

23 July 2026

2250335

Kiersten Fishburn
Secretary
NSW Department of Planning, Housing and Infrastructure
4 Parramatta Square, 12 Darcy Street
Parramatta, NSW, 2150

Attention: Brendon Roberts, Team Leader, Social and Diverse Housing Assessments

Dear Brendon,

Request for Industry-Specific SEARs – Seniors Housing 22-36 Park Avenue and 41-49 Balmoral Street, Waitara

The letter has been prepared by Colliers Urban Planning on behalf of Anglicare (the Applicant) to request industry-specific Secretary's Environmental Assessment Requirements (SEARs) from the Department of Planning, Housing and Infrastructure (DPHI).

Industry-specific SEARs are requested in order to enable and guide the preparation of an Environmental Impact Statement (EIS) for the purposes of industry-specific SEARS development type for a State Significant Development Application (SSDA) at 22-36 Park Avenue and 41-49 Balmoral Street, Waitara.

This letter provides a description of the site, the proposed development and statutory planning considerations, including eligibility for the State Significant Development (SSD) and industry-specific SEARs pathways. It should be read in conjunction with the Preliminary Plans prepared by WMK Architecture provided within the Scoping Pack at **Attachment A** and the Survey Plan prepared by LTS at **Attachment B**.

1.0 Applicant Details

The Applicant's details are presented in **Table 1** below.

Table 1 *Applicants Details*

Applicant	Anglicare Community Services
ABN	39 922 848 563

2.0 Site Description

An overview of the key components of the site are described in **Table 2** below.

Table 2 Site Description

Component	Description
Site Address	22-36 Park Avenue and 41-49 Balmoral Street, Waitara
Legal Description	Lot 1 DP1007710 Lot 2 DP507307 Lot 6 DP874021 Lot 2 DP1007710 Lot A DP324923 Lot 7 DP874021 Lot 11 DP6852 Lot B DP324923 Lot A DP363698 Lot 31 DP856384 Lot C DP324923 Lot B DP363698 Lot 32 DP856384 Lot 1 DP870417 Lot 1 DP370816 Lot 1 DP507307
Land Ownership	Anglicare
Zoning	R4 High Density Residential
Site Area	14,640m ²
Street Frontages	Park Avenue Balmoral Street
Existing Development	A combination of low-rise residential housing and vacant lots following demolition.
Surrounding Development	• North: high-density residential dwellings. • East: Balmoral Street, with low-density residential dwellings and Waitara Public School beyond. • South: high-density residential dwellings, with Waitara Train Station beyond. • West: Park Avenue, with Mark Taylor Oval and high-density residential dwellings beyond.
Flooding	The site is located on land identified within a flood planning area, as the southern portion of the site is affected by overland stormwater flows from an adjacent Council stormwater pipe and easement.
Easements	The site is subject to the following: A. Right of carriageway 3.5 wide and variable vide DP 874021 B. Easement for services 3.5 wide and variable vide DP 874021 C. Drainage easement 1 wide vide DP 647981 D. Drainage easement 1 wide vide DP 265105 E. Restriction as to user vide DP 856384 F. Right of carriageway 3.6 wide and variable vide DP 1007710 G. Easement for services 3.6 wide and variable vide DP 1007710 H. Easement to drain water 3.6 wide and variable vide DP 1007710 Refer to the Survey Plan provided at Attachment B.

An aerial photograph of the site is included in **Figure 1**.



Figure 1 Site Aerial Map

Source: Nearmap, edits by Colliers Urban Planning

3.0 Project Description

An overview of the key components of the project are described in **Table 3** below.

Table 3 Project Details

Component	Description
Land Uses	Residential care facility and independent living units
Project Description	The proposed development will seek consent for: • Demolition of the existing structures; • Construction of five (5) buildings, including: - A communal and hospitality centre; - A residential care facility, comprising: ▪ Approx. 36 x high care suites; ▪ Approx. two (2) x cottages; - Approx. 275 x independent living units; • Construction of two (2) x basement levels, comprising:

	- Approx. 504 x residential and visitor parking spaces; and • Associated landscaping and public domain works.
Gross Floor Area	40,202m ²
Building Height	32m
Floor Space Ratio	2.746:1
Estimated Development Cost	\$356,891,285 (excluding GST). It is noted that this is indicative only and subject to more detailed cost reporting to be provided as part of the SSDA.

