTROLS

The applicable policy control documents include:

- Canterbury-Bankstown Development Control Plan 2023.

CONSIDERATION OF PLANNING CONTROLS

The following summarises the relevant planning controls in relation to the proposal and the compliance of each.

STATE ENVIRONMENTAL PLANNING POLICY (SUSTAINABLE BUILDINGS) 2022

This SEPP came into effect on 1 October 2023 and incorporated the provision of the now repealed State Environmental Planning Policy (BASIX) 2004.

The Sustainable Building SEPP encourages the design and construction of more sustainable buildings across NSW. It applies to a range of development types, including residential and commercial developments.

Chapter 2 of the SEPP contains controls for the standards for residential development – noting that a BASIX report has been prepared for the Co-Living Development to confirm adequate energy efficiency measures.

STATE ENVIRONMENTAL PLANNING POLICY (RESILIENCE AND HAZARDS) 2021

This SEPP came into effect on 1 March 2022 and incorporated the provisions of three now repealed SEPP's being:

- State Environmental Planning Policy (Coastal Management) 2018;
- State Environmental Planning Policy No 33—Hazardous and Offensive Development; and
- State Environmental Planning Policy No 55—Remediation of Land.

Chapter 4 of the SEPP contains a state-wide planning framework for the remediation of contaminated land and to minimise the risk of harm.

Matter for consideration	Yes	No
Does the application involve re-development of the site or a change of land use?		X
Is the development going to be used for a sensitive land use (e.g. residential, educational, recreational, childcare or hospital)?		X
Does information available to you indicate that an activity listed below has ever been approved, or occurred at the site?		X
acid/alkali plant and formulation, agricultural/horticultural activities, airports, asbestos production and disposal, chemicals manufacture and formulation, defence works, drum re-conditioning works, dry cleaning establishments,		

electrical manufacturing (transformers), electroplating and heat treatment premises, engine works, explosive industry, gas works, iron and steel works, landfill sites, metal treatment, mining and extractive industries, oil production and storage, paint formulation and manufacture, pesticide manufacture and formulation, power stations, railway yards, scrap yards, service stations, sheep and cattle dips, smelting and refining, tanning and associated trades, waste storage and treatment, wood preservation

Is the site listed on Council's Contaminated land database?	X
Is the site subject to EPA clean-up order or other EPA restrictions?	X
Has the site been the subject of known pollution incidents or illegal dumping?	X
Does the site adjoin any contaminated land/previously contaminated land?	X
Has the appropriate level of investigation been carried out in respect of contamination matters for Council to be satisfied that the site is suitable to accommodate the proposed development or can be made suitable to accommodate the proposed development?	NA.

Given the historical use of the site for residential purposes, land contamination is not likely.

If any contaminated material or suspected material is unearthed during the construction process, then actions consistent with the legislative requirements and guideline documents will be undertaken. Please refer to the PSI by Ei Australia that confirms the site can be made suitable for the proposal.

STATE ENVIRONMENTAL PLANNING POLICY - (BIODIVERSITY AND CONSERVATION) 2021

This SEPP came into effect on 1 March 2022 and incorporated the provisions of eleven now repealed SEPP's being:

- SEPP (Vegetation in Non-Rural Areas) 2017 (Vegetation SEPP)
- SEPP (Koala Habitat Protection) 2020 (Koala SEPP 2020)
- SEPP (Koala Habitat Protection) 2021 (Koala SEPP 2021)
- Murray Regional Environmental Plan No 2—Riverine Land (Murray REP)
- SEPP No 19—Bushland in Urban Areas (SEPP 19)
- SEPP No 50—Canal Estate Development (SEPP 50)

- SEPP (Sydney Drinking Water Catchment) 2011 (Sydney Drinking Water SEPP)
- Sydney Regional Environmental Plan No 20 – Hawkesbury – Nepean River (No 2 – 1997) (Hawkesbury–Nepean River SREP)
- Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (Sydney Harbour Catchment SREP)
- Greater Metropolitan Regional Environmental Plan No 2 – Georges River Catchment (Georges River REP)
- Willandra Lakes Regional Environmental Plan No 1 – World Heritage Property (Willandra Lakes REP).

Chapter 2 of the SEPP contains planning rules and controls from the former Vegetation SEPP relating to the clearing of native vegetation in NSW on land zoned for urban and environmental purposes that is not linked to a development application.

This chapter seeks to protect the biodiversity values of trees and other vegetation in non-rural areas of the state, and to preserve the amenity of non-rural areas of the State through the appropriate preservation of trees and other vegetation.

The subject site is within a well-established residential area, having historically been used for residential purposes noting as per the Arboriculture Impact Assessment, 2 trees have been identified to be removed with 4 existing trees to be retained, noting that the site does not contain any significant trees or vegetation.

The development is to incorporate high quality landscape embellishment works within residential context anticipated to accommodate future higher density residential built form that will contribute towards reduce the physical bulk and scale of the development while also enhancing privacy levels and amenity. Refer to attached Landscape Plan for detail.

Chapter 4 – contains the land-use planning and assessment framework from the former Koala SEPP 2021 for koala habitat within Metropolitan Sydney and the Central Coast and applies to all zones except RU1, RU2 and RU3 in the short term. The site is not identified as containing koala habitat and accordingly this chapter is not applicable to this development.

Chapter 6 - contains provisions relating to water catchments, also incorporating clauses from the now-repealed Chapters 7-12 of this SEPP. This chapter applies as the site is within the Sydney Harbour Catchment area as well as the Hawkesbury Nepean Catchment. However, the site is not mapped by council as being susceptible to the probable maximum flood, thus it is not identified as flood liable land.

Additionally, the proposed works will have a minimal impact on water quality, stormwater run-off and sedimentation; and the cumulative environmental impacts on the regulated catchment are negligible.

Additionally, sedimentation and erosion control are to be provided as part of subdivision and construction work construction.

The following table discusses the requirements of Chapter 6.

Clause	Response
Division 2 Controls on Development Generally	
6.6 Water quality and quantity	
(1) In deciding whether to grant development consent to development on land in a regulated catchment, the consent authority must consider the following—	
(a) whether the development will have a neutral or beneficial effect on the quality of water entering a waterway,	The proposed works will have a minimal impact on water quality, water flow and stormwater run-off.
(b) whether the development will have an adverse impact on water flow in a natural waterbody,	
(c) whether the development will increase the amount of stormwater run-off from a site,	The development incorporates onsite stormwater reuse. The proposed works will have a negligible impact on the water table, as limited excavation works are proposed.
(d) whether the development will incorporate on-site stormwater retention, infiltration or reuse,	
(e) the impact of the development on the level and quality of the water table,	The cumulative environmental impact of the development on the regulated catchment is negligible.
(f) the cumulative environmental impact of the development on the regulated catchment,	
(g) whether the development makes adequate provision to protect the quality and quantity of ground water.	The utilisation of erosion and sedimentation devices during the construction phase and the installation of stormwater systems will ensure that the quality of water entering a natural water body will be neutral.
(2) Development consent must not be granted to development on land in a regulated catchment unless the consent authority is satisfied the development ensures—	
(a) the effect on the quality of water entering a natural waterbody will be as close as possible to neutral or beneficial, and	
(b) the impact on water flow in a natural waterbody will be minimised.	

