

STATEMENT OF ENVIRONMENTAL EFFECTS

For DA

PROPOSED Boarding House

Pursuant to Affordable Rental Housing SEPP 2009

AT

227 Bungarribee Road

Blacktown NSW

Issue D

Date: 09th September 2021

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Summary of amendments

Amendments

Ground Floor -

- Provided a room for an onsite manager by converting an existing double lodger room.
- Provided a private open space adjoining the manager's room with an area greater than 8 m² and depth of at least 2 m
- Width of the door leading into the bin storage room increased to 1500 mm

First Floor -

- Room size adjusted in such a way that all rooms are now capacity of accommodating 2 lodgers.

1. INTRODUCTION:

This document, the Statement of Environmental Effects (SEE) is to accompany a development application submitted at the Blacktown City Council. The applicant's intention is to propose the erection of a two-storey Boarding House plus Basement containing 12 self-contained rooms in accordance with the Affordable Rental Housing SEPP 2009 Division 3-Boarding Houses- (ARH).

This SEE is intended to assist the Council in the determination of the development application (DA) by providing an assessment of the proposal against the provisions of the governing planning instruments being Blacktown Local Environmental Plan (LEP) the associated Blacktown Development Control Plan DCP and the AHSEPP2009

2. DOCUMENTS, PLANS AND POLICIES CITED:

Following documents have been cited in this report:

- i. Blacktown Local Environmental Plan 2015 (BLEP 2015);
- ii. Blacktown Development Control Plan 2015 (BDCP 2015);
- iii. Affordable Rental Housing SEPP 2009 Division 3-Boarding Houses
- iv. 1-DA Architectural Plans Prepared by Gus Fares Architects Pty Ltd:
2-Hydraulics drawings prepared by CEC;
3-Landscaping Plans Prepared by *Gus Fares Architects Pty Ltd*
4-BASIX Certificate prepared by Evergreen Energy Consultants
5-Statement of Environmental Effects prepared by Gus Fares Architects Pty Ltd

3. SITE INFORMATION:

Site Address:	227 Bungarribee Road Blacktown NSW Lot 9 DP 26584
Local Government Area:	Blacktown City Council, NSW
Zone:	R2 - Low Density Residential
Site Area:	834.7 m ² (by deed)
Site Description:	The site is Zoned R2 – Low Density Residential and located at the northern side of Bungarribee Road. The land slopes towards the rear. The Owners are currently negotiating a drainage easement located in the north-eastern corner of the site. There is not much vegetation on the subject site, apart from one tree in the front setback and a few trees in the rear of the lot.
Existing Developments:	The site has an existing single storey cottage. The dwelling-house is directly accessible from the street; the House is about 50-60 years old of brick construction that needs some extensive renovation.
Immediate Context:	The immediate context consists of single storey residential dwelling-houses, The streetscape predominantly comprises of one storey and 2 storeys residential cottages of post war era. There are also large open spaces in the vicinity and the Blacktown Hospital within walking distance.

4. DEVELOPMENT PROPOSAL:

There exists a one storey dwelling-house on the subject site (refer the Architectural Drawing Site Plan) The dwelling of the subject site is proposed to be demolished later via a CDC. The details of this are depicted on the survey plans that accompany this application. The applicant proposes the erection of a Boarding House containing 12 self-contained rooms accommodating a maximum 24 lodgers in accordance with the Affordable Rental Housing SEPP 2009 Division 3-Boarding Houses- (ARH), including the a manager's room.

5. CONSISTENCY WITH RELEVANT PLANNING CONTROLS:

5.1 ZONING:

The site is zoned R2 Low Density Residential according to BLEP 2015 with following objectives:

Objectives of the zone

- *To provide for the housing needs of the community within a low density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To enable certain activities to be carried out within the zone that do not adversely affect the amenity of the neighbourhood.*

The proposed development application for a Boarding House maintains the low density housing development of the area. The proposed form of the development is found to be in consistency with the objectives of this BLEP2010.

