

State Environmental Planning Policy (Housing) 2021

Provision	Compliance
<p>42 (1) – This Division applies to residential development if -</p> <p>(a) the development is permitted with consent on the land under another environmental planning instrument, and</p> <p>(b) all buildings will have a height of not more than 9m, and</p> <p>(c) the development will result in 60 dwellings or less on a single site, and</p> <p>(d) for development on land in an accessible area—the development will result in at least the following parking spaces –</p> <ul style="list-style-type: none"> (i) for each dwelling containing 1 bedroom – 0.4 parking spaces (ii) for each dwelling containing 2 bedrooms – 0.5 parking spaces (iii) for each dwelling containing at least 3 bedrooms – 1 parking space, and <p>(e) for development on land that is not in an accessible area—the development will result in at least the following parking spaces –</p> <ul style="list-style-type: none"> (i) for each dwelling containing 1 bedroom – 0.5 parking spaces (ii) for each dwelling containing 2 bedrooms – 1 parking space (iii) for each dwelling containing at least 3 bedrooms – 1.5 parking space, and 	<p>Not applicable as the proposal is for subdivision only and does not include construction of any buildings.</p> <p>While buildings are not proposed as part of the REF, it is envisaged that future development will be able to comply with building height and car parking requirements.</p>
<p>(2) This Division applies to the following development if the development is permitted on the land under another environmental planning instrument –</p> <p>(a) the demolition of buildings and associated structures if the building or structure is on land –</p> <ul style="list-style-type: none"> (i) that is non-heritage land, and (ii) that is not identified in an environmental planning instrument as being within a heritage conservation area, <p>(b) the subdivision of land and subdivision works.</p> <p>Note – Section 32 prohibits the subdivision of a boarding house.</p>	<p>The proposed development is the subdivision of land and associated works, which are permissible under Clause 2.6 of the LEP.</p> <p>No demolition is proposed.</p> <p>Complies.</p>
<p>(3) This Division does not apply to –</p> <p>(a) development to which this Part, Division 5 applies, or</p> <p>(b) development that is part of a project, or part of a stage of a project, that the Minister determined under the Act, former section 75P to be subject to the Act, Part 4.</p>	<p>None of these exclusions apply to the proposed subdivision.</p>
<p>(4) Development to which this Division applies may be carried out by or on behalf of a relevant authority without development consent.</p>	<p>The proposed development will be undertaken by or on behalf of LAHC.</p>
<p>(5) <i>State environmental planning policy (Transport and Infrastructure) 2021</i>, sections 2.15 and 2.17 apply to the development and, in the application of the sections -</p> <p>(a) a reference in section 2.15 to “this Chapter” is taken to be a reference to this section, and</p> <p>(b) a reference in the sections to a public authority is taken to be a reference to the relevant authority.</p>	<p>N/A – no formal concurrence was required for agencies.</p>

Provision	Compliance
<p>(6) In this section-</p> <p>Former section 75P means the Act, section 75P, as in force immediately before its repeal by the Environmental Planning and Assessment Amendment (Part 3A Repeal) Act 2011.</p> <p>Residential development has the same meaning as in the Housing Act 2001, section 8.</p>	<p>This REF has assessed the proposed subdivision as being residential development as defined by the Housing Act 2001.</p>
43 Requirements for carrying out residential development -	LAHC collaborated closely with Forbes Shire Council in developing the design and addressing technical requirements for the proposal. Written notice to Council, other persons nominated by the Council and occupiers of adjoining land will be undertaken
(1) Before carrying out development under this Division, the Land and Housing Corporation must-	
(a) request the council nominate a person or persons who must, in the council's opinion, be notified of the development, and	
(b) give written notice of the intention to carry out the development to –	Submissions and LAHC responses will be compiled following the notification period.
(i) the council, and	
(ii) the person or persons nominated by the council, and	Seniors Living Policy: Urban Design Guidelines has been considered.
(iii) the occupiers of adjoining land, and	
(c) take into account the responses to the notice that are received within 21 days after the notice is given, and	Good Design for Social Housing has been considered.
(d) take into account the relevant provisions of the <i>Seniors Living Policy: Urban Design Guidelines for Infill Development</i> , published by the Department in March 2004, and	LAHC dwelling requirements relates to the provision of dwellings and will be considered when dwellings are provided.
(e) if the relevant authority is the Aboriginal Housing Office – consider the relevant provisions of the <i>Aboriginal Housing Design Guidelines</i> , published by the Aboriginal Housing Office in January 2020, and	
(f) If the relevant authority is the Land and Housing Corporation – consider the relevant provisions of –	
(i) Good Design for Social Housing, published by the Land and Housing Corporation in September 2020, and	
(ii) Land and Housing Corporation Dwelling Requirements, published by the Land and Housing Corporation in September 2020, and	
(g) if the development is for the purposes of manor houses or multi dwelling housing (terraces)—consider the relevant provisions of the Codes SEPP, Part 3B.	
(2) In this section, a reference to the council is a reference to the council for the land on which the development is proposed to be located.	