Clause	Response
(3) Subsections (1)(a) and (2)(a) do not apply to development on land in the Sydney Drinking Water Catchment.	
6.7 Aquatic ecology	
(1) In deciding whether to grant development consent to development on land in a regulated catchment, the consent authority must consider the following—	
(a) whether the development will have a direct, indirect or cumulative adverse impact on terrestrial, aquatic or migratory animals or vegetation,	The development is not in a site where it would have adverse impacts on animals or vegetation.
(b) whether the development involves the clearing of riparian vegetation and, if so, whether the development will require—	The development does not involve the clearing of riparian vegetation.
(i) a controlled activity approval under the Water Management Act 2000, or	
(ii) a permit under the Fisheries Management Act 1994,	The site is not located near enough to a natural waterbody to affect it, and the development will have a negligible impact on sedimentation.
(c) whether the development will minimise or avoid—	
(i) the erosion of land abutting a natural waterbody, or	
(ii) the sedimentation of a natural waterbody,	N/A
(d) whether the development will have an adverse impact on wetlands that are not in the coastal wetlands and littoral rainforests area,	
(e) whether the development includes adequate safeguards and rehabilitation measures to protect aquatic ecology,	N/A
(f) if the development site adjoins a natural waterbody—whether additional measures are required to ensure a neutral or beneficial effect on the water quality of the waterbody.	N/A
Example—	
Additional measures may include the incorporation of a vegetated buffer between the waterbody and the site.	
(2) Development consent must not be granted to development on land in a regulated catchment unless the consent authority is satisfied of the following—	
(a) the direct, indirect or cumulative adverse impact on terrestrial, aquatic or migratory animals or vegetation will be kept to the minimum necessary for the carrying out of the development,	The only impact is the removal of vegetation. However, this will be enhanced by the proposed landscaping works.
(b) the development will not have a direct, indirect or cumulative adverse impact on aquatic reserves,	

Clause	Response
(c) if a controlled activity approval under the Water Management Act 2000 or a permit under the Fisheries Management Act 1994 is required in relation to the clearing of riparian vegetation—the approval or permit has been obtained,	
(d) the erosion of land abutting a natural waterbody, or the sedimentation of a natural waterbody will be minimised,	N/A
(e) the adverse impact on wetlands that are not in the coastal wetlands and littoral rainforests area will be minimised.	N/A
(3) In this section— coastal wetlands and littoral rainforests area has the same meaning as in the Coastal Management Act 2016, section 6.	N/A
6.8 Flooding	
(1) In deciding whether to grant development consent to development on land in a regulated catchment, the consent authority must consider the likely impact of the development on periodic flooding that benefits wetlands and other riverine ecosystems.	The site is located in an area that is not indicated as being subject to flooding.
(2) Development consent must not be granted to development on flood liable land in a regulated catchment unless the consent authority is satisfied the development will not—	The site is not located on flood liable land
(a) if there is a flood, result in a release of pollutants that may have an adverse impact on the water quality of a natural waterbody, or	
(b) have an adverse impact on the natural recession of floodwaters into wetlands and other riverine ecosystems.	
6.9 Recreation and public access	
(1) In deciding whether to grant development consent to development on land in a regulated catchment, the consent authority must consider—	
(a) the likely impact of the development on recreational land uses in the regulated catchment, and	No impact
(b) whether the development will maintain or improve public access to and around foreshores without adverse impact on natural waterbodies, watercourses, wetlands or riparian vegetation.	The site is not located near any of these natural features or ecosystems.

Clause	Response
<p>(2) Development consent must not be granted to development on land in a regulated catchment unless the consent authority is satisfied of the following—</p> <p>(a) the development will maintain or improve public access to and from natural waterbodies for recreational purposes, including fishing, swimming and boating, without adverse impact on natural waterbodies, watercourses, wetlands or riparian vegetation,</p> <p>(b) new or existing points of public access between natural waterbodies and the site of the development will be stable and safe,</p> <p>(c) if land forming part of the foreshore of a natural waterbody will be made available for public access as a result of the development but is not in public ownership—public access to and use of the land will be safeguarded.</p> <p>(3) This section does not apply to development on land in a regulated catchment if the land is in a special area under the Water NSW Act 2014.</p>	<p>The development will not affect public access to and from natural waterbodies</p> <p>N/A</p> <p>N/A</p>
<p>6.10 Total catchment management</p> <p>In deciding whether to grant development consent to development on land in a regulated catchment, the consent authority must consult with the council of each adjacent or downstream local government area on which the development is likely to have an adverse environmental impact.</p>	<p>The development will have a negligible environmental impact on the Sydney Harbour catchment.</p>
Division 3 Controls on Development in Specific Areas	
<p>6.11 Land within 100m of natural waterbody</p> <p>6.12 Riverine Scenic Areas</p> <p>6.13 Hawkesbury-Nepean conservation area sub-catchments</p> <p>6.14 Temporary use of land in Sydney Harbour Catchment</p>	<p>The site is not located within 100m of natural waterbody, in a Riverine Scenic Area or a Hawkesbury-Nepean conservation area sub-catchment</p> <p>The development is not classified as a temporary use of land</p>
Division 4 Controls on development for specific purposes	Development does not fall under the specific purposes listed
Part 6.3 Foreshores and Waterways Area	The site is not located in or near the Foreshores and Waterways area.

Clause	Response
Part 6.4 Heritage conservation in Sydney Harbour	The site is not located within a heritage conservation area nor is it identified as a heritage item.
Part 6.5 Sydney Drinking Water Catchment	The site is not located within the Sydney Drinking Water Catchment

Based on the above, and with appropriate conditions of consent, it is deemed the proposal will meet the provisions of this Chapter of the SEPP.

STATE ENVIRONMENTAL PLANNING POLICY (TRANSPORT AND INFRASTRUCTURE) 2021

This SEPP came into effect on 1 March 2022 and incorporated the provisions of four now repealed SEPP's being:

- State Environmental Planning Policy (Infrastructure) 2007;
- State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017;
- State Environmental Planning Policy (Major Infrastructure Corridors) 2020; and
- State Environmental Planning Policy (Three Ports) 2013.

Chapter 2 – contains planning rules and controls from the former Infrastructure SEPP for infrastructure in NSW, such as for hospitals, roads, railways, emergency services, water supply and electricity delivery.

In accordance with this chapter, it is not anticipated that Council will refer the application to an electricity supply authority as works will not occur within 5m of an exposed overhead electricity power line.

In accordance with this chapter, the application is not required to be referred to Trains NSW as the proposal is not in the vicinity of rail infrastructure. Given the distance from Rail infrastructure and in accordance with this chapter, an acoustic and vibration report is not required to be prepared.

The development site contains a frontage to The Great Western Highway, however vehicular access is to be provided from Houison Street.

The SEPP also identifies a number of types of development that require concurrence from Transport for NSW where development is identified as 'traffic generating development'.

The current proposal is not identified as a traffic generating development. Hence concurrence is not required however it is understood Council may refer the application to Transport for NSW for general comment.

STATE ENVIRONMENTAL PLANNING POLICY (HOUSING) 2021

State Environmental Planning Policy (Affordable Rental Housing) 2009 was introduced in July 2009 as a response to the ongoing issue of housing affordability within NSW.

This was subsequently repealed by the Housing SEPP which provides an amended planning framework for certain types of housing such as co-living, boarding houses, etc. The Housing SEPP came into effect in December 2021.

The table below provides discussion against the provisions of the SEPP that relate to “co-living”.

SEPP Housing Requirement

3 Principles of Policy

The principles of this Policy are as follows:

(a) enabling the development of diverse housing types, including purpose-built rental housing,	The proposal is for a form of affordable housing directly sought in the SEPP.
(b) encouraging the development of housing that will meet the needs of more vulnerable members of the community, including very low to moderate income households, seniors and people with a disability,	The proposal will result in the addition of affordable short-term rental housing in the form of a co-living housing development in the area that is close to public transport and as such is consistent with the aims of the policy.
(c) ensuring new housing development provides residents with a reasonable level of amenity,	
(d) promoting the planning and delivery of housing in locations where it will make good use of existing and planned infrastructure and services,	The co-living housing development includes each individual room having been designed in accordance with the SEPP to ensure future lodgers are provided with a reasonable level of amenities with each room being self-contained in that it will contain a kitchen and bathroom and the provision of communal area and communal open space in accordance with the SEPP.
(e) minimising adverse climate and environmental impacts of new housing development,	
(f) reinforcing the importance of designing housing in a way that reflects and enhances its locality,	The proposal will result in the addition of affordable short-term rental housing in the area that is close to public transport and as such is consistent with the aims of the policy.
(g) supporting short-term rental accommodation as a home-sharing activity and contributor to local economies, while managing the social and environmental impacts from this use,	
(h) mitigating the loss of existing affordable rental housing	At the completion of the project, the development will deliver 52 new co-living housing rooms.

CI 67 Co-Living permitted with consent

Development for the purposes of co-living housing may be carried out with consent on land in a zone in which development for the purposes of co-living housing, residential flat buildings or shop top housing is permitted under another environmental planning instrument.

In regard to Canterbury-Bankstown LEP 2023, development for the purposes of residential flat buildings and shop top housing is permitted with development consent under within the R4 High Density Residential Zoning and hence this clause is satisfied.