Permitted with consent

G U S F A R E S A R C H I T E C T S P L

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*Bed and breakfast accommodation; **Boarding houses**; Building identification signs; Business identification signs; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Emergency services facilities; Environmental facilities; Environmental protection works; Exhibition homes; Exhibition villages; Flood mitigation works; Group homes; Health consulting rooms; Home-based child care; Home businesses; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Public administration buildings; Recreation areas; Respite day care centres; Roads; Seniors housing; Tank-based aquaculture; Veterinary hospitals; Water reticulation systems*

Boarding houses are permissible in R2 Residential Zone and the proposal is consistent with the BLEP 2015.

5.2 Bushfire Prone Land

The subject site is not classified as bushfire prone land.

5.3 CAR PARKING / ACCESS

Provision for onsite parking for 6 car spaces, 3 motorbike spaces and 3 bicycle spaces for the use of the lodgers. While there is a provision for disable access and the provision for 1 accessible room.

The vehicular ramp and basement layout design are generally in accordance with AS 2890.1-2004 (Off-Street Car Parking) & AS 2890.6-2009 (Off-Street Parking for People with Disabilities)

Where required, the proposed development has been designed to comply with the relevant controls of Part D3 (access for people with a disability) of the NCC and the AS 1428.1-2009 – Design for access and mobility.

The proposal addresses the issue of drainage, access through appropriate kerbing details, guttering provisions and by providing appropriate levels to the proposed concrete driveway that connects to Paul Street.

5.4 LANDSCAPING:

It should be noted the ARHSEPP 2009 does not have numerical requirement for the landscaped area for boarding house developments.

However, the proposed development provides sufficient deep soil area for planting in the front setback (34 m²) and rear communal open space (150 m²). The front landscaping area and character match the neighbouring properties as required in the ARHSEPP 2009.

5.5 VIEWS:

There is no issue regarding views because there are no balconies or low windows to overlook the neighbouring properties or any issue of the proposal that could affect views and give rise to overlooking issues.

5.6 DENSITY AND SITE COVERAGE:

The density of the Boarding house is equivalent to any house Density as permissible and complies with the relevant planning controls.

It should be noted BLEP 2015 does not currently include FSR control for the subject site.

5.7 SETBACKS and BUILDING ENVELOPE:

The setbacks are relevant with the planning controls and comply with house setback requirements and in keeping with established street setbacks for similar developments and ensures there are no adverse impact regarding privacy, overshadowing, solar access and other similar issues.

Setback

1. Front and Side Setbacks:

Proposed: 6 m front setback.

d) Side setbacks to external walls should be a minimum of 900 mm

Proposed: 900 mm on Ground Level and 1.5m on 1st floor

e) Rear setbacks

Proposed: 6 m rear setback and rear setback areas used for provision of landscaping area.

Building Envelope

a) Development is contained within a building envelope to match any potential residential house under Exempt and Complying Developments Code SEPP

5.8 BUILDING APPEARANCE:

The setbacks, height, roof form and other visual aspects are innovative and the scale of the development is in consistency with the character of the neighbourhood. The applicant has used external building finishes and

materials that are not in visual contrast with the buildings within the locality.

5.9 ENVIRONMENTAL EFFICIENCY:

The proposed boarding house have appropriate solar access and have internal areas in such locations that promote direct solar access of more than 4 hours during winter – 9am to 3pm. A concept stormwater plans has been submitted to the Council with the development application.