4.0 Statutory Planning Considerations

The relevant statutory considerations at this stage of the project, including eligibility for the SSD and industry-specific SEARs pathways are outlined in **Table 4** below.

Table 4 Statutory Planning Considerations

Component	Description
SSD Qualification	Development for the purposes of seniors housing with an Estimated Development Cost (EDC) of more than \$30 million is SSD under Schedule 1, Section 28 of the State Environmental Planning Policy (Planning Systems) 2021 (Planning Systems SEPP). The proposed development will have an EDC exceeding \$30 million and therefore is considered SSD.
Permissibility	Development for the purpose of residential care facility and independent living units (as a subset of seniors housing) is permissible with development consent in the R4 Zone pursuant to Sections 79 and 81 of the Housing SEPP. Development for the purposes of seniors housing within a 'low and mid rise housing area' (LMR) is subject to the relevant provisions of the Housing SEPP. A LMR 'inner area' includes "land within 400m walking distance of [...] a public entrance to a railway." The entrance to Waitara Train Station is located approximately 400m walking distance from the nearest point of the site. On this basis, the site qualifies as being within an 'inner area' and is therefore subject to the relevant provisions of the Housing SEPP.
Building Height	The maximum building height is 16.5m under the Hornsby LEP 2013. However, Section 175 of the Housing SEPP is subject to housekeeping amendments which would apply a maximum height of 22m for seniors housing within the LMR inner area. Additionally, the seniors housing bonus of Section 87 of the Housing SEPP is also subject to housekeeping amendments which would apply a height bonus of 3.8m. Accordingly, applying the 3.8m bonus will provide a maximum building height of 25.8m.
Floor Space Ratio	There is no maximum FSR under the Hornsby LEP 2013. However, Section 175 of the Housing SEPP is subject to housekeeping amendments which would apply a maximum FSR of 2.2:1 for seniors housing within the LMR inner area. Additionally, the seniors housing bonus of Section 87 of the Housing SEPP applies a 25% FSR bonus, where development is for the purposes of both independent living units and residential care facilities. Accordingly, applying the 25% bonus will provide a maximum FSR of 2.75:1.

Eligibility for Industry-Specific SEARs	The proposed development will seek consent for: • Demolition of the existing structures; • Construction of five (5) buildings, including: - A communal and hospitality centre; - A residential care facility, comprising: ▪ Approx. 36 x high care suites; ▪ Approx. two (2) x cottages; - Approx. 275 x independent living units; • Construction of two (2) x basement levels, comprising: - Approx. 504 x residential and visitor parking spaces; and • Associated landscaping and public domain works.
Estimated Development Cost	Industry-specific SEARs only apply to SSD applications other than those that: • would be designated development but for the Act, section 4.10(2), or • are partly prohibited by an environmental planning instrument (EPI), or • are wholly prohibited by an EPI, to the extent permitted by the Act, section 4.38(5), or • are a concept DA for SSD. None of the above will apply to the proposed development, hence the preparation of this industry-specific SEARs request.
Clause 4.6 Variation Request	A Clause 4.6 Variation Request for building height will be prepared to accompany the SSDA. The proposed 6.2m variation in building height responds appropriately to the site's topography and surrounding streetscape. The extent of the height exceedance is confined to the two buildings fronting Park Avenue, where the variation is experienced, while the buildings fronting Balmoral Avenue remain well below the prescribed height limit. This graduated built form ensures that the development responds sensitively to its context and minimises the visual impact of the variation.

5.0 Conclusion

As outlined in this letter, the Proposal is declared SSD under Schedule 1, Section 28 of the Planning Systems SEPP and is eligible for industry-specific SEARs.

We trust that the information provided is sufficient to enable the Secretary to issue SEARs for the preparation of the EIS. Should you have any queries about this matter, please do not hesitate to contact the undersigned.

Sincerely,



Ella Freire-Yale
Senior Planner
Ella.FreireYale@colliers.com



Daniel West
Director, Planning
Daniel.West@colliers.com