CI 68 Non-discretionary development standards—the Act, s 4.15

(1) The object of this section is to identify development standards for particular matters relating to development for the purposes of co-living housing that, if complied with, prevent the consent authority from requiring more onerous standards for the matters.

Noted- therefore flexibility exists in the application of these controls to the development.

(2) The following are non-discretionary development standards in relation to development for the purposes of co-living housing—

(a) for development in a zone in which residential flat buildings are permitted—a floor space ratio that is not more than—

*(i) the maximum permissible floor space ratio for residential accommodation on the land, and
(ii) an additional 10% of the maximum permissible floor space ratio if the additional floor space is used only for the purposes of co-living housing,*

The site, which is subject to a maximum FSR of 1:1, is entitled to an additional 10% FSR bonus resulting in a maximum permissible GFA of 1,532.9m².

(b) for co-living housing containing 6 private rooms—

The development proposes a maximum FSR of 1:1, a maximum GFA of 1,530m². Complies.

(i) a total of at least 30m² of communal living area, and

(ii) minimum dimensions of 3m for each communal living area,

(c) for co-living housing containing more than 6 private rooms—

(i) a total of at least 30m² of communal living area plus at least a further 2m² for each private room in excess of 6 private rooms, and

The proposal has 52 rooms and as such requires 122m² of communal living area, noting that the proposal provides for 122m² of communal living area within the ground floor (77m²) and the 3rd floor (45m²).

(ii) minimum dimensions of 3m for each communal living area,

(d) communal open spaces—

(i) with a total area of at least 20% of the site area, and

(ii) each with minimum dimensions of 3m,

The site has an area of 1,349.546m² and as such is required to provide 269.9m² of communal open space. The proposal provides for 396.45m² of communal open space in the form of open space areas. Complies.

(e) unless a relevant planning instrument specifies a lower number—

<p>(i) for development on land in an accessible area—0.2 parking spaces for each private room, or</p> <p>(ii) otherwise—0.5 parking spaces for each private room,</p>	<p>The development resides within an accessible area and as such is subject to the following parking requirement: $0.2 \times 52 = 10.4$ (11) car parking spaces.</p> <p>The development provides a total of 12 car parking spaces allocated to the co-living development. Complies.</p>
<p>(f) for development on land in Zone R2 Low Density Residential or Zone R3 Medium Density Residential—the minimum landscaping requirements for multi dwelling housing under a relevant planning instrument,</p> <p>(g) for development on land in Zone R4 High Density Residential—the minimum landscaping requirements for residential flat buildings under a relevant planning instrument.</p>	<p>The site is zoned R4. Not applicable.</p> <p>Comply, refer to discussion against the Canterbury-Bankstown LEP 2023 further within this statement for more detail.</p>

CI 69 Standards for Co-Living Housing

<p>(1) Development consent must not be granted for development for the purposes of co-living housing unless the consent authority is satisfied that—</p>	
<p>(a) each private room has a floor area, excluding an area, if any, used for the purposes of private kitchen or bathroom facilities, that is not more than 25m² and not less than—</p> <p>(i) for a private room intended to be used by a single occupant—12m², or</p> <p>(ii) otherwise—16m², and</p>	<p>The rooms measure no more than 25m² in area in total when excluding kitchens and bathrooms.</p> <p>No more than 1-2 adult lodgers are intended noting that single rooms exceed 12m² and double rooms are at least 16m².</p>
<p>(b) the minimum lot size for the co-living housing is not less than—</p>	
<p>(i) for development on land in Zone R2 Low Density Residential—600m², or</p> <p>(ii) for development on other —800m², and</p> <p>(iii) (Repealed)</p>	<p>N/A</p> <p>The subject site has a total size of 1,393.546m².</p>
<p>(c) for development on land in Zone R2 Low Density Residential or an equivalent land use zone, the co-living housing—</p> <p>(i) will not contain more than 12 private rooms, and</p> <p>(ii) will be in an accessible area, and</p>	<p>N/A</p>
<p>(d) the co-living housing will contain an appropriate workspace for the manager, either within the communal living area or in a separate space, and</p>	<p>An appropriate workspace is to be provided for the building manager within the ground floor common room.</p>

<i>(e) for co-living housing on land in a business zone—no part of the ground floor of the co-living housing that fronts a street will be used for residential purposes unless another environmental planning instrument permits the use, and</i>	N/A- development site is zone R4 – high density residential.
<i>(f) adequate bathroom, laundry and kitchen facilities will be available within the co-living housing for the use of each occupant, and</i>	Each room is provided with a kitchen, bathroom and laundry.
<i>(g) each private room will be used by no more than 2 occupants.</i>	Maximum 2 occupants in double rooms and 1 occupant in a single room.
<i>(2) Development consent must not be granted for development for the purposes of co-living housing unless the consent authority considers whether—</i>	
<i>(a) the front, side and rear setbacks for the co-living housing are not less than—</i>	
<i>(i) for development on land in Zone R2 Low Density Residential or Zone R3 Medium Density Residential—the minimum setback requirements for multi dwelling housing under a relevant planning instrument, or</i>	The site is zoned R4. Not applicable.
<i>(ii) for development on land in Zone R4 High Density Residential—the minimum setback requirements for residential flat buildings under a relevant planning instrument, and</i>	Comply, refer to discussion against the Canterbury-Bankstown LEP 2023 further within this statement for more detail.
<i>(b) if the co-living housing has at least 3 storeys—the building will comply with the minimum building separation distances specified in the Apartment Design Guide,</i>	Comply, the development provides a minimum side setback of 6m from the primary building line to the site's immediate northern and eastern boundaries.
<i>(c) at least 3 hours of direct solar access will be provided between 9am and 3pm at mid-winter in at least 1 communal living area, and</i>	The communal living area on the ground floor, which is oriented to the north will receive at least 3 hours of direct solar access will be provided between 9am and 3pm at mid-winter. It is noted that all communal living areas are provided with north facing windows.
<i>(f) the design of the building will be compatible with—</i>	
<i>(i) the desirable elements of the character of the local area, or</i>	Complies – refer to the discussion at the end of this table for more detail.
<i>(ii) for precincts undergoing transition—the desired future character of the precinct.</i>	
70 No subdivision	
Development consent must not be granted for the subdivision of a co-living housing into separate lots	No subdivision is proposed as part of this application.

Character of the Local Area

The SEPP requires consideration as to whether the design of the development is compatible with the desired elements of the character of the local area.

The question of compatibility is set out in the planning principle set out in *Project Venture Developments v Pittwater Council (2005) NSW LEC 191*.

A decision in *Moscaritolo v Ryde City Council [2012] NSWLEC 1024* reinforced that the planning principle is relevant to the development to which the Affordable Rental Housing SEPP applies.

A discussion of the character of the locality is provided as well as an assessment of the compatibility of the proposal that aligns with the planning principle.

Existing Character

The built form character within the subject R4 zoned residential block currently comprises of low density housing interspersed by multi-dwelling housing of mixed ages and architectural styles.

Given that the R4 Zoning permits higher forms of residential development including residential flat buildings whilst also considering the localities R4 zoning and proximity to a commercial centre, community facilities, education establishments and public transportation combined with the high demand for housing within established suburbs, it is anticipated that the built form within the subject residential block will transition towards higher residential densities including residential flat buildings and shop top housing.

As such, the development proposes a contemporary 4 storey built form designed to appear as a modern residential flat building that aims to set the tone and scale for future higher density development within the subject residential block whilst increasing valuable short-term affordable housing within Padstow.

The current designs scheme will not be out of context with the anticipated higher density residential character within the subject residential block.

Compatibility of the Proposal with the Character of the Area

In accordance with the Planning Principle set out in *Project Venture Developments v Pittwater Council (2005) NSW LEC 191* the following tests apply in determining whether development is compatible with surrounding development:

24 *Where compatibility between a building and its surroundings is desirable, its two major aspects are physical impact and visual impact. To test whether a proposal is compatible with its context, two questions should be asked.*

1. *Are the proposal's physical impacts on surrounding development acceptable? The physical impacts include constraints on the development potential of surrounding sites.*
2. *Is the proposal's appearance in harmony with the buildings around it and the character of the street?*

These questions will be dealt with in turn however it is important to note that as set out in the planning principle *'Compatibility is... different from sameness. It is generally accepted that buildings can exist together in harmony without having the same density, scale or appearance, though as the difference in these attributes increases, harmony is harder to achieve'*.

Therefore, it is not necessary that the development adopt the same built form as the surrounding, and in this case, anticipated, development. In terms of the physical impacts of development the following points are made:

- The design of the proposal and the orientation of the lot means that there is minimal overshadowing to adjoining properties, with the majority of the shadow to fall onto the road network, as shown on the elevational shadow diagrams submitted.
- Privacy impacts are mitigated using building separation and setbacks.
- Noise impacts are reduced through siting the communal areas internally and communal open space away from road traffic areas.
- Potential development constrains and isolation of neighbouring properties has been addressed further within this statement.

Therefore, the physical impacts of the proposal are acceptable.

In response to the second question set out in the planning principle, the following comments are made:

- The proposal is predominantly consistent with the height provision (with the exception to a small portion of the roof structure) under the LEP and therefore respects the anticipate future built form character of the local area.
- The development provides compatible building setbacks allowing for substantial areas of open space and landscape plantings that will contribute towards reduce the physical bulk and scale of the development while also enhancing privacy levels and amenity. Refer to attached Landscape Plan for detail.
- The development aims to set the tone and scale for future higher density residential development within the subject block by delivering a 4 storey built form with a high quality building façade that is highly articulated designed to appear as a modern residential flat building. This is achieved through the

grouping of balconies and windows, and the selection of colours and high quality building materials.

Refer to 3D extract below and within the following page.

Figure 5: 3D Extract 1



Figure 6: 3D Extract 2



Based on the foregoing discussion the development proposal will play a positive role in setting the tone and scale for future high density residential development within the subject residential block and therefore will adopt a comparable form and scale.

Chapter 4 Design of Residential Apartment Development

Whilst the proposal is for Co-Living and technically Chapter 4 is not of relevance to the assessment it has been considered on a merit basis given the likely future character will incorporate apartment buildings.

The current development is in-line with the aims of Chapter 4 in particular the buildings have been designed to achieve a high standard of built form and aesthetics whilst also maximising the amenity, safety and security for future residents and the community.

At the end of the project, the development will deliver a contemporary 4 storey building that will introduce valuable low rent short term accommodation in the form of a new age co-living development within the catchment of public transport and services

Section 148 – Non-discretionary development standards for residential apartment development – the Act, s 4.15

Subsection 148(2) of the SEPP states the following:

The following are non-discretionary development standards –

- (a) the car parking for the building must be equal to, or greater than, the recommended minimum amount of car parking specified in Part 3J of the Apartment Design Guide,
- (b) the internal area for each apartment must be equal to, or greater than the recommended minimum internal area for the apartment type specified in Part 4D of the Apartment Design Guide
- (c) The ceiling heights for the building must be equal to, or greater than, the recommended minimum ceiling heights specified in Part 4C of the Apartment Design Guide

Complies.

Section 149 – Apartment Design Guide prevails over development control plans

Subsection 149(1) of the SEPP states the following:

A requirement, standard or control for residential apartment development that is specified in a development control plan and relates to the following matters has no effect if the Apartment Design Guide also specifies a requirement, standard or control in relation to the same matter –

- (a) visual privacy,
- (b) solar and daylight access,
- (c) common circulation and spaces,
- (d) apartment size and layout,
- (e) ceiling heights,
- (f) private open space and balconies,
- (g) natural ventilation,
- (h) storage.

Noted – any requirement, standard or control for co-living housing development within the Canterbury-Bankstown Development Control Plan 2023 which is in conflict with the Apartment Design Guide in regard to the matters listed above are of no effect.

Consideration of ADG.

Whilst the proposal is for Co-Living and the ADG is not triggered the ADG has been used as a merit assessment of the proposal given the R4 zoning and likely future built forms. The only part of the ADG that strictly applies is building separation and the key parts of the ADG are set out below.

ADG Element	Design Criteria/Design Guideline	Proposed	Compliance
<i>Part 3 – Siting the Development</i>			
3A Site Analysis	Appendix 1 of the ADG	Site analysis is provided within the architectural plans and within this SEE.	Yes
3B Orientation	Building to define the street, by facing it and incorporating direct access from the street.	The proposed co-living development complex has been designed to address both Banks Street and Nigel Place. Passive surveillance opportunities are provided from primary living areas and balconies that overlook all streets.	Yes
	Where an adjoining building does not currently receive 2 hours of sunlight in midwinter, solar access should not be further reduced by > 20%	Not applicable	N/A
	4 hours of solar access should be retained to solar collectors on neighbouring buildings.	Adjoining properties do not contain solar collectors	N/A
3C Public Domain Interface	Terraces, balconies should have direct street entry, where appropriate.	No direct access to the street is provided to ground floor rooms, however appropriate access is provided from internal lobby and pedestrian walkway.	Yes
	Mail boxes should be located in lobbies, perpendicular to the street alignment.	Mail boxes are appropriately located. Refer to attached Architectural Plans for more detail.	Yes
	Substations, pump rooms, garbage storage rooms and other service rooms should be located in the basement carpark or out of view.	The garbage storage room is located within the basement level and therefore will not be visible from the street.	Yes

3D Communal and Public Open Space	<u>Design Criteria:</u>		
	Communal open space has a minimum area equal to 25% of the site.	Communal open space is provided in accordance with CL 68 (b) of the Housing SEPP 2021.	Yes – Housing SEPP
	50% of the principal COS should receive 2 hours of sunlight between 9am and 3pm	Comply. At least 50% of the ground floor communal open space which is oriented to the north will achieve 2 hours of sunlight between 9am and 3pm at mid-winter.	Yes
	<u>Design Guidelines:</u>		
	Minimum dimension of 3m	The common open space area has a width > 3m. Complies	Yes
	Direct, equitable access should be provided to communal open space areas from common circulation areas, entries and lobbies.	Proposal ensures that direct, equitable access in line with relevant Australian Standard is provided to communal open space areas from common circulation areas, entries and lobbies.	Yes
	Where communal open space cannot be provided at ground level, it should be provided on a podium or roof	Appropriate communal open space is provided in accordance with the Housing SEPP for co-living housing development.	Yes
	Facilities are provided within communal open spaces and common spaces for a range of age groups, incorporating some of the following elements: seating for individual or groups barbecue areas play equipment or play area. swimming pools, gyms, tennis courts or common rooms	Appropriate communal open space is provided in accordance with the Housing SEPP for co-living housing development.	Yes
	Communal open space and the public domain should be readily visible from habitable room and private open space areas while maintaining privacy.	Comply.	Yes

3E Deep Soil Zones	<u>Design Criteria:</u> A deep soil zone equivalent to 7% of the site area must be provided.	97.5m ² required and a deep soil area of 434.8m ² or 31.2% of the site is provided. Complies.	Yes
	If the site is between 650m ² to 1500m ² then the DSZ must have minimum dimensions of 3m	Comply.	N/A
3F Visual Privacy	<u>Design Criteria:</u>		
Building Separation Up to 4 storeys (up to 12m)	12m between habitable rooms (6m) 6m between non-habitable rooms (3m)	The development provides a minimum side setback of 6m from the primary building to the site's northern and eastern side boundaries	Yes
	Note: When adjacent to a lower density residential zone an additional 3m rear side setback is required	N/A	N/A
3G Pedestrian Access and Entries	Building entries should be clearly identifiable and communal entries should be clearly distinguished from private areas.	The building provides a clearly distinguishable entry points to the lobby from Nigel Place.	Yes
3H Vehicle Access	Car park access should be integrated with the building's overall façade.	The access point to the basement from Nigel Place is appropriately integrated into the buildings design.	Yes
	Car park entry and access should be located on secondary streets or lanes where available.	Comply – Nigel Place is considered a secondary street to Banks Street.	Yes
3J Carparking	<u>Design Criteria:</u> Carparking for sites within 800m of a railway station or light rail stop can provide parking at the rate of: 0.6 per 1 bedroom unit 0.9 per 2 bedroom unit 1.4 per 3 or more bedroom unit	The development provides parking in accordance with Chapter 3, Part 3 Co-Living Housing under the Housing SEPP 2021.	N/A

	1 space per 5 units for visitors.		
	<u>Design Guidelines:</u> Secure undercover bicycle parking should be provided that is easily accessible from both the public domain and common areas	Bicycle parking spaces are provided within the basement level.	Yes
Part 4 – Designing the Building			
4A Solar Access	<u>Design Criteria:</u> Living rooms and private open space of at least 70% of units to receive 2 Hours Solar Access between 9am and 3pm Mid-Winter A maximum of 15% of apartments receive no direct sunlight between 9am and 3pm Mid-Winter	38 of the 52 rooms or 73.08%) of units achieve the required 3 hours of solar access at mid-winter. Complies.	Yes Yes
4B Natural Ventilation	<u>Design Criteria:</u> 60% of Units are cross ventilated in a building up to 9 storeys.	Not applicable for co-living housing development.	N/A
4C Ceiling Height	<u>Design Criteria:</u> 2.7m for habitable and 2.4m for non-habitable.	Complies	Yes
4D Unit Sizes		Not applicable for co-living housing development. Co-Living room sizes is in accordance with Chapter 3, Part 3 of the Housing SEPP 2021.	N/A
4E Private Open Space	<u>Design Criteria:</u>		
Balcony Sizes			
1 bed	8m ² & 2m depth	Not applicable for co-living housing development, noting that the majority of boarding room are provided within private open space.	N/A
2 bed	10m ² & 2m depth		
3 bed	12m ² & 2.4m depth		

Ground level/ podium apartments	15m ² & 3m depth		
4F Common Circulation and Spaces Common Circulation Units per Plate	<i>Design Criteria:</i> 8-12 Units per Plate	Not applicable for co-living housing development, however a lift core and stairwell will service the development.	N/A
4G Storage	1 bed 6m ³ 2 bed 8m ³ 3 bed 10m ³	Not applicable for co-living housing development, however appropriate storage is provided to each boarding house room.	N/A
4H Acoustic Privacy	Adequate building separation is provided within the development and from neighbouring buildings/adjacent uses.	Development has provided adequate separation from neighbour buildings/properties in-line with 3F Visual Privacy – design criteria above.	Yes
	Windows and door openings are generally orientated away from noise source.	Designed where appropriate.	Yes
	Noisy areas within buildings including building enters and corridors should be located next to or above each other and quieter areas next to or above quieter areas.	The application is designed to create different 'zones' with more active areas clustered together and more passive areas also clustered together to maximize acoustic privacy and take advantage of the lot orientation.	Yes
4K Apartment Mix	A variety of apartment types is provided.	Not applicable for co-living housing development, however appropriate storage is provided a variety of 1 and 2 lodger rooms.	N/A
4M Facades	Building facades should be well resolved with an appropriate scale and proportion to the streetscape and human scale	The proposed facades are well articulated with a mixture of vertical and horizontal features including windows, projecting walls and balconies and framed elements. Overall, the proposed facade is considered a quality design outcome that is designed to appear as a modern residential flat building that will be comparable modern RFB within the wider locality. Refer to	Yes

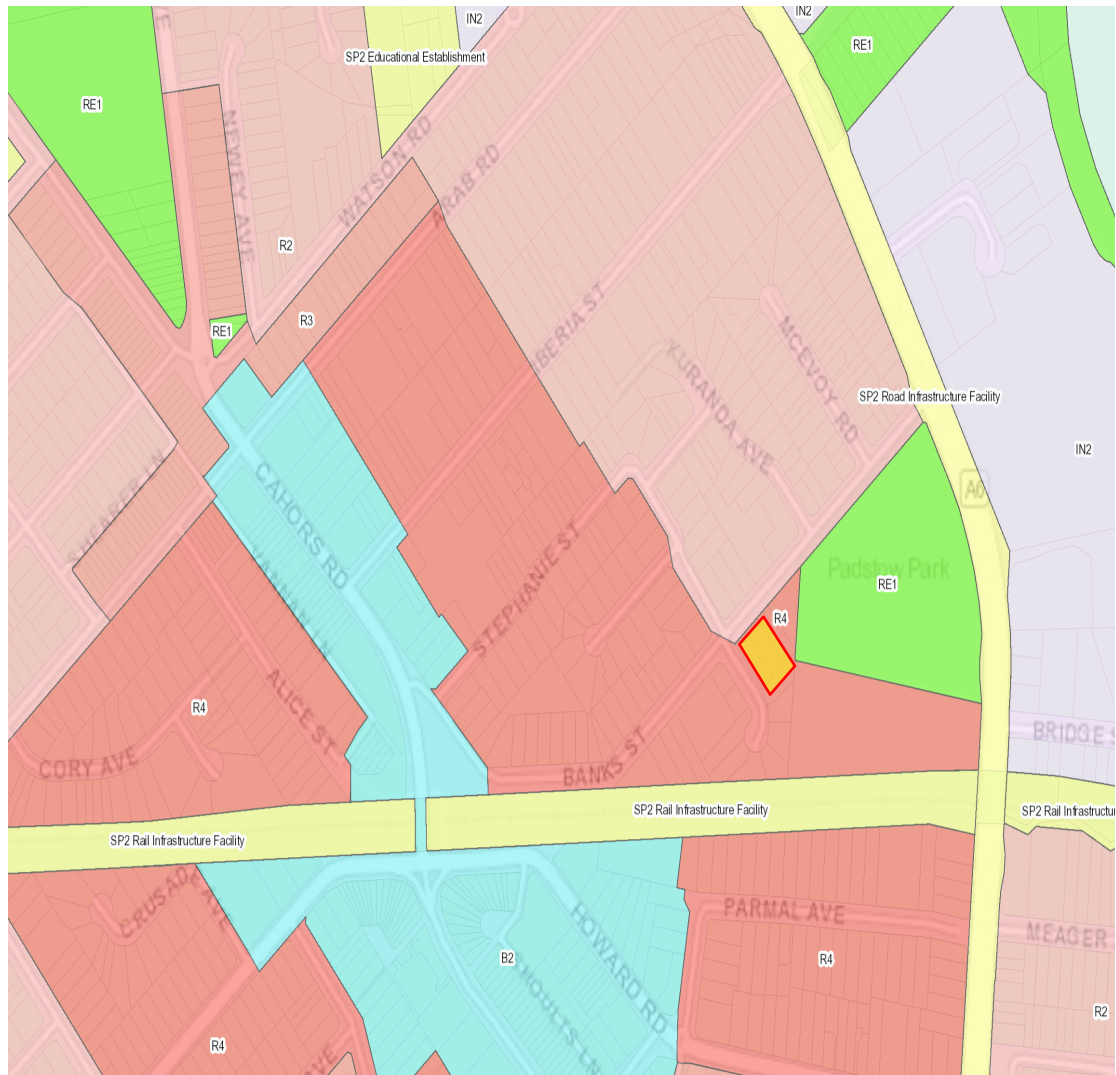
		attached Material Schedule Plan for more detail.	
4O Landscape Design			
Site Area			
850m² to 1500m²	1 large tree (12m) or 2 medium trees (8m – 12m) per 90m²of DS	Consistent as per landscaping plans.	Yes
4Q Universal Design			
20% of the total apartments	Achieve Liveable House Guidelines silver level universal design features.	Not applicable for co-living housing development.	N/A
4U Energy Efficiency		The application has been provided with a BASIX certificate indicating energy efficiency for each residential unit provided.	Yes
4V Water Management and Conservation	Reduce mains consumption and reduce the quantity of storm water runoff.	The application has been provided with a BASIX certificate indicating energy efficiency for each boarding house room.	Yes
4W Waste Management	Supply WMP	Provided	Yes
	Allocate storage area	Appropriate waste storage areas are provided.	Yes
4X Building Maintenance	To ensure long life and ease of maintenance for the development.	The proposed material is considered durable which may be easily cleaned.	Yes



CANTERBURY - BANKSTOWN LOCAL ENVIRONMENTAL PLAN 2023

As illustrated by a zoning map extract below, the development site is zoned R4 – High Density Residential under Canterbury - Bankstown Local Environmental Plan 2023.

Figure 7: Zoning Map Extract (Source: NSW Planning Portal Spatial Viewer)



Subject Site

The development site is zoned R4 – High Density Residential under Canterbury-Bankstown Local Environmental Plan 2021. ‘Co-Living Housing’ is not permitted within the R4 Zone; however the development is pursuant to Clause 67 under Chapter 3 Part 3 of the State Environmental Planning Policy (Housing) 2021 which permits development for the purpose of co-living housing with consent on land in a zone in which development for the purpose of residential flat buildings or shop top housing is permitted.

Both ‘Residential Flat Buildings’ and ‘Shop Top Housing’ are permissible with consent within the development site. As such the current development is pursuant to Clause 67 under Chapter 3 Part 3 of the State Environmental Planning Policy (Housing) 2021.

The proposal is consistent with the definition contained within the LEP:

Co-living housing means a building or place that -

- (a) has at least 6 private rooms, some or all of which may have private kitchen and bathroom facilities, and*
- (b) provides occupants with a principal place of residence for at least 3 months, and*
- (c) has shared facilities, such as a communal living room, bathroom, kitchen or laundry, maintained by a managing agent, who provides management services 24 hours a day,*

but does not include backpackers' accommodation, a boarding house, a group home, hotel or motel accommodation, seniors housing or a serviced apartment.

The development proposal is also consistent with the prescribed zone objectives that are stipulated as:

- *To provide for the housing needs of the community within a high density residential environment.*
- *To provide a variety of housing types within a high density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To minimise conflict between land uses within the zone and land uses within adjoining zones.*
- *To allow for increased residential density in accessible locations to maximise public transport patronage and encourage walking and cycling.*
- *To promote a high standard of urban design and local amenity.*

The co-living development is ideal to be located within the subject site due to its proximity to Padstow Town Centre and Train Station, noting that the development will make available a variety of housing types that will contribute towards providing low cost flexible rental accommodation for tenants such as single retirees, working singles, students from outside the Sydney metropolitan area and young couples an opportunity to live within the fringes of a major regional centre.

The 4 storey co-living housing development incorporates the characteristics of a modern residential flat building designed to set the tone and scale for future higher density residential development within the subject R4 residential zoned residential block.

The table below provides detail on the development standards relevant to the current proposal as well as other relevant LEP provisions.

Canterbury-Bankstown Local Environmental Plan 2023 – Compliance Table			
Clause	Controls	Comments	Complies
Zoning	R4 – High Density Residential Zone	<p>The development site is zoned R4 – High Density Residential under Canterbury-Bankstown Local Environmental Plan 2023. 'Co-Living Housing' is not permitted within the R4 Zone; however the development is pursuant to Clause 67 under Chapter 3 Part 3 of the State Environmental Planning Policy (Housing) 2021 which permits development for the purpose of co-living housing with consent on land in a zone in which development for the purpose of residential flat buildings or shop top housing is permitted.</p> <p>Both 'Residential Flat Buildings' and 'Shop Top Housing' are permissible with consent within the development site. As such the current development is pursuant to Clause 67 under Chapter 3 Part 3 of the State Environmental Planning Policy (Housing) 2021.</p>	Yes
Part 2 Permitted or Prohibited Development			
2.3	Zone objectives and land use table	The proposal will introduce valuable low rent short term accommodation in the form of a new age co-living development within the catchment of public transport and services.	Yes
2.6	Subdivision – consent requirements	No subdivision is proposed.	N/A
2.7	Demolition requires consent	Council consent is being sought for the demolition of all existing structures on site in accordance with the submitted Demolition Plan.	Yes

Clause	Controls	Comments	Complies
Part 4 Principal Development Standards			
4.1B	Minimum Lot Size	The proposal is for Co-Living and the minimum lot size of 1000sqm and 20m frontage is achieved- noting a 1393sqm lot size and frontage of 30.48m which complies.	Yes
4.3	Height of building: 13m	<p>The development site is subject to a maximum building height of 13m.</p> <p>The development proposes a 4 storey building with the majority of the building complying with the prescribed maximum building height control, with the exception of a small portion of the roof structure (a maximum encroachment of 475mm), noting that all habitable floor spaces are contained below the prescribed maximum building height which indicated that the encroachment is not simply a means of achieving additional development yield on the site.</p> <p>Considering that the minor nature of the encroachment associated with the building itself, its negligible when viewed from the public domain and therefore it will not have a negative impact to the streetscape.</p> <p>As such, the development will continue to present as a 4 storey form, reinforcing that the breach to the height standard does not result in the development representing an overdevelopment of the site but rather a suitable contextual response to the anticipated future higher density built form character of the subject R4 zoned residential block. Refer to Clause 4.6 Height Departure Report which accompanies this application for more detail.</p>	Clause 4.6 Variation
4.4	Floor space ratio	<p>The development site which is subject to a maximum FSR of 1:1, is entitled to an additional 10% FSR bonus resulting in a maximum permissible GFA of 1,532.9m².</p> <p>The development proposes a maximum FSR of 1:10, a maximum GFA of 1,530m². Complies.</p>	Yes – Housing SEPP 2021
Part 5 Miscellaneous Provision			
5.10	Heritage conservation	The subject site is not identified as a heritage item, is not located within a heritage conservation area nor are there any heritage items within proximity to the development site.	N/A

Clause	Controls	Comments	Complies
		As a result, the subject site will not have any associated heritage restrictions, and any further heritage investigation is not required.	
5.21	Flood planning	The subject site is not identified as being flood prone. Not applicable.	Yes
Part 6 Additional Local Provisions			
6.1	Acid sulfate soils	<p>The subject site is identified as being affected by Class 5 Acid Sulfate Soils under the Canterbury-Bankstown Local Environmental Plan 2023.</p> <p>Notwithstanding, the proposal will not have any adverse impact on site or on its surrounds.</p>	N/A
6.2	Earthworks	<p>This application seeks Council consent for the excavation of the site as per the attached plans. It is considered that the proposed excavation will have minimal adverse environmental or amenity impact.</p> <p>The proposal results in an appropriate outcome when considering the nature of the development, the unique characteristics of the site and compliance with relevant Council controls.</p> <p>The proposal will not adversely affect or disrupt drainage and flood patterns, flood storage or soil stability in the area.</p> <p>The proposed excavation is consistent with the current and future use of the land and will develop the site into context with its surroundings and in accordance with the Council's current and proposed planning strategies.</p> <p>It is considered unlikely due to the location of the site as well as previous development that excavation will lead to the disturbance of relics.</p>	Yes
6.3	Stormwater Management and Water Sensitive Urban Design	<p>A Stormwater Management Plan has been prepared and is attached as part of this application.</p> <p>The proposed development incorporates Water Sensitive Urban Design (WSUD) principles that seek to minimise and manage the impact of stormwater on site and within the area.</p>	Yes

Clause	Controls	Comments	Complies
		The proposed development appropriately addresses the unique characteristics of the site and will allow for the efficient management of stormwater. See attached Stormwater Management Plan for detail.	
6.4	Biodiversity	The subject site is not identified as 'Biodiversity' on the Natural Resources – Biodiversity Map.	N/A
6.5	Riparian land and watercourses	The subject site is not identified as 'Riparian Land and Waterways' on the Natural Resources - Riparian Land and Waterways Map.	N/A
6.7	Development in areas subject to aircraft noise	The site is not identified on the Bankstown Airport or Sydney Airport ANEF maps.	N/A
6.8	Airspace operation	The proposed development will have no impact on airspace operations.	N/A
6.9	Essential Services	The development site is well serviced by electricity, water and sewer and the required utility clearances will be obtained prior to works commencing on site.	Yes
6.15	Design Excellence	<p>The proposal is designed to exhibit design excellence and consideration of the relevant matters is set out below.</p> <ul style="list-style-type: none"> a) The design, materials and detailing are appropriate to the building type and location. b) The proposed development will replace a dwelling, and the form and external appearance of the proposed Co-Living proposal will improve the quality and amenity of the public domain. Relative to the existing scenario, given the architectural design of the building and the provision of landscaping in the front setback. c) The development will not detrimentally impact view corridors. d) The proposal addresses the following matters: <ul style="list-style-type: none"> i) The land is suitable for the Co-Living development for the reasons set out in the substantial supporting 	Yes

Clause	Controls	Comments	Complies
		<p>material for the development proposal and the R4 zoning.</p> <p>ii) The proposed development is considered appropriate with regard to the mix of uses currently in the neighbourhood and those envisaged for the neighbourhood and a Co-Living in a high density zone is permitted and a desirable addition to a higher density zone consistent with the zone objectives.</p> <p>iii) There are no heritage issues or streetscape constraints associated with the proposal that have not been addressed by the proposal.</p> <p>iv) The proposed development is considered appropriate with regard to its separation and amenity to existing development and likely future development in the locality. The setbacks are compliant with the provisions of the DCP and provide a suitable relationship to adjoining properties.</p> <p>v) The overall bulk and massing of the building is appropriate given compliance with height (with the exception to a small portion of the roof structure), setbacks, FSR and the building design itself.</p> <p>vi) The 4 storey street frontage height is appropriate</p> <p>vii) The development is satisfactory with regard to sustainable design, overshadowing, wind and reflectivity. In addition environmental impacts such as acoustics and traffic have been considered by other experts as being satisfactory.</p>	

Clause	Controls	Comments	Complies
		<p>viii) The development demonstrates appropriate levels of sustainability noting the BASIX Certificate and through appropriate natural light, adoption of materials with high thermal mass, and adequate areas of landscaping on the site.</p> <p>ix) The proposal provides suitable vehicular and pedestrian entry arrangements.</p> <p>x) There is no adverse impact to the public domain and there is an improvement given the high quality building design.</p> <p>xi) The interface to the public domain is suitable for a co-living proposal.</p> <p>xii) The landscape design and integration is suitable and makes a good contribution to the streetscape.</p>	
6.38	Affordable Housing Contributions	The proposal is akin to a boarding house and therefore 6.38(3) outlines that this does not apply to a Co-Living Proposal. The site is also not in the mapped area.	N/A

CANTERBURY-BANKSTOWN DEVELOPMENT CONTROL PLAN 2023

All relevant Council controls have been identified and considered in the following compliance table.

Chapter 2: General Controls		
Controls	Comment	Complies
2.1 Site Analysis		
	<p>A Site Analysis has been prepared and is attached as part of this application.</p> <p>The site analysis identifies the relevant considerations required by Council and acknowledges the unique opportunities and constraints of the site.</p>	Yes
2.2 Flood Risk Assessment		
	As per Council's Public Mapping – the development site is not identified as being flood prone land.	N/A
2.3 Tree Management		
	Refer to the discussion under the <i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i> .	Yes
Chapter 3: General Requirements		
Controls	Comment	Complies
3.1 Development Engineering Standards		
	<p>The proposed development appropriately addresses the unique characteristics of the site and will allow for the efficient management of stormwater.</p> <p>The proposed development incorporates Water Sensitive Urban Design principles that seek to minimise and manage the impact of stormwater on site and within the area.</p>	Yes

3.2 Parking

Off-street parking rates	<p>The development proposes a 4 storey co-living development with a total of 52 rooms.</p> <p>Parking requirements for the co-living development is subject to specific parking rates under Clause 68 of the Housing SEPP (2021).</p> <p>Refer to discussion against the Housing SEPP (2021), in particular CI 68(e)(i) previously within this statement for more detail.</p>	Yes – Housing SEPP
Design and Layout	<p>The parking areas have been designed in accordance with the requirements of this section, refer to the architectural plans and the Traffic & Parking Assessment Report, prepared by <i>CJP Consulting Engineers</i> for more detail.</p>	Yes

3.3 Waste Management

	<p>Appropriate bin room and bulky waste room storage areas are provided within the basement level and located adjacent to the SRV parking space.</p> <p>Collection will be undertaken by a private waste and recycling collection contractor using a rear loading SRV collection vehicle.</p> <p>A Waste Management Plan is attached as part of this application and provides further detail.</p> <p>The attached Waste Management Plan also identifies the waste likely to be generated as part of this proposal, and how it will be appropriately managed during the construction stages of the development.</p> <p>See the attached Waste Management Plan and architectural plans for further detail.</p>	Yes
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3.4 Sustainable Development			
		The proposed development incorporates design elements to increase energy efficiency and reduce the consumption of natural resources.	Yes
3.5 Subdivision			
		No subdivision is proposed.	N/A
3.6 Sign			
		No signage is proposed as part of this application.	N/A
3.7 Landscape			
		The Concept Plan details the landscape embellishment works proposed, which will soften the proposed built form, permit stormwater penetration, minimise run off from the site whilst also being compatible with both existing and future anticipate high density residential setting. Refer to attached Landscape Plan for more detail.	Yes
Chapter 4 – Heritage			
Clause	Controls	Comments	Complies
		<p>The subject site is not identified as a heritage item, is not located within a heritage conservation area nor are there any heritage items within proximity to the development site.</p> <p>As a result, the subject site will not have any associated heritage restrictions, and any further heritage investigation is not required.</p>	N/A

Chapter 5 – Residential Accommodation			
Clause	Controls	Comments	Complies
Section 8 –Boarding Houses and Co-Living Housing			
Objectives			
Isolation of sites			
9.1	Isolation of sites	Comply – the development which resides within a R4 zoned residential block will not result in site's adjoining to have an area of less than 1,000m ² or a width of less than 20m at the front building line noting amalgamation of properties to the north-east can occur and similarly to the south such that there is no site isolation	Yes
Storey limit (not including basements)			
9.2	Boarding house in Zone R2 – Low Density Residential	Not applicable, the development site is zoned R4 – High Density Residential.	N/A
9.3	Zones R3 and R4 – Storey limit	<p>The development site is subject to a maximum building height of 13m under Canterbury-Bankstown Council 2023.</p> <p>For development subject to a maximum building height of 13m is subject to a storey limit (not including basements) of 4 storeys.</p> <p>The development proposes a 4 storey building and as such is consistent with storey height limit.</p>	Yes
9.4	Siting of boarding houses and landscape works	Comply the siting of the development works is compatible with existing slope and contours of the site, noting that the site is relative flat with the site sloping from the eastern boundary towards the western boundary, a fall of approximately 1.97m over a site depth of 45, resulting in a gradient of 4.3%, indicating that the site is suitable to be redeveloped as co-living housing.	Yes
9.5	Ground floor perimeter	Comply – the ground level on the site within the ground floor perimeter of the co-living housing does not exceed 1m above the ground level.	Yes

Clause	Controls	Comments	Complies
9.6	Outside of ground floor perimeter	Comply – the ground level on the site outside of the ground floor perimeter of the co-living housing does not exceed a height of 600mm above the ground level.	
Setback in Zones R3 and R4			
9.13	Primary front setback: 6m	Development proposes a minimum primary front setback of 6m from the primary building line to Nigle Place.	Yes
9.14	Secondary front setback: 6m	Development proposes a minimum secondary front setback of 6m from the primary building line to Banks Street	Yes
9.16	Side and rear setback for building with 3 or more storeys: 4.5m provided the average setback is 0.6 multiplied by the wall height	The development provides a minimum side's setbacks of 6m from the primary building line to the site's northern and eastern side boundaries.	Yes
		Considering that the site's status as a corner allotment, it does not have a rear boundary.	N/A
9.17	Side and rear setback to the basement: 2m	<p>The development predominantly provides setbacks from the basement level of more than 2m to its side boundaries, with the exception of a small portion of the site along the south-eastern edges of the site.</p> <p>The development achieves a minimum setback of 1m that then tapers outwards to side setbacks >2m.</p> <p>Considering that the non-compliance is limited to a small portion of the site and the development achieves 434.8m² or over 31.2% of the site as deep soil zone which will permit opportunities for deep rooted trees and permit stormwater penetration and will reduce runoff, the minor encroachment to the side setback to the basement is considered acceptable and worthy of Council support.</p>	On Merit