1.0 Compliance with Affordable Rental Housing SEPP 2009 as amended on 20 May 2011

(Division 3-Boarding houses)

26 Land to which Division applies

This Division applies to land within any of the following land use zones or within a land use zone that is equivalent to any of those zones:

- (a) Zone R1 General Residential,*
- (b) Zone R2 Low Density Residential,*
- (c) Zone R3 Medium Density Residential,*
- (d) Zone R4 High Density Residential,*
- (e) Zone B1 Neighbourhood Centre,*
- (f) Zone B2 Local Centre,*
- (g) Zone B4 Mixed Use.*

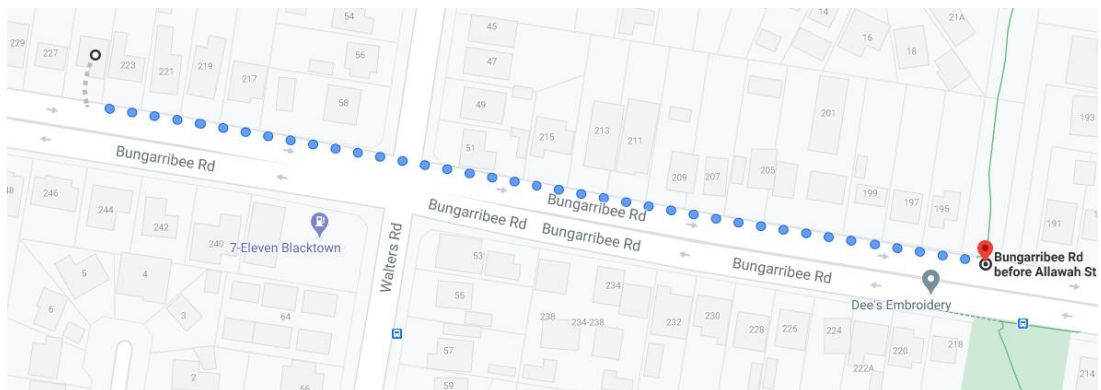
The proposed development application for a Boarding House is permissible within this zone, being R2Low Density Residential.

27 Development to which Division applies

(1) This Division applies to development, on land to which this Division applies, for the purposes of boarding houses.

(2) Despite subclause (1), this Division does not apply to development on land within Zone R2 Low Density Residential or within a land use zone that is equivalent to that zone in the Sydney region unless the land is within an accessible area.

The proposed development application for Boarding House is located within a R2 zone and within walking distance of a Bus Stop with regular bus services located within 400 m on Bungarribee Road. Boarding houses are permissible within the existing R2 Low Density Residential Zone.



The bus stop (ID:2148189) in the above image is serviced by route 724 (to Blacktown Station) regularly with a minimum of 1 service per hour between 6 am – 9 pm on weekdays and 8 am – 6 pm on weekends per the accessibility requirement of the ARHSEPP 2009.

28 Development may be carried out with consent

Development to which this Division applies may be carried out with consent.

29 Standards that cannot be used to refuse consent

(1) A consent authority must not refuse consent to development to which this Division applies on the grounds of density or scale if the density and scale of the buildings when expressed as a floor space ratio are not more than:

(a) the existing maximum floor space ratio for any form of residential accommodation permitted on the land, or

(b) if the development is on land within a zone in which no residential accommodation is permitted—the existing maximum floor space ratio for any form of development permitted on the land, or

(c) if the development is on land within a zone in which residential flat buildings are permitted and the land does not contain a heritage item that is identified in an environmental planning instrument or an interim heritage order or on the State Heritage Register—the existing maximum floor space ratio for any form of residential accommodation permitted on the land, plus:

(i) 0.5:1, if the existing maximum floor space ratio is 2.5:1 or less, or

(ii) 20% of the existing maximum floor space ratio, if the existing maximum floor space ratio is greater than 2.5:1.

(2) A consent authority must not refuse consent to development to which this Division applies on any of the following grounds:

It should be noted BLEP 2015 does not currently include FSR control for the subject site, therefore, the proposal development should not be refused based on the FSR.

(a) building height

if the building height of all proposed buildings is not more than the maximum building height permitted under another environmental planning instrument for any building on the land,

The BLEP 2015 allows a maximum height of building of 9m, the proposed development has an average building height of 8-9 m (at ridge level) and no part extending beyond the ridge. Therefore, the proposed development should not be refused base on the building height.