Seniors Living Policy: Urban Design Guidelines for Infill Development

Objective	Compliance
Responding to Context	
<p><i>Analysis of neighbourhood character</i></p> <p><u>Street layout and hierarchy</u> New development to be of an appropriate scale and character to reinforce existing patterns</p> <p><u>Block and lots</u> Consideration of predominant block sizes and lot patterns</p> <p><u>Built environment</u> New built form, as far as possible, follows surrounding built environment patterns</p> <p><u>Trees</u> Consideration of significant trees and landscapes in the neighbourhood, species and spacing</p> <p><u>Policy environment</u> Key characteristics of the area identified by Council.</p> <p>Site analysis</p> <ul style="list-style-type: none"> - Existing streetscape elements and the existing pattern of development as perceived from the street - Patterns of driveways and vehicular crossings - Existing vegetation and natural features on the site - Existing pattern of buildings and open space on adjacent lots 	<p>The subdivision road layout and hierarchy is consistent with surrounding established development and generally consistent with the master plan layout for the precinct in the Forbes Housing Strategy.</p> <p>Block sizes and lot patterns are consistent with surrounding established development and also generally consistent with the master plan layout for the precinct in the Forbes Housing Strategy. Where inconsistencies are present in terms of indicative block sizes, lot size diversity is provided.</p> <p>Dwellings are not proposed as part of the REF and so assessment of and compliance with built environment controls will be assessed at that time.</p> <p>There are no significant trees on-site which need to be retained. Trees in proximity to the subject site but on adjoining land have been considered and will be preserved where possible.</p>
Site Planning	
<p>Objectives</p> <p>To minimise the impacts of new development on</p>	<p>The proposal will integrate into the surrounding low-density residential character and so will complement the existing neighbourhood character of the area.</p>

Objective	Compliance
<p><i>neighbourhood character</i></p> <p><i>To retain existing natural features of the site that contribute to neighbourhood character</i></p> <p><i>To provide high levels of amenity for new dwellings 'to maximise deep soil and open space for mature tree planting</i></p> <p><i>To minimise the physical and visual dominance of car parking, garaging and vehicular circulation</i></p> <p><i>To provide housing choice through a range of dwelling sizes</i></p>	<p>A landscape plan is included with the proposal demonstrating that appropriate amenity will be provided for future new dwellings by way of deep soil planting and sufficient space for mature tree planting.</p> <p>Physical and visual dominance including car parking will be assessed as part of future applications for residential development.</p> <p>Housing choice will be provided as part of future applications. Diverse housing types with a range of dwelling sizes will be able to be facilitated as approximately 55% of lot sizes will be greater than 740sqm which is the minimum lot size for attached and detached dual occupancies, multi dwelling housing and residential flat buildings.</p>
Impacts on Streetscape	
<p>Objectives</p> <p><i>To minimise impacts on the existing streetscape and enhance its desirable characteristics</i></p> <p><i>To ensure that new development, including the built form, front and side setbacks, trees, planting and front fences, is designed and scaled appropriately in relation to the existing streetscape</i></p> <p><i>To provide a high-level activation and passive surveillance to the street</i></p>	<p>The REF is for subdivision and ancillary works only which does not include any residential development. A landscape plan has been prepared in support of the proposal which includes street trees which complement the development.</p> <p>With regard to street activation and surveillance, the proposal does not include cul-de-sacs which can reduce passive surveillance. Footpaths will be provided throughout the development which will encourage active lifestyles throughout the subdivision which will also increase passive surveillance.</p>
Impacts on Neighbours	
<p>Objectives</p> <p><i>To minimise impacts on the privacy and amenity of existing neighbouring dwellings</i></p> <p><i>To minimise overshadowing of existing dwellings and private open space by new dwellings</i></p> <p><i>To retain neighbours' views and outlook to existing mature planting tree canopy</i></p> <p><i>To reduce the apparent bulk of development and its impact on neighbouring properties</i></p> <p><i>To provide adequate building separation</i></p>	<p>The proposal includes extensions of York Street and Belah Street which are logical extensions of these local roads and will contribute to connectivity and amenity for existing residents, particularly Belah Street.</p> <p>The subject site is largely void of mature trees with a majority of trees in the immediate area being located on adjacent lots. Therefore, the development will have no impact on neighbours' views and outlook to existing mature planting tree canopy.</p> <p>Dwellings are not proposed as part of the REF and so overshadowing, building bulk and building separation will be assessed at that time; however, it is not considered any adverse impacts would result.</p>
Internal Site Amenity	

Objective	Compliance
<p>Objectives</p> <p><i>To provide quality useable private and communal open spaces for all residents</i></p> <p><i>To provide dwellings that have distinct identity and safe entries</i></p> <p><i>To provide safe and distinct pedestrian routes to all dwellings and communal facilities</i></p> <p><i>To ensure adequate solar access to living areas and private open space</i></p> <p><i>To reduce the dominance of parking, garaging and vehicular circulation space on the internal character of new development</i></p>	<p>Lot sizes in the subdivision will range from 632sqm to 2,030 sqm which will facilitate generous private open space for future residents after dwellings are constructed.</p> <p>Safe entries and pedestrian routes, solar access and built form outcomes of garaging will be assessed during the dwelling approval stage.</p>

Good Design for Social Housing

Goals	Principles	Comment - Discussion on how the design responds to the principles:
Wellbeing	Healthy environments Good for tenants Quality homes	The subdivision layout includes pedestrian footpaths which are conducive to healthy environments. Residential accommodation is not proposed as part of the REF and so assessment against all principles of the guideline will be undertaken at this time.
Belonging	Mixed tenure Good shared and public spaces Contribute to local character	The subdivision is located close to Council's future open space area which residents will be able to take advantage of. No dwellings are proposed as part of the REF and so assessment against the principles of mixed tenure and local character will be assessed at this time.
Value	Whole of lifecycle approach Sustainability and resilience Make every dollar count	No dwellings are being provided under this assessment. The design of the dwellings will be assessed during the approval process for the dwellings.