Clause	Controls	Comments	Complies
		97.5m ² required and a deep soil area of 434.8m ² or 31.2% of the site is provided. Complies.	
9.18	Minimum setback for driveway: 1m	Comply, the driveway is setback a minimum of 1m to the site's eastern boundary.	Yes
Private Open Space			
9.19	Private open space with one area of at least 20m ² with a minimum dimension of 30m	The development provides 276.45m ² of private open space within the ground floor with direct access from the common room for lodger or use.	Yes
	Private open space for boarding house manager: 8m ² with minimum dimension of 2.5m	The manager residence (Room UG03) is provided with a balcony with an area of 11m ² with minimum dimension of 2.5m	Yes
9.20	Location of private open space	The proposed balconies will play a positive role in providing articulation to the proposed building.	Yes
Access to Sunlight			
9.21	Solar access: 70% of boarding room must receive a minimum of 3 hours of sunlight between 8am to 4pm at the mid-winter solstice.	Comply – 38 out of the 52 units or 73.08% of boarding rooms achieve a minimum of 3 hours of sunlight between 8am and 4pm at mid-winter solstice.	Yes
9.22	Solar access to communal living room: 3 hours direct sunlight between 8am and 4pm at the mid-winter solstice	Comply – the ground floor communal room which is oriented to the north achieve a minimum of 3 hours of sunlight between 8am and 4pm at mid-winter solstice.	Yes
9.23	Solar access to neighbouring properties: at least one living area of a dwelling on an adjoining site must receive a minimum 3 hours of sunlight between 8am and 4pm at the mid-winter solstice.	Comply – living areas of dwellings on adjoining properties receive a minimum of 3 hours of sunlight between 8am, and 4pm at the mid-winter solstice.	Yes
9.24	Private open space: minimum 50% of the private open space required for boarding houses and a minimum 50% of the private open space of a dwelling on an adjoining site must receive at least	Comply – a minimum of 50% of the ground floor private open space and a minimum of 50% of the private open space of a dwelling on an adjoining site will receive at least 3 hours of sunlight between 9am and 5pm at the equinox.	Yes

Clause	Controls	Comments	Complies
	3 hours of sunlight between 9am and 5pm at the equinox.		
9.25	Overshadowing of existing solar hot water system, photovoltaic panel or other solar collectors on the site and neighbouring sites	Comply – the development will not overshadow existing solar hot water system, photovoltaic panel or other solar collectors on neighbouring properties.	Yes
Visual Privacy			
9.26	Window that directly looks into the living area or bedroom windows on an existing dwelling, development must: <ul style="list-style-type: none"> (a) offset the windows between dwellings to minimise overlooking; or (b) provide the window with a minimum sill height of 1.5m above floor level; or (c) ensure the window cannot open and has obscure glazing to a minimum height of 1.5m above floor level; or (d) use another form of screening to the satisfaction of Council 	The development provides a 6m setback to the site's northern and eastern side boundaries with the building recessed further along the northern boundary and this meets the ADG requirement of 6m for this proposals 'share' in relation to building separation. Therefore alternate privacy treatments are not necessary.	Yes
9.27	Window that directly looks into the private open space of an existing dwelling, the window does not require screening where: <ul style="list-style-type: none"> (a) the window is to a bedroom, bathroom, toilet, laundry, storage room, or other non-habitable room; or (b) the window had a minimum sill height of 1.5m above floor level; or (c) the window has translucent glazing to a minimum height of 1.5m above floor level; or (d) the window designed to prevent overlooking of more than 50% of the 	The development provides a 6m setback to the site's northern and eastern side boundaries with the building recessed further along the northern boundary and this meets the ADG requirement of 6m for this proposals 'share' in relation to building separation. Therefore alternate privacy treatments are not necessary.	

Clause	Controls	Comments	Complies
	private open space of a lower-level or adjoining dwelling		
9.29	Roof-top balconies: roof-top balconies are not allowed within boarding houses	Comply – no rooftop balconies are proposed.	N/A
Building Design			
9.30	Design Quality principles of the State Environment Planning Policy (Housing) 2021 (Chapter 4) & the Apartment Design Guide to boarding houses	Comply – refer to discussion against Chapter 4 of the State Environment Planning Policy (Housing) 2021 and the Apartment Design Guide within this statement for more detail.	Yes
9.31	Boarding House to satisfy the following:		
	(a) If a boarding house has 5 or more bedrooms, at least one communal living room will be provided; and	Comply – communal living room is provided on the ground floor.	Yes
	(b) If each boarding room has a gross floor area (excluding any area used for the purposes of private kitchen or bathroom facilities) of at least	Comply – single rooms exceed 12m ² and double rooms are at least 16m ² .	Yes
	(i) 12m ² in the case of a boarding room intended to be used by a single lodger; or		
	(ii) 16m ² in any other case; and		
	(c) No boarding room will have a gross floor area (excluding any area used for the purpose of private kitchen or bathroom facilities) or more than 25m ² ; and	The rooms measure no more than 25m ² in area in total when excluding kitchens and bathrooms.	Yes
	(d) No boarding room will be occupied by more than 2 adult lodgers; and	No more than 1-2 adult lodgers are intended.	Yes

Clause	Controls	Comments	Complies
	(e) Adequate bathroom and kitchen facilities will be available within the boarding house for the use of each lodger; and	The co-living housing development includes each individual room having been designed in accordance with the SEPP to ensure future lodgers are provided with a reasonable level of amenities with each room being self-contained in that it will contain a kitchen and bathroom and the provision of communal area and communal open space in accordance with the SEPP.	Yes
	(f) If the boarding house has capacity to accommodate 20 or more lodgers, a boarding room or on-site dwelling will be provided for a boarding house manager; and	Boarding house manager provided (UG03) within the ground floor.	Yes
	(g) At least one parking space will be provided for a bicycle, and one will be provided for a motorcycle, for every 5 boarding rooms.	Development provides 11 bicycle parking spaces and 2 motorcycle parking spaces. Refer to attached Traffic & Parking Assessment Report.	Yes
9.32	Roof pitch: maximum of 35 degrees	Comply – maximum roof pitch of 35 degrees.	Yes
9.33	Boarding Houses: not permitted to have attics	Comply – no attics proposed as part of this application.	N/A
9.34	Services: the siting of a plant room, lift motor room, mechanical ventilation stack, exhaust stack, and the like must: (a) Integrate with the architectural features of the building to which it is attached; or (b) Be sufficiently screened when viewed from the street and neighbouring sites.	Comply.	Yes
9.35	Demolition: All existing dwelling (not including any heritage items) must be demolished on the site	Comply – all existing structures on site is to be demolished.	Yes

Clause	Controls	Comments	Complies
9.36	Development in the foreshore protection area must use non-reflective materials that are compatible with the natural characteristics and colours of the area	N/A – subject site is not located within a foreshore protection area.	N/A
Building Design (Car Parking)			
9.37	Development on land bounding by Birdwood Road, Bellevue Avenue and Rex Road in Georges Hall	N/A – subject site does not bound Birdwood Road, Bellevue Avenue and Rex Road in Georges Hall.	N/A
9.38	Driveway: design and siting of car parking structures and driveways must ensure vehicles can leave the site in a forward direction	Comply – the design and siting of car parking structures and driveways will ensure vehicles can leave the site in a forward direction.	Yes
9.39	Location of car parking spaces: behind the front building line	Comply – parking is to be provided within a basement level.	Yes
9.40	Garage: to be architecturally integrates with the development and does not dominate the street façade	N/A – all parking is to be provided within a basement level.	Yes
Landscape			
9.41	Development must retain and protect any significant trees on the site and adjoining sites	<p>The subject site is within a well-established residential area, having historically been used for residential purposes noting as per the Arboriculture Impact Assessment, 2 trees have been identified to be removed with 4 existing trees to be retained, noting that the site does not contain any significant trees or vegetation.</p> <p>The development is to incorporate high quality landscape embellishment works within residential context anticipated to accommodate future higher density residential built form that will contribute towards reduce the physical bulk and scale of the development while also enhancing privacy levels and amenity. Refer to attached Landscape Plan for detail.</p>	Yes

Clause	Controls	Comments	Complies
9.42	Landscaping calculations:	<p>Comply:</p> <ul style="list-style-type: none"> (a) Minimum 45% of the area between the boarding house and the primary street frontage; and (b) A minimum 45% of the area between the boarding house and the secondary street frontage; and (c) Plant more than 75 litre tree between the boarding house and the primary street frontage 	Yes
Security			
9.43	Site shares boundary within a railway corridor or an open stormwater drain	N/A – site does not bound a railway corridor, or an open stormwater drain.	N/A

CONCLUSION

Following a review of the relevant planning controls, it is concluded that the proposed development is consistent with the objectives, planning strategies and detailed controls of these planning documents.

Consideration has been given to the potential environmental and amenity impacts that are relevant to the proposed development and this report addresses these impacts.

Having regard to the benefits of the proposal and considering the absence of adverse environmental, social or economic impacts, the application is submitted to Council for assessment and granting of development consent. Think Planners Pty Ltd recommends the approval of the application, subject to necessary, relevant and appropriate conditions of consent.