(b) landscaped area

if the landscape treatment of the front setback area is compatible with the streetscape in which the building is located,

The landscaping treatment is compatible with the neighbouring properties and matches similar setbacks with no front fencing.

(c) solar access

where the development provides for one or more communal living rooms, if at least one of those rooms receives a minimum of 3 hours direct sunlight between 9am and 3pm in mid-winter,

The communal areas is facing north and will achieve more than 3 hours of sunlight in mid-winter.

(d) private open space

if at least the following private open space areas are provided (other than the front setback area):

(i) one area of at least 20 square metres with a minimum dimension of 3 metres is provided for the use of the lodgers,

(ii) if accommodation is provided on site for a boarding house manager—one area of at least 8 square metres with a minimum dimension of 2.5 metres is provided adjacent to that accommodation,

The raised communal open space with an area of 20 m² has been provided while a further 160 m² at natural ground level has been preserved for the purpose of landscaping and amenities at the rear of the lot which can be accessed by the 1:14 gradient ramp.

(e) parking

if—

(i) in the case of development carried out by or on behalf of a social housing provider in an accessible area—at least 0.2 parking spaces are provided for each boarding room, and

(ii) in the case of development carried out by or on behalf of a social housing provider not in an accessible area—at least 0.4 parking spaces are provided for each boarding room, and

(iia) in the case of development not carried out by or on behalf of a social housing provider—at least 0.5 parking spaces are provided for each boarding room, and

(iii) in the case of any development—not more than 1 parking space is provided for each person employed in connection with the development and who is resident on site,

The proposal has provided the following onsite parking for 12 self-contained boarding room –

Required Car parking spaces – $12 \times 0.5 = 6$ spaces

Proposed – 6 spaces (including 1 Accessible Parkings).

(f) accommodation size

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:

(i) 12 square metres in the case of a boarding room intended to be used by a single lodger, or

(ii) 16 square metres in any other case.

(3) A boarding house may have private kitchen or bathroom facilities in each boarding room but is not required to have those facilities in any boarding room.

(4) A consent authority may consent to development to which this Division applies whether or not the development complies with the standards set out in subclause (1) or (2).

Each room in the proposed development complies with the accommodation size as prescribed by ARHSEPP 2009. The boarding house will cater for a maximum of 24 lodgers in 12 rooms (including the manager's room).

30 Standards for boarding houses

1) A consent authority must not consent to development to which this Division applies unless it is satisfied of each of the following—

(a) if a boarding house has 5 or more boarding rooms, at least one communal living room will be provided,

One Communal room has been provided on the ground level and oriented to the north to achieve the required solar access.

(b) no boarding room will have a gross floor area (excluding any area used for the purposes of private kitchen or bathroom facilities) of more than 25 square metres,

All rooms (excluding any area used for private kitchen or bathroom facilities) does not exceed 25 m².

(c) no boarding room will be occupied by more than 2 adult lodgers,

The maximum number of occupant per room is limited to 2. Please refer to Boarding house management plan for details.

(d) adequate bathroom and kitchen facilities will be available within the boarding house for the use of each lodger,

The proposal provides self-contained kitchen, bathroom and wardrobe for each room.

(e) 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,

The proposed boarding house will accommodate a maximum of 22 lodgers at any one time, as such, an onsite manager is required and a room for the manager has been provided on the ground level.

(f) (Repeal)

(g) if the boarding house is on land zoned primarily for commercial purposes, no part of the ground floor of the boarding house that fronts a street will be used for residential purposes unless another environmental planning instrument permits such a use,

The subject site is zoned as R2 Low Density Residential Zone and therefore this requirement does not apply.

(h) at least one parking space will be provided for a bicycle, and one will be provided for a motorcycle, for every 5 boarding rooms.

The proposal has provided spaces for 2 motorbikes and 2 bicycles.

(2) Subclause (1) does not apply to development for the purposes of minor alterations or additions to an existing boarding house.

The proposal is for a new boarding house and Subclause (2) does not apply.

However, it should be noted the proposal complies with all requirements of Subclause (1).

30A Character of local area

A consent authority must not consent to development to which this Division applies unless it has taken into consideration whether the design of the development is compatible with the character of the local area

The proposal complies with the character of the area as it is of the same height and setback of similar Residential type development on Bungarribee Road. The treatment of the front landscaping areas and the facades matches the neighbouring properties.

7.0 DRAFT State Environmental Planning Policy (Housing) 2021 (Public Consultation draft)

Division 2 Boarding houses

22 Boarding houses permitted with consent

(1) Development for the purposes of a boarding house may be carried out with consent on land on which development for the purposes of a boarding house is permitted with consent under another environmental planning instrument.

(2) Development for the purposes of a boarding house must not be carried out on land in

Zone R2 Low Density Residential or an equivalent land use zone

unless—

(a) for land in the Greater Sydney region—the land is within an accessible area, or

Under the draft State Environmental Planning Policy Division 2 Clause 22, boarding house development is still permitted with consent as Boarding houses are permitted in R2 the BLEP 2015 as the subject is considered an accessible area per the definition of the SEPP.

24 Standards for boarding houses

(1) Development consent must not be granted under this Division unless the consent

authority is satisfied that—

(a) the design of the development will be compatible with the character of the

local area, and

(b) no boarding room will have a gross floor area, excluding an area, if any, used

for the purposes of private kitchen or bathroom facilities, of more than 25m²,

and

(c) no boarding room will be occupied by more than 2 adult residents, and

(d) adequate bathroom, kitchen and laundry facilities will be available within the boarding house for the use of each resident, and

(e) for a boarding house on land in Zone R2 Low Density Residential or an equivalent land use zone—the boarding house will not have more than 12 boarding rooms, and

The proposed development complies with the requirement for the room size for single and double lodgers and it contains 12 rooms per the controls of Clause 24 of the Draft State Environmental Planning Policy (Housing) 2021.

(h) the minimum lot size for the development is not less than—

(i) for development on land in Zone R2 Low Density Residential—the minimum lot size requirements for manor houses under a relevant planning instrument, or 600m²

As the BLEP 2015 does not include a Manor home, the minimum lot size for boarding houses on a lot zoned R2 is 600 m², as such, boarding houses development is permitted on the subject site.

Schedule 6 Provisions consequent on comments of State Environment Planning Policy (Housing) 2021

2 General Savings provision

The former provisions of repealed instrument continue to apply to the following--

- (a) *a development application made, but not yet determined, on or before the repeal day,*
- (b) *a development consent granted on or before the repeal day.*

Schedule 6 Clause of the draft State Environmental Planning Policy provides a savings clause for application made prior to the current version of the Affordable Rental Housing SEPP 2009 is repealed, as such, the draft controls in the draft SEPP (Housing) 2021 would not apply and the application should be assessed against the relevant version Affordable Rental Housing SEPP 2009

8.0 CONCLUSION

The proposed development application for a Boarding House complies with all the above requirements in particular we mention the followings:

- 1- The height is two storeys fits within the building envelope
- 2- The proposal provides adequate onsite parking for 6 cars, 2 motorbikes and 2 bicycles.
- 4- The size of each double accommodation not more than 25 m² and not least than 16 m².
- 5- A Communal Room has been provided for all lodgers on the ground level and faces north with easy access to the rear yard
- 6- More than 20 m² of communal landscaping area has been provided for lodgers in the rear of the site.

No major environmental impacts are likely to arise in this low-density development, and the concerned issues and the steps to be taken for mitigation to any potential issues have been discussed in this report.

There is a huge demand for accommodation in the vicinity which makes this proposal is beneficial for the area.

On this basis, Council approval for this Boarding House at is recommended.

-----END OF STATEMENT